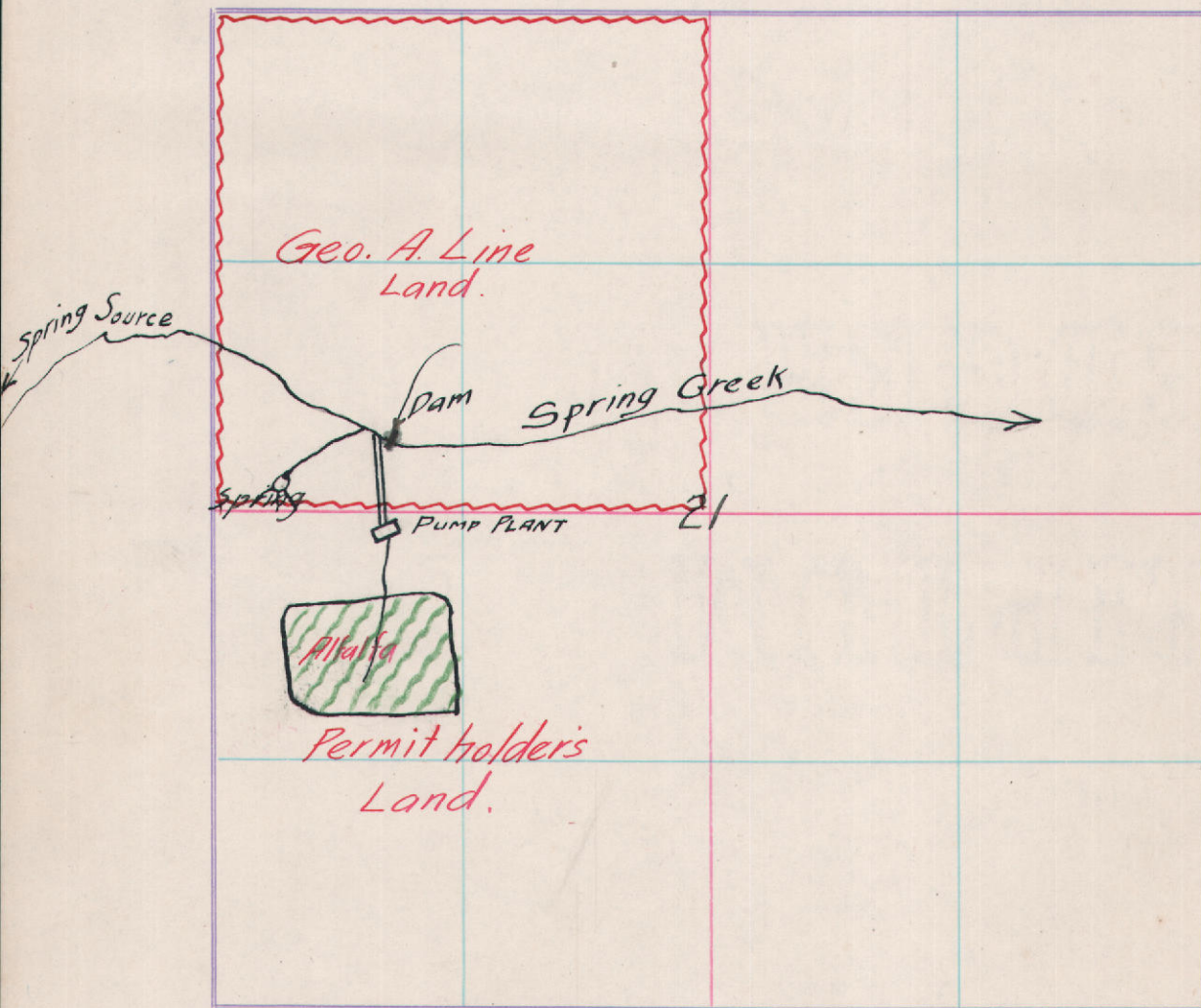


I. Name Permit No. 12946

II. T. 4 S. R. 32 E. B.M. Section 21



Remarks:

12946

Affidavit of Publication

NOTICE FOR PUBLICATION

Notice of proof application of water to beneficial use.

Notice is hereby given that at 10 a. m. on the 28th day of July, 1925, at Blackfoot, county of Bingham, state of Idaho, before Lorenzo R. Thomas, notary public, proof will be submitted of the application to beneficial use of 2.9 cubic feet per second of the waters of 3 springs, in accordance with the terms and conditions of Permit No. 12946 heretofore issued by the state engineer of the state of Idaho.

The name and post office address of the person or corporation holding said permit is John A. Bieloh, Long Beach, California. The use to which said water has been applied is irrigation and domestic use. The amount applied to beneficial use is 2.9 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW 1/4, Section 21, Township 4 South, Range 32 East, Boise Meridian.

The date of the priority which said user is prepared to establish is May 29, 1921.

W. G. Swendsen,
Commissioner of Reclamation.
adv. 25-26-27-28

STATE OF IDAHO,
COUNTY OF BINGHAM, } ss.

