

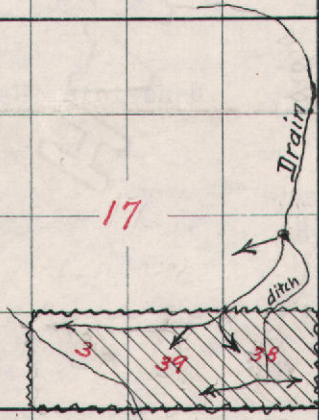
STATE OF IDAHO
DEPARTMENT OF REGULATION
REPORT OF ENGINEER

18

17

16

Point of Diversion



19

20

21

State of Idaho

License and Certificate of Water Right

Water License No. 19313
 Water District No. _____

Amount 0.5 second foot
 Priority June 16, 1942

THIS IS TO CERTIFY that RALPH R. DAVIS
 of Sterling, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated June 16, 1942; that Permit No. 19313
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 0.5 second feet, was issued thereunder on November 5, 1942, showing that said works
 were completed on the 31st day of October, 1942; and that on the 14th
 day of December, 1942,

RALPH R. DAVIS

of Sterling, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of Wiley Drain
 Ditch, a tributary of _____, for the purpose of irrigation
 _____, under Use Permit No. 19313 of the Commissioner of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
 hereby confirmed by the State Reclamation Engineer
 Commissioner of Reclamation of Idaho and entered of record in Volume 7
 of Licenses, at page 4195, on the 17th day of February, 1944;

The right hereby confirmed dates from June 16, 1942;

The Point of Diversion is located
 in the East $\frac{1}{4}$ half $\frac{1}{4}$ Sec. 17, Tp. 4 S., R. 32 E., B. M. Bingham County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
 is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.5
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 S.	32 E.	17	SE $\frac{1}{4}$ SW $\frac{1}{4}$	2	3
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	39
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	38	38
			Total Number of Acres Actually Irrigated -		80

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
 herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer
 Commissioner of Reclamation, affixed at Boise, Idaho,
 this 17th day of February, 1944

(SEAL)

MARK R. KULP
 Commissioner of Reclamation
 State Reclamation Engineer.

State of Idaho
License and Certificate of Water Right

Water License No. 17347
Water District No.

Amount 10 second feet
Priority July 31, 1930

THIS IS TO CERTIFY that H. R. JACKETT
of Pocatello, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 31, 1930; that Permit No. 17347
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
10 second feet, was issued thereunder on June 2, 1938, showing that said works
were completed on the 11th day of December, 1936; and that on the 9th
day of August, 1943,
FRANK S. JACKETT, ASSIGNEE OF H. R. JACKETT, DECEASED,
of Hamer, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of wells (subterranean)
, a tributary of, for the purpose of irrigation and
domestic use, under Use Permit No. 17347 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the State Reclamation Engineer
of Licenses, at page 4194, on the 14th day of February, 1944;
The right hereby confirmed dates from July 31, 1930;

The Point of Diversion is located
in the SW 1/4 NW 1/4, Sec. 26, Tp. 7 N., R. 35 E., B. M. Jefferson County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 10
cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres described in Permit	No. Acres Actually Irrigated
7 N.	35 E.	34	NE NE	40	40
			NW NE	40	30
			SW NE	40	30
			SE NE	40	35
			NE NW	40	35
			SE NW	40	35
			NE SW	40	40
			SE SW	40	35
6 N.	35 E.	3	NE NW	40	30
			NW NW	40	30
			SW NW	40	15
			SE NW	40	35
			NE SW	40	15
			NW SW	40	20
			SW SW	40	10
			SE SW	40	—
6 N.	35 E.	4	NE SE	40	25
			NW SE	40	35
			SW SE	40	10
			SE SE	40	10

Total Number of Acres Irrigated 515

(SEAL)

State Reclamation Engineer

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

Application No. 26808
Permit No. 19313
District No.

1. Name of Applicant: RALPH R. DAVIS
Postoffice address: Sterling County: Bingham State: Idaho
 - I. If applicant is a corporation, give:
 - (a) Date and place of incorporation:
 - (b) Amount of capital stock:
 - (c) Amount paid in:
 - (d) Names and addresses of directors:
 - II. The financial resources of the applicant are:
 - (a) Cash on hand:
 - (b) Treasury stock:
 - (c) Bonds to be issued:
 - (d) Other resources:
2. Quantity of water claimed: .50 cubic feet per second.
3. Source of water supply: Wiley Drain Ditch which is a tributary of
4. Location of point of diversion: 3368 feet distant from the SE corner of Section 17, T. 4 S, R. 32 E, B. M., and is the E $\frac{1}{2}$ of Section 17, T. 4 S, R. 32 E, B. M., County of Bingham
5. Water is to be used for: irrigation
6. If for mining, milling, power or manufacturing purposes, give:
 - (a) Point of use of water: feet distant from corner of Section T. , R. , B. M., in the of Section , T. , R. , B. M.
 - (b) Amount of power generated: H. P., under feet head.
 - (c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B. M., in the of Section , T. , R. , B. M.
7. Estimated cost of works: \$ completed
8. Kind of works: ditch
9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom 1 feet; width at water line 1.5 feet; depth of water 0.5 feet; dimensions of flume: Diameter of pipe inches; length of conduit miles. Average grade per mile feet.
12. The time required for the completion of such work is 6 months years:-
13. The time required for the complete application of the water to the proposed use is none additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

Ralph R. Davis /s/
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: June 16, 1942, 9:00 A. M.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 19313
Recorded in Book 70 Page 19313 Approved June 16, 1942
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 Aug. 15, 1942 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 July 31, 1942
The whole of said work to be completed on or before Dec. 16, 1942
Beneficial use of water appropriated in accordance herewith, to be made on or before Dec. 16, 1942

Witness my hand this 16th day of June, 1942

E. V. BERG
Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We Chase A. Clark Governor of the State of Idaho, and Geo. H. Curtis Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and have caused the Great Seal of the State of Idaho to be hereunto affixed, this 16th day of June 19 42

Countersigned:

STATE OF IDAHO

(SEAL

By Geo. H. Curtis

Secretary of State.

By

Chase A. Clark

Governor.

Remarks: Water from this drain ditch is public water as the Canal Company cannot use it. My private ditch was dug six feet deep and is part of the drain ditch.

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4 S	32 E	17											2				40	38	80

PERMIT NO. 19313

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that RALPH R. DAVIS, of Sterling, County of Bingham, and State of Idaho, the holder of Permit No. 19313, issued upon Application No. 26808 bearing date of priority of June 16, 1942, authorizing the diversion of One-half second feet of the waters of Wiley Drain Ditch, County of Bingham, State of Idaho, for Irrigation 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 One-Half second feet of the waters of Wiley Drain Ditch that the point of diversion of said waters is in the E1/2 of Section 17, Township 4. S. Range 32, E. B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Township 4 S., Range 32 E., Section 17, 2 Acres in the SE1/4SW1/4, 40 Acres in the SW1/4SE1/4, and 38 Acres in the SE1/4SE1/4.

Witness my hand this 5th, day of November, A. D., 1942.
Completion of Works Made: October 31, 1942.
Certificate Issued: November 5, 1942.

E. V. BERG /s/
Commissioner of Reclamation

LICENCE ISSUED FOR 0.5 SEC. FT.

P. 4195

STATE OF IDAHO)
 : ss.
County of Ada)

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, do hereby certify that the annexed and foregoing is a full, true and correct copy of License and Certificate of Water Right No. 19313, issued to Ralph R. Davis, as same appears of record in the Department of Reclamation of the State of Idaho, in Volume 7 of Licenses, at Page 4195.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the State Department of Reclamation, at Boise, Idaho, this 8th day of June, 1955.

MARK R. KULP
State Reclamation Engineer

19313

✓
19313

June 2, 1955

Dorris L. Thomas
Sterling
Idaho

Dear Madam:

We have your letter of June 1st requesting a certified copy of a License issued to Ralph R. Davis in Section 17, Township 4 South, Range 32 East B.M.

We think you refer to License No. 19313 issued to Ralph R. Davis February 17, 1944 for 0.5 second foot of water from Wylie Drain with priority of June 16, 1942, Point of diversion being in the E $\frac{1}{2}$ Section 17, Township 4 South, Range 32 East B.M. for irrigation of 80 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 17.

If that is the License to which you refer, we will be glad to furnish you with a certified copy but the fee will only be \$1.50 so we return your check for \$5.00 which you may substitute one for \$1.50.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

19313

Starling, Idaho

June 1 1955

MARK KULP

STATE ENGINEER

Boise, Idaho

Dear Sir:

Enclosed is C.K. for which I
Desire a certified copy of
the licence if any issued to
RALPH DAVIS ON APPROPRIATION
OF WATER IN DRAINAGE DITCH
IN OR ABOUT 1938 IN SECTION
17 TOWNSHIP 4 SOUTH RANGE 32
EAST B. M.

Sincerely

DORRIS H. THOMAS

Starling, Idaho

19313

State of Idaho

License and Certificate of Water Right

Water License No. 19313 Priority June 16, 1942 Amount 0.5 second foot

THIS IS TO CERTIFY that RALPH R. DAVIS of Sterling, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 16, 1942; that Permit No. 19313 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.5 second feet, was issued thereunder on November 5, 1942, showing that said works were completed on the 31st day of October, 1942; and that on the 14th day of December, 1942 of Sterling, State of Idaho, RALPH R. DAVIS made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the waters of Wiley Drain Ditch ~~a tributary of~~ for the purpose of irrigation, under Use Permit No. 19313 of the Commissioner of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 7 of Licenses, at Page 4195, on the 17th day of February, 1944; The right hereby confirmed dates from June 16, 1942;

The Point of Diversion is located in the East ~~1/4~~ half ~~1/4~~ Sec. 17, Tp. 4 S., R. 32 E., B.M. Bingham County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.5 cubic feet per second.

Description and location of use:

TWP.	RANGE	SECTION	FORTY-ACRE TRACT	NO. ACRES DESCRIBED IN PERMIT	NO. ACRES ACTUALLY IRRIGATED
4 S.	32 E.	17	SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	2 40 38	3 39 38
Total Number of Acres Actually Irrigated - 80					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 17th day of February, 1944

(SEAL)

MARK R. KULP
State Reclamation Engineer.

19313

State of Idaho
License and Certificate of
Water Right

Water License No.

To

Source of Supply

..... County

Amount Sec. Ft.

Point of Diversion

Place of Use

Purpose

Date of Priority

Recorded

in Book..... of Licenses, Page.....

February 17, 1944

Re: Permit No. 19313

Mr. Ralph R. Davis
Sterling, Idaho

Dear Mr. Davis:

We enclose herewith License and Certificate of Water Right issued under the above numbered permit, confirming your right to use five-tenths (0.5) of a second foot of water from Wiley Drain Ditch, with date of priority of June 16, 1942, for theirrigation of 80 acres of land in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, Township 4 South, Range 32 East, B. M.

We also enclose Departmental Receipt No. 18464 for the \$6.00 fee for this final proof.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19313

February 17, 1944

Re: Permit No. 19313

Mr. Ralph E. Davis
Sterling, Idaho

Dear Mr. Davis:

We enclose herewith License and Certificate of Water Right issued under the above numbered permit, confirming your right to use five-tenths (0.5) of a second foot of water from Wiley Drain Ditch, with date of priority of June 16, 1942, for the irrigation of 80 acres of land in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, Township 4 South, Range 32 East, E. M.

We also enclose Departmental Receipt No. 18464 for the \$6.00 fee for this final proof.

Very truly yours,

JAMES SPOTFORD
State Reclamation Engineer
By

Chief Clerk

1
Encls.

19313

RALPH R. DAVIS
GROWER OF
GENUINE GRIMM ALFALFA SEED
STERLING, IDAHO

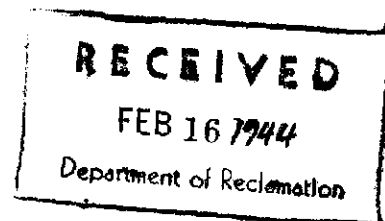
Feb. 15, 1944.

Mr James Spofford.
State Reclamation Engineer.
Boise, Idaho.

Dear Mr Spofford:

I am enclosing check of \$6⁰⁰. to
cover license fee on permit No. 19313 for five
tenths of a second foot of water from the Wiley Drain
Ditch.

yours very truly.
Ralph Davis.



19313

✓
February 9, 1944

Re: Permit No. 19313

Mr. Ralph M. Davis
Sterling, Idaho

Dear Mr. Davis:

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

This report shows that you are irrigating
80 acres of land in three 40-acre legal sub-
divisions.

Therefore, upon receipt of the statutory fee
of \$6.00, a license will be issued for five-
tenths of a second foot of water from Wiley
Drain Ditch.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

19313

February 9, 1944

Re: Permit No. 19313

Mr. Ralph R. Davis
Sterling, Idaho

Dear Mr. Davis:

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

This report shows that you are irrigating
80 acres of land in three 40-acre legal sub-
divisions.

Therefore, upon receipt of the statutory fee
of \$6.00, a license will be issued for five-
tenths of a second foot of water from Wiley
Drain Ditch.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A

19313

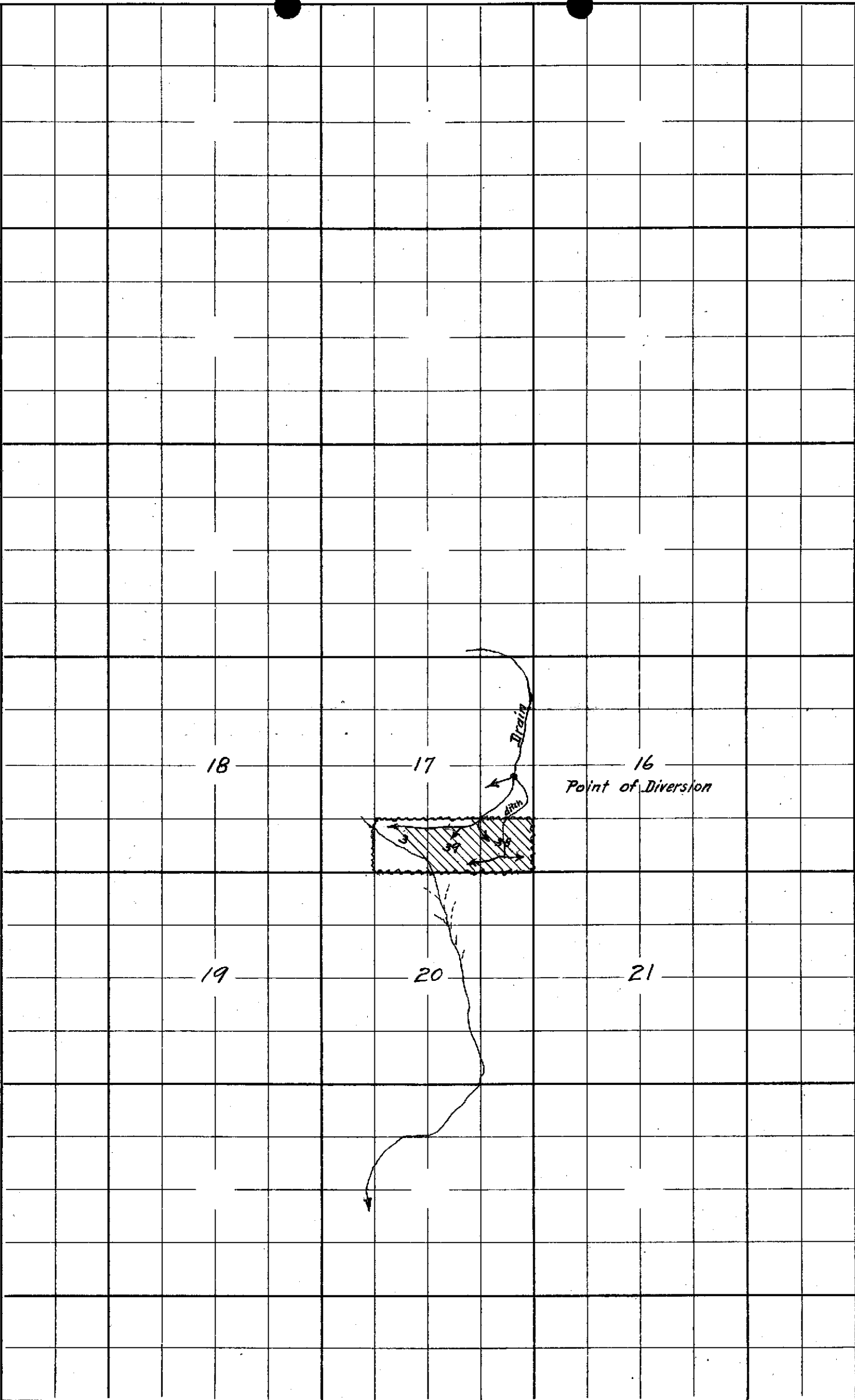
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19313

REPORT ON PROOF OF Beneficial Use.

Orth.
R.M.T. → { 1.5 cfs -
80 acres
3-40's
6" per



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19313

This proof is for Beneficial Use. In Water District No. _____

1. Name of applicant Ralph R. Davis Sterling, Idaho.
2. Source of water supply: Wiley Drain Ditch.
3. Location of point of diversion: Is in the E $\frac{1}{2}$ of Section 17
T. 4.S R. 32.E. County of Bingham
4. Describe works as they exist, giving dimensions and capacities of same: Diversion is by rock
dam 15 feet long X 2 feet high, with a concrete tile outlet 3 feet
long X 12 inches diameter; Situated at the end of a drain ditch.
Service ditches are 2 feet wide X 1 foot deep.
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, Twp. 4.S. R. 32.E. B.M.

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

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

Remarks: This water supplements other supply.

This examination was made on the 10th. day of June, 1943.

(Signed)

Edith Dorman
Examiner.

70

Permit No. 19313

Examination for Beneficial Use

Ralph. R. Davis. Sterling Idaho.
County Bingham

INSTRUCTIONS TO EXAMINERS

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

August 16, 1943

Re: Permit No. 19313
Ralph R. Davis

Mr. J. H. Andersen
Attorney at Law
Blackfoot, Idaho

Dear Mr. Andersen:

We enclose herewith, as per your request, copy of the application of Ralph R. Davis, and permit issued thereunder, No. 19313.

We also enclose Departmental Receipt No. 18342, for the statutory fee of \$1.00 in connection therewith.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

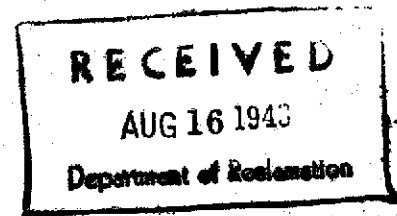
Chief Clerk

A
Encls.

19313

LAW OFFICES
J. H. ANDERSEN
BLACKFOOT, IDAHO
August 14, 1943

HON. JAMES SPOFFORD,
State Reclamation Engineer,
Boise, Idaho.



Dear Sir:

Replying to your communication of the 12th instant,
I desire only a copy without certification of the
application of Ralph R. Davis for permit, as set
forth in your letter, for which I am enclosing my
check for \$1.00.

Yours very truly,

A handwritten signature in dark ink, appearing to read "J. H. Andersen". The signature is fluid and cursive, with a large loop at the end.

J. H. Andersen.

JHA:rh
Enc. 1

19313

August 18, 1943

Mr. J. H. Andersen
Attorney at Law
Blackfoot, Idaho

Dear Mr. Andersen:

We are in receipt of your letter of August 11th, in which you request a copy of the application of Ralph R. Davis for a permit to appropriate certain drainage water in Bingham County.

No doubt you refer to Permit No. 19313, filed in this Department, and issued on June 16, 1942, for .80 of second foot of water from Wiley Drain Ditch, with point of diversion in the E $\frac{1}{2}$ Section 17, Township 4 South, Range 32 East.

However, you do not say whether or not you wish a certified copy of this permit. A certified copy will cost \$1.50, and without certification, \$1.00.

Upon receipt of your advice as to your wishes, we shall send you copy immediately.

Very truly yours,

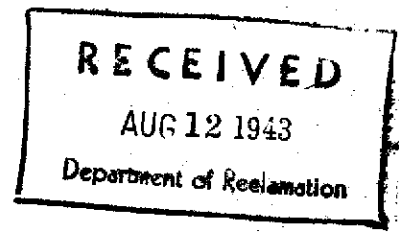
JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

19313

LAW OFFICES
J. H. ANDERSEN
BLACKFOOT, IDAHO

August 11, 1943



Department of Reclamation,
State House,
Boise, Idaho.

Gentlemen:

Some time within the last year, as I recall,
Mr. Ralph R. Davis filed an application in your
Department for a permit to appropriate water from
certain drainage courses or seepage water in
Bingham County.

Will you kindly make me a copy of this application
and forward the same to me, together with your
statement for making up the copy.

Yours very truly,

A handwritten signature in cursive script, appearing to read "J. H. Andersen".

J. H. Andersen.

JHA:rh

19313 6-16-42

50

Wiley Drainage

92 Sec 17-4 S32E

2m,

19313

December 16, 1943

Re: Permit No. 19313

Mr. Ralph H. Davis
Sterling Idaho.

Dear Mr. Davis,

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses, and the affidavit of proof of publication from the Daily Bulletin, all in connection with beneficial Use Proof under the above numbered permit.

Before final action can be taken in this matter, The law requires that a field examination be made by an Engineer from this Department. We are unable to say just when this examination will be made, since the Department has but one Field Engineer, who makes examinations all over the State.

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

Very truly yours,

E.V. Berg
Commissioner of Reclamation.

BET.

By Roy.W. Thompson
Deputy Commissioner,

19313

THE AETNA CASUALTY AND SURETY COMPANY

HARTFORD, CONNECTICUT

AFFILIATE OF

AETNA LIFE INSURANCE COMPANY
THE AUTOMOBILE INSURANCE COMPANY
THE STANDARD FIRE INSURANCE COMPANY

EARLY-JOHNSON AGENCY, AGENTS
33 WEST BRIDGE STREET

BLACKFOOT, IDAHO

December 14, 1942



Mr. E. V. Berg
Commissioner of Reclamation
State of Idaho
Boise, Idaho

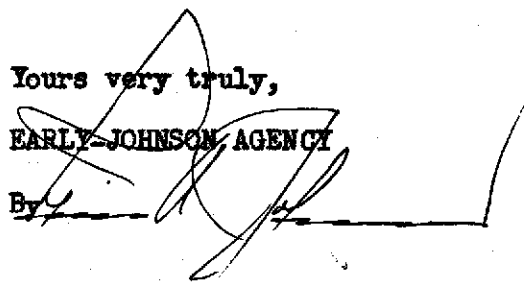
Dear Sir:

Re: Permit No. 19313
Ralph R. Davis

In compliance with your instructions of December 7th,
we are pleased to enclose the necessary papers in connection
with Permit No. 19313 on behalf of Ralph R. Davis.

Yours very truly,

EARLY-JOHNSON AGENCY

By 

LAJ/dj
Encl.

19313

Notice For Publication
NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11 A. M., on the 14th day of December, 1942, at Blackfoot, County of Bingham, State of Idaho, before Lynn A. Johnson, Notary Public for Idaho, proof will be submitted of the application to beneficial use of one-half cubic foot per second of the waters of Wiley Drain Ditch in accordance with the terms and conditions of Permit No. 19313 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Ralph R. Davis, Sterling, Idaho.

The use to which said water has been applied is irrigation of land.

The amount applied to beneficial use is one-half cubic foot.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) 38 acres in Southeast quarter of Southeast quarter and Southwest quarter of the Southeast quarter and two acres adjoining in Southeast quarter of Southwest quarter of Section 17, in Township 4 South of Range 32 East of the Boise Meridian in Idaho.

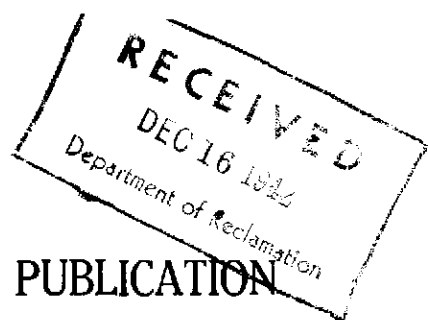
The name of the canal or ditch or other works by which said water is conducted to such place of use is Wiley Drain Ditch.

The right to take water from such works is based upon Permit No. 19313 and use of my private ditch therefrom.

The source of supply from which such water is diverted is the Snake River through Aberdeen-Springfield Canal Company canal.

The date of priority which said user is prepared to establish is June 16th, 1942.

E. V. BERG,
Commissioner of Reclamation
285-4



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Bingham }

ss.

I, R. R. Twining, do solemnly

swear that I am the Publisher of The Daily Bulletin, which is a daily newspaper of general circulation published each day except Sunday, at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all of the provisions of Chapter 154 of the Session Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by order of any Court of competent jurisdiction within the State of Idaho shall be published, to-wit: Saturday of each week; that the notice attached hereto, and which is a part of this affidavit and part of the proof of publication, was published in said Saturday issue in said news-

paper for consecutive weeks, the first

publication having been made on the 7th day

of November, 1942, and the last publica-

tion having been made on the 20th day of

November, 1942; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that the notice was published in the newspaper and not in a supplement.

R. R. Twining

Subscribed and sworn to before me this 30th

day of November, 1942

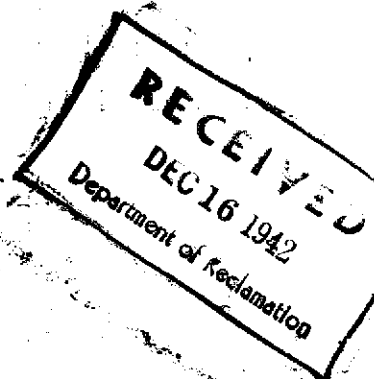
Leon Chapman

Notary Public for the State of Idaho,
residing at Blackfoot, Idaho.

19313

24

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. _____

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ralph R. Davis, Sterling, Idaho, farmer, Sterling, Idaho.

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

Ans. Acting for myself individually

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

Ans. Permit No. 19313, November 5, 1943; priority June 16, 1942.

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

Ans. Diverted from Snake River through canal of Aberdeen-Springfield Canal Company and diverted in East half of Section 17, Tp. 4 S. R. 32 E.B.M.

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

Ans. Water diverted into private ditch of applicant 1 foot on bottom, and 1.5 feet at water line and depth of water 0.5 feet; water taken from Wiley Drain Ditch a conveyed to land by said private ditch; said private ditch has full capacity to carry my present water right and has the above dimensions in addition and will carry also all of the appropriated water, one-half second foot.

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. Water is all used for irrigation purposes; 38 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 2 acres adjoining in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Twp. 4 South of Range 32 East, B.M. and with said additional waters all said land is irrigated and reclaimed to cultivated crops, to the extent of 25 acres thereof, balance in irrigated pasture, except about 8 acres of no value.

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

Ans. XX

19313

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

Ans. The amount of one-half second foot in addition to applicant's water right therefor.

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. --

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

Ans. Regularly during the irrigation season water was used to the extent of one-half second foot.

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. 80 shares of water rights in Aberdeen-Springfield Canal Company were used during irrigation season on said lands and the appropriated water was used as an additional water supply. 80 shares above represents 5/8 of inch per share.

(Sign)

Ralph Davis

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was

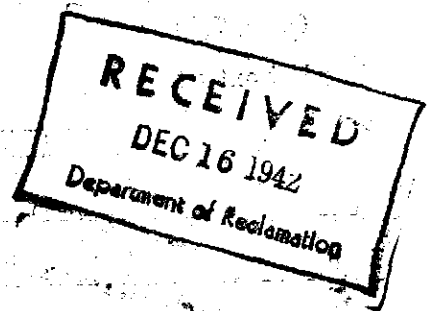
subscribed and sworn to before me, at my office in Blackfoot, County of Bingham,

State of Idaho, on this 14th day of December, A. D. 19 42.

My commission expires Jan. 6, 1944

Notary Public for State of Idaho,
Residing at Blackfoot, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. _____

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. **Lyle Nelson** **Sterling, Idaho, farmer,**
Sterling, Idaho.

Ques. 2. Are you acquainted with **Ralph R. Davis**, the holder of Permit No. **19313**? How long have you known him and where does he reside?

Ans. **About 20 years. Sterling, Bingham County, Idaho,**

Ques. 3. Have you read or heard read said Permit No. **19313**, 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. **Diverted from Snake River through canal of Aberdeen-Springfield Canal Company into private ditch of applicant 1 foot on bottom, 1.5 feet at water line and depth of water .5 feet; water taken from Wiley Drain Ditch and conveyed to land by said private ditch; said private ditch has full capacity to carry all water rights of applicant and said one-half second foot appropriated and has above dimensions in addition to carry the appropriated water.**

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. **3.5 second feet. Have seen 2.5 second feet therein**

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

Ans. **For irrigation only, with stock watering; 38 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 2 acres adjoining in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, Twp. 4 S. R. 32 East, B. M. in Bingham County, Idaho; All irrigated and reclaimed 25 acres in crops and balance in pasture land. Land produces ordinary crops as a result of irrigation.**

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. **25 acres of ordinary farm land reclaimed and irrigated**

to crops and balance irrigated pasture. Produces ordinary crops. All said one-half second foot of water plus the water right needed for ordinary irrigation.

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

Ans. **No**

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

Ans. **Have seen the use of the appropriated water to extent of one-half second foot and water rights of applicant used in the proper irrigation of said land and applicant has diverted and used all of said one-half second foot of water for the irrigation of said land.**

(Signed) *Ed Nelson*

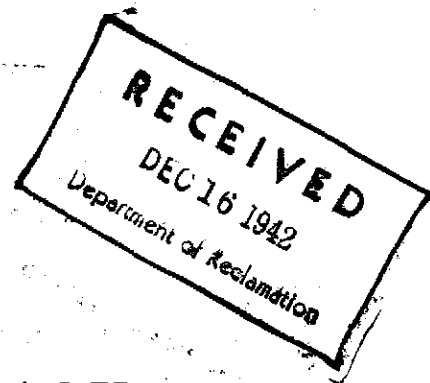
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in **Blackfoot,** County of **Bingham**, State of Idaho, on this day of **December 14th**, A. D. 19 **43**.

[Signature]
- Notary Public.

My commission expires **Jan. 6, 1944**

Blackfoot, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. _____

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. D. E. Nelson Sterling, Idaho, farmer,
Sterling, Idaho.

Ques. 2. Are you acquainted with Ralph R. Davis, the holder of Permit No. 19313? How long have you known him and where does he reside?

Ans. About 20 years. Sterling, Bingham County, Idaho,

Ques. 3. Have you read or heard read said Permit No. 19313, 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. Diverted from Snake River through canal of Aberdeen-Springfield Canal Company into private ditch of applicant 1 foot on bottom, 1.5 feet at water line and depth of water .5 feet; water taken from Wiley Drain Ditch and conveyed to land by said private ditch; said private ditch has full capacity to carry all water rights of applicant and said one-half second foot appropriated and has above dimensions in addition to carry the appropriated water.

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. 3.5 second feet. Have seen 2.5 second feet therein

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

Ans. For irrigation only, with stock watering; 38 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 2 acres adjoining in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, Twp. 4 S. R. 32 East, B. M. in Bingham County, Idaho; All irrigated and reclaimed 25 acres in crops and balance in pasture land. Land produces ordinary crops as a result of irrigation.

19313

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. 25 acres of ordinary farm land reclaimed and irrigated
to crops and balance irrigated pasture. Produces ordinary crops.
All said one-half second foot of water plus the water right
needed for ordinary irrigation.

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

Ans. No

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

Ans. Have seen the use of the appropriated water to extent of one-half
second foot and water rights of applicant used in the proper
irrigation of said land and applicant has diverted and used all
of said one-half second foot of water for the irrigation of said land.

(Signed) D E Nelson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Blackfoot, County of Bingham, State of Idaho, on this day of December 14th A. D. 1942

My commission expires Jan. 6, 1944

[Signature]
Notary Public.
Blackfoot, Idaho.

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

December 7, 1942

Re - Permit No. 19313
Ralph H. Davis

Lynn A. Johnson, Notary Public,
Blackfoot, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19313

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

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

1. On December 14, 1942 ~~10, 1942~~ date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Blackfoot, Idaho. before Lynn A. Johnson, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

E.V. Berg

Commissioner of Reclamation.

By Roy W. Thompson
Deputy Commissioner.

19313

NOVEMBER 13, 1942

RE: PERMIT #19313

MR. RALPH R. DAVIS
Sterling
Idaho

Dear Mr. Davis:

We are enclosing herewith Certificate of Completion of Works issued on the above numbered Permit to appropriate one-half second foot of waters from Wiley Drain Ditch, County of Bingham, in the E $\frac{1}{2}$ of Section 17, Township 4 South, Range 32 E. B. M., for irrigation purposes.

This Department's Receipt Number 18958 covering the \$5.00 for Completion of Works is also enclosed.

Very truly yours,

L. V. BERG
COMMISSIONER OF RECLAMATION

BY: _____
ROY W. THOMPSON
DEPUTY COMMISSIONER

RWT:LGC
ENC: 2

19313

NOVEMBER 5, 1942

RE: Permit No. 19313

MR. RALPH R. DAVIS
Sterling
Idaho

Dear Mr. Davis:

This will acknowledge receipt of notice in duplicate for publication in connection with Proof of Beneficial Use, and also your authorization to have the notice published in the Daily Bulletin, Blackfoot, Idaho, all in connection with Permit Number 19313.

A copy of the Notice has been sent to the Newspaper with instructions to publish it once a week for four consecutive weeks prior to December 14, 1942.

About ten days prior to this date Depositions, consisting of one for the holder and one for each of two witnesses, will be sent to Lynn A. Johnson, Notary Public for Idaho, at Blackfoot, Idaho, so that he will have them in ample time for the Proof.

On the date designated you should appear at Mr. Lynn A. Johnson's Office, with two disinterested witnesses, who are familiar with the terms of the Permit and the Works constructed thereunder, for the purpose of executing the Depositions.

Very truly yours,

E. V. BERG
COMMISSIONER OF RECLAMATION

BY: _____
DEPUTY COMMISSIONER

RWT:LGC

19313

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: **November 4, 1948**

**The Daily Bulletin
Blackfoot, Idaho.**

Gentlemen:-

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **December 14, 1948** the date set for proof, the expense of the publication to be paid by the applicant, **Ralph R. Davis, Sterling Idaho.** to whom you should furnish proof of publication on or prior to date for proof.

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

Very truly yours,

E.V. Berg
Commissioner of Reclamation

By, **Roy.W.Thompson**
Deputy Commissioner.

19313

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

Notice is hereby given that at **11** . . . A. M. on the **14** . . . day of **December** . . , 19 **42**,
 at **Blackfoot**, ..., County of **Bingham**, ..., State of Idaho, before
Lynn A. Johnson, Notary Public for Idaho, ... , proof will be submitted of the
 application to beneficial use of **one-half** cubic ^{foot}~~feet~~ per second of the waters of **Wiley**
Drain Ditch in accordance with the terms and conditions of Permit No. **19313**
 heretofore issued by the **Commissioner of Reclamation** . . . of the State of Idaho.

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

Ralph R. Davis, Sterling, Idaho, ...

The use to which said water has been applied is **irrigation of land**

The amount applied to beneficial use is **one-half cubic foot**

The place where said water is used, (if for irrigation, give full and accurate description of the
 lands irrigated) **38 acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$, and**
Southwest quarter of the Southeast quarter and two
acres adjoining in Southeast quarter of Southwest quarter of
Section 17, in Township 4 South of Range 38 East of the Boise
Meridian in Idaho.

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

The right to take water from such works is based upon Permit No. **19313 and use**
of my private ditch therefrom.

The source of supply from which such water is diverted is **the Snake River through**
Aberdeen-Springfield Canal Company canal.

The date of priority which said user is prepared to establish is **June 16th, 1942.**

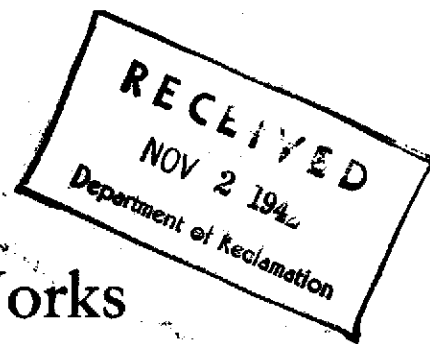
E. V. BLAIR

Commissioner of Reclamation.

19313

Permit No.

STATE OF IDAHO
Department of Reclamation



Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bingham

} ss.

Ralph R. Davis

, 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. 19313, and that his postoffice address is Sterling, Bingham County, Idaho
State of Idaho

Second: That the name of the stream from which said water is to be directed is

Wiley Drain Ditch

Third: That the point of diversion of said water is 3368 feet distant from the SE corner of Sec. 17, T. 4 S. R. 32 E, B. M. and is in the East 1/2 of Section 17 aforesaid, in Bingham County.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 16, 1942, 19

Fifth: That the use for which said water is intended is irrigation purposes and uses

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

1. Kind of works: ditch

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

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 foot feet, width at water line 1 1/2 feet, depth of water one-half feet; diameter of pipe --- inches, average grade per mile is 2 feet. Length of conduit is 2/3 miles.

Seventh: That said works are capable of conducting to the place of intended use one-half second feet of water.

Eighth: That water appropriated under said permit is available for 80 acres of land described as follows: SW 1/4 of SE 1/4 and 38 acres in SE 1/4 SE 1/4 and 2 acres in SE 1/4 SW 1/4 of Section 17, Twp. 4 S. R. 32, East B. M.

Ninth: Remarks: That Water from this drain ditch is public water as the canal company cannot use it. My private ditch was dug six feet deep in part and is part of the drain ditch.

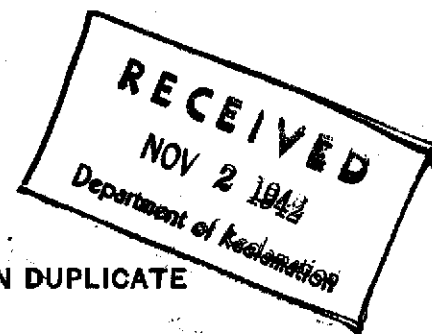
Ralph R. Davis
(Sign here)

Subscribed and sworn to before me this 31st day of October, 19 42.

My commission expires July 17, 1945.

John W. Jones
Notary Public.
Residing at Blackfoot, Idaho.

19313



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____ October 31st, 1942.

(P. O.) _____ Sterling, Idaho.

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
_____ The Daily Bulletin _____ of _____ Blackfoot, Idaho, _____, published in
the county in which the works are situated. Saturday issues being designated for
publication of legal notices.

Raefly Davis

(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.

19313

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE.

October 20, 1942

Mr. Ralph R. Davis
Starling, Idaho

Dear Sir:

Under the terms of your permit No. 19313 you are required to complete your diversion works and make proof of Beneficial Use on or before December 15, 1942.

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 of Works will be issued to you.

I also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is December 15, 1942, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

E. V. BERG

Commissioner of Reclamation.

19313

RALPH R. DAVIS

—GROWER OF—

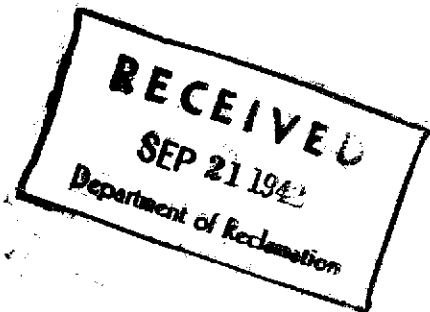
GENUINE GRIMM ALFALFA SEED

STERLING, IDAHO

September 17, 1942

Permit 19313

Mr. E.V. Berg, Commissioner,
Department of Reclamation,
Boise, Idaho.



Dear Mr. Berg:

Thank you for your letter of Sept. 1st regarding Permit No. 19313.

I will be ready to submit proof of beneficial use of water on Dec. 16th 1942.

Regarding Mr. Lofgreens claims, the Aberdeen-Springfield Canal Co. did not give him the water from the Wiley drain. I was a director of the canal company until last December and no action was ever taken and Mr. Neal, Manager of the company has told me on several occasions that he did not tell Mr. Lofgreen he was entitled to the water. Mr. Lofgreen did pay part of the drain but the biggest portion of payment was for a ditch of his own that connects with the Nelson drain. This drain was included in the Wiley drain on the books of the Aberdeen Springfield company because it was constructed at the same time but had no connection with the Wiley drain.

Yours very truly,

Ralph Davis

19313

Sept. 1st, 1942

Mr. Ralph R. Davis
Sterling, Idaho

Dear Mr. Davis:-

I received your letter of August 30, inquiring as to your rights under Permit No. 19313, and also as to the contents of my letter to Mr. Lofgreen.

The situation there appears to be somewhat involved since Mr. Lofgreen claims he had an understanding with the Aberdeen Springfield Canal Co. that the developed waters was to be his since he paid part of the drain. It has always been the policy of this office and in fact the idea has been legally established that waste water or drainage waterwater on Carey Act projects belongs to the Company for redistribution however in this case it was my understanding that the Company could not or at least did not care to use the water and hence you have been permitted to make the filling. You understand that at the present time we have granted only the application for the permit and it is now up to you at a later date to make proof of completion of works and proof of beneficial use, after which the licence is granted.

You have set December 16th, as the date which you intend to make proof of beneficial use and if the water is available you are entitled at any time now or at least before that time to apply the water to the land, however before you will be finally granted the permit anyone may protest and a hearing will be heard on the protest.

Following is a copy of the letter to Mr. Lofgreen:-

Dear Mr. Lofgreen:-

We received your letter of August 3rd, and note what you say regarding the filling by Mr. Davis on the water of a certain drain which runs through the Wiley property.

19313

Mr. Ralph R. Davis;

Page 2

Sept. 1st, 1942

We note that you paid for part of the drain along with Mr. Wiley, and the Canal Company, but do not know what arrangements, if any you made with the Aberdeen Springfield Company as to the disposition of the drainage water. Ordinarily water developed on a project such as the Aberdeen Springfield Company belongs to the project it is can use the water for their stockholders.

In the present case this department had no alternative but to allow the application for filing, but when the time comes to make proof of beneficial use on December 16th, notice of this will be in the paper and you will then be in a position to make a legal protest.

It seems to me as neighbors you should come to an agreement and rotate the water between you or possibly there might be enough for both of you.

Signed E. V. Berg, Commissioner

I presume it is the last paragraph that Mr. Lofgreen refers to as giving him permission, however it was not intended that way, but simply as a suggestion in case each of you had some reason for a valid claim on the water.

Very truly yours,

E. V. Berg,
Commissioner of Reclamation

EVB:lap

19313

RALPH R. DAVIS
—GROWER OF—
GENUINE GRIMM ALFALFA SEED
STERLING, IDAHO
August 30 1942

Mr. E.V. Berg,
Commissioner of Reclamation,
Boise, Idaho.

Dear Mr. Berg:

Regarding my application for permit to use twenty-five inches of water from the Wiley Drainage Ditch which is recorded in Book 70 Permit #19313 what rights have I to this water at this time?

Mr. Lefgren informs me that you have written him giving him permission to use the water and is now using it.

Will you please send me a copy of your letter to Mr. Lefgren?

Yours very truly,

Ralph Davis

19313

August 13, 1942

Mr. Lee B. Lofgreen
Springfield, Idaho

Dear Mr. Lofgreen:-

We received your letter of August 3rd, and note what you say regarding the filing by Mr. Davis on the water of a certain drain which runs through the Wiley property.

We note that you paid for part of the drain along with Mr. Wiley and the Canal Company, but do not know what arrangements, if any you made with the Aberdeen Springfield Company as to the disposition of the drainage water. Ordinarily water developed on a project such as the Aberdeen Springfield Company belongs to the project if it can use the water for their stockholders.

In the present case this department had no alternative but to allow the application for filing, but when the time comes to make proof of beneficial use on December 16th, notice of this will be in the paper and you will then be in a position to make a legal protest.

It seems to me as neighbors you should come to an agreement and rotate the water between you or possibly there might be enough water for both of you.

Very truly yours,

E. V. Berg
Commissioner of Reclamation

EWB:lap

19313

DIRECTORS

H. L. LOWE, President
T. S. VANDERFORD, Vice President
CHAS. W. BOWMAN HENRY HEGE
P. B. DANCE MILO LOOMIS
W. M. DAVIE ARMIN SCHROEDER
F. L. WESTFALL

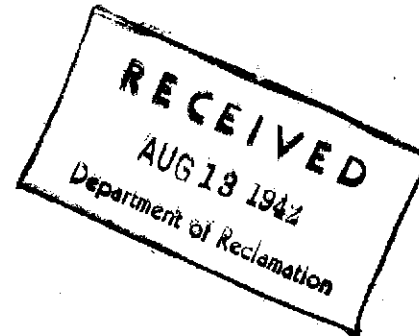
ADDRESS ALL COMMUNICATIONS TO THE COMPANY

E. H. NEAL, General Manager
I. J. WENGER, Secretary
P. A. FUGATE, Treasurer

ABERDEEN-SPRINGFIELD CANAL COMPANY

ABERDEEN, IDAHO

August 11, 1942.



Department of Reclamation,
State of Idaho.
Boise, Idaho.

Gentlemen; Attn. Mr. Roy Thompson, Deputy Commissioner.

I have yours of the 8th relative to the Ralph R. Davis - Lee B. Lofgren matter.

The drain in question was dug in 1938, the construction cost was paid as follows; H.K. Wiley \$120.00, Lee B. Lofgren \$30.00 and the Canal Company \$150.00, an extension which was built in 1939 was paid for by Wiley and the Canal Company.

The Davis ditch from our canal was originally constructed, in part, down a draw on the Wiley property and thence across the Lofgren property. The drain as constructed utilized that part of the Davis ditch right-of-way through the draw on the Wiley property and for a short distance onto the Lofgren property. Water developed by the drain, plus Davis's and Lofgren's canal water which is dumped into the drain on the Wiley land, flows on down the Davis ditch. At the time the drain was constructed the first work done was to build a shallow ditch from the Davis ditch easterly to a drain that had been dug some years earlier to provide an outlet for winter or unused flow down this new drain.

Lofgren uses the Davis ditch to irrigate some of his land. When Lofgren paid \$30.00 toward the cost of the drain he may have had it in ~~might~~ mind that he would get the water developed but this company ~~and~~ did not make such an agreement on its part.

I hope the above information will help you to understand the situation.

We have had a good season with sufficient water, but the large acreage of row crop, sugar beets and potatoes, has led to heavy demands for water.

very truly yours,

E. H. Neal.

19313

19313

August 8, 1942

Mr. E. H. Neal, General Manager
Aberdeen-Springfield Canal Company
Aberdeen, Idaho

Dear Mr. Neal:

Sometime ago Ralph R. Davis filed on waste water within your district. Permit for 25 inches of water was approved by the Commissioner of Reclamation upon your statement that water from or in said drain was not water claimed by your district.

We have received a letter in the form of a protest from Mr. Lee B. Lofgreen of Springfield, of which we are enclosing a copy for your information.

We would appreciate hearing from you, giving us a few facts which would clarify this matter. Evidently, two different parties claim ownership to the same ditch and to the waste water. Any information that you would care to give us before we answer Mr. Lofgreen's letter would be greatly appreciated.

Hoping that everything is O. K. with you and that you are having a successful year, we are

Very truly yours,

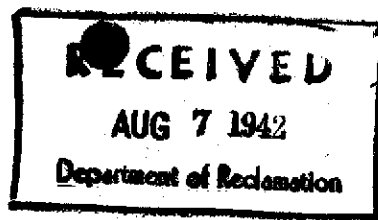
E. V. BERG
Commissioner of Reclamation

By: ROY W. THOMPSON
Deputy Commissioner

RWT:djb
Encl.-1

19313

19313

Springfield, Idaho.
Aug. 3, 1942RECEIVED
BUREAU OF RECLAMATION

To Bureau of Reclamation AUG 6 - 1942

Boise, Idaho.

BOISE, IDAHO

I have been informed by Mr. R. P. Davis of Sterling, Idaho that he has filed on the drain water coming from a drain dug by the Aberdeen-Springfield Canal Co; H. K. Wiley and myself paying a part of the cost of the drain.

I wish to contest this filing and would like to know what procedure is necessary to make a contest.

It was understood by me and the Canal Co., at the time of digging the drain, that I was to have the water which was developed, in as much as I had to let them dispose of the water thru my place in the winter as well as summer.

It happens that Mr. Davis and myself have an irrigation ditch which he can use the water if he needs it.

19313

But in as much as I helped pay
for the drain I feel that I have
paid for the water.

If one of your representatives
is in this territory in the near
future I would like him to
come and make an investigation
of the thing as is.

Yours truly

Lee B. Loggren

Springfield, Ida

By Mrs. L. B. L.

Springfield, Idaho
Aug. 3, 1942

To Bureau of Reclamation
Boise, Idaho

I have been informed by Mr. R. R. Davis of Sterling, Idaho that he has filed on the drain water coming from a drain dug by the Aberdeen-Springfield Canal Co.; H. K. Wiley and myself paying a part of the cost of the drain.

I wish to contest this filing and would like to know what procedure is necessary to make a contest.

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It happens that Mr. Davis and myself have an irrigation ditch which he can use the water if he needs it. But in as much as I helped pay for the drain I feel that I have paid for the water.

If one of your representatives is in this territory in the near future I would like him to come and make an investigation of the thing as is.

Yours truly,

/s/ Lee B. Lofgreen
Springfield, Idaho

By Mrs. L. B. L.

19-313

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 19313

Date June 20, 1942

Dear Sir:

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

Ralph R. Davis
Sterling, Idaho

E. V. BERG
Commissioner of Reclamation.

193113

Ralph Davis

A grid map with a permit stamp and a handwritten location label. The stamp is located in the lower right quadrant of the grid. The label is located in the bottom right corner of the grid.

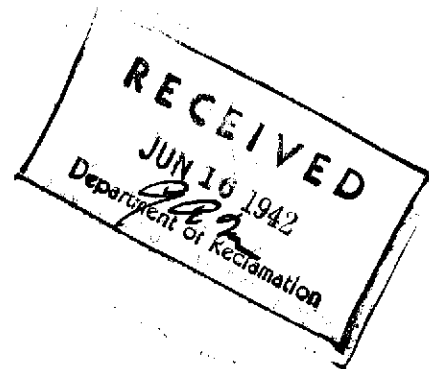
Commissioner of Reclamations

S_{1/2} SE_{1/4} Sec 17 T4S R32 EBM

RALPH R. DAVIS
GROWER OF
GENUINE GRIMM ALFALFA SEED
STERLING, IDAHO

June 14, 1942

Mr. B.V. Berg,
Commissioner of Reclamation,
Boise, Idaho.



Dear Mr. Berg:

I am enclosing application for permit to appropriate water from the Wiley drain ditch with check of \$5.00 for filing fee.

Believe Mr. Neal, Manager of the Aberdeen-Springfield Canal Co. has written you regarding their rights in this drainage water. My private ditch was deepened and made a part of the drainage system.

Water does not begin to flow in the drain ditch as a rule until nearly July. I have no American Falls rights on this land and the drainage water starts about the time our natural flow rights are used up and with the drainage water and my Jackson Lake rights will have ample water.

Yours very truly,

Ralph Davis

19313

DIRECTORS

H. L. LOWE, President
T. S. VANDERFORD, Vice President
CHAS. W. BOWMAN HENRY HEGE
P. B. DANCE MILO LOOMIS
W. M. DAVIE ARMIN SCHROEDER
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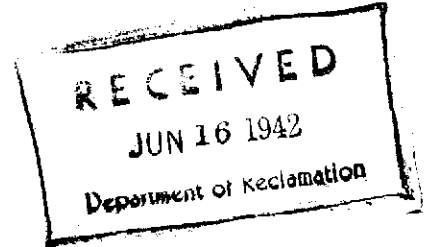
ADDRESS ALL COMMUNICATIONS TO THE COMPANY

E. H. NEAL, General Manager
I. J. WENGER, Secretary
P. A. FUGATE, Treasurer

ABERDEEN-SPRINGFIELD CANAL COMPANY

ABERDEEN, IDAHO

June 13, 1942.



Department of Reclamation,
State of Idaho,
Boise, Idaho.

Gentlemen; Attn Deputy Commissioner Thompson.

With respect to you letter of the 10th and
the proposed filing by Ralph R. Davis.

The facts are substantially as set forth in
Mr. Davis's letter which you quote. We are not able
to put the water developed by the drain to use with-
out additional construction which is not now con-
templated.

very truly yours,


E. H. Neal.

19313

June 10, 1942

Mr. Ralph Davis
Sterling, Idaho

Dear Mr. Davis:

We are enclosing, herewith, application for permit to appropriate public water in the State of Idaho as per your request of June 8th. Please give us a statement, under remarks on the application, as to whether this water flowing into your ditch from the Company drain is public or private water. Generally, water in a Canal Company's constructed drain ditch belongs to the Canal Company. We cannot accept filings on private water.

Very truly yours,
E. V. BERG
Commissioner of Reclamation

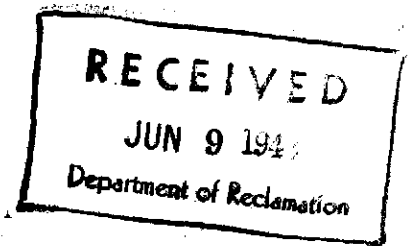
RWT:ml.

BY: ROY W. THOMPSON
Deputy Commissioner.

19313

RALPH R. DAVIS
GROWER OF
GENUINE GRIMM ALFALFA SEED
STERLING, IDAHO

June 8, 1942



Mr. H.V. Berg,
Commissioner of Reclamation,
Boise, Idaho.

Dear Mr. Berg:

Several years ago the Aberdeen-Springfield Canal Co. constructed a drain ditch in the Wiley place known as the Wiley drain.

This drain was emptied into my irrigation ditch and carries about twenty five inches of water during the irrigation season besides the water that surface drains into it from the Wiley place.

I would like to file on the twenty five inches of drain water. Will you please send me instructions for doing this.

Yours very truly,

Ralph Davis

19 313

19313

Saturday, November 7, 1942

**Notice For Publication
NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 11 A. M., on the 14th day of December, 1942, at Blackfoot, County of Bingham, State of Idaho, before Lynn A. Johnson, Notary Public for Idaho, proof will be submitted of the application to beneficial use of one-half cubic foot per second of the waters of Wiley Drain Ditch in accordance with the terms and conditions of Permit No. 19313 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Ralph R. Davis, Sterling, Idaho.

The use to which said water has been applied is irrigation of land.

The amount applied to beneficial use is one-half cubic foot.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) 33 acres in Southeast quarter of Southeast quarter and Southwest quarter of the Southeast quarter and two acres adjoining in Southeast quarter of Southwest quarter of Section 17, in Township 4 South of Range 32 East of the Boise Meridian in Idaho.

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

The right to take water from such works is based upon Permit No. 19313 and use of my private ditch therefrom.

The source of supply from which such water is diverted is the Snake

River through Aberdeen-Springfield Canal Company canal.

The date of priority which said user is prepared to establish is June 16th, 1942.

E. V. BERG,
Commissioner of Reclamation
285-4

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