I, Keturah Price
principal clerk
and bookkeeper, do solemnly swear that I am the and bookkeeper of THE IDAHO REPUBLICAN, a weekly newspaper of general circulation, published each week at Blackfoot, Bingham county, Idaho; that the notice attached hereto and which is a part of this affidavit, and a part of the proof of publication, was published weekly in said newspaper four consecutive weeks; first publication having been made on the 18th day of June, 1925; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement; said newspaper having been published for more than one year and being a newspaper in the meaning of the law.

Keturah Price

Subscribed and sworn to before me this

10th day of

July, A. D. 1925

Leo J. Chapman
Notary Public.

My Commission expires April 6, 1928
Notary Public for Idaho,
Residing at Blackfoot, Idaho

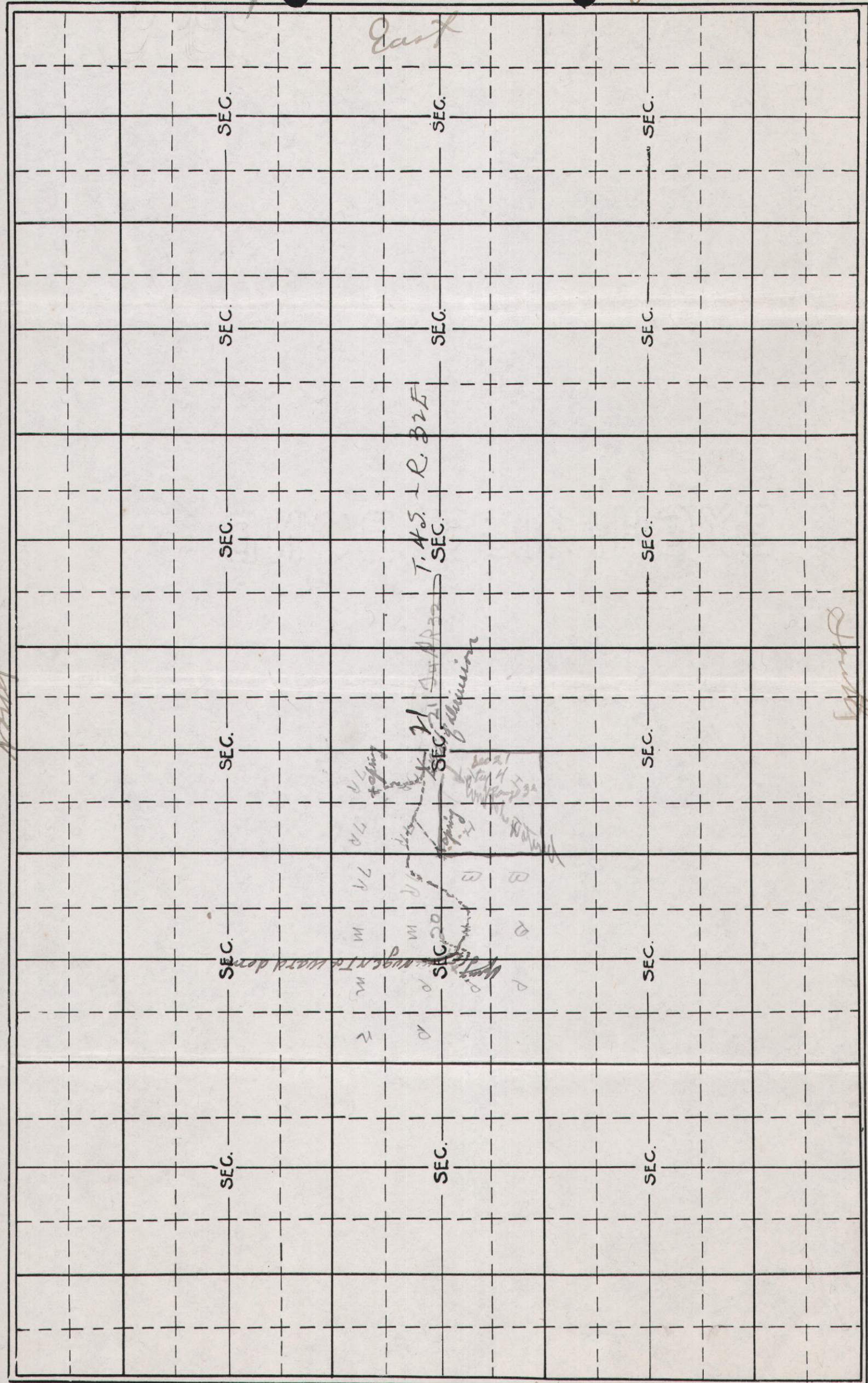
12946

[illegible]

12946

Printed and for sale by the Statesman Shop, Boise, Idaho.

Name of Applicant *Wm. P. Parsons Jr.*



State of Idaho

License and Certificate of Water Right

Water License No. 12946 Amount 0.3 sec. ft.
 Water District No. 68 Priority 5-29-21

THIS IS TO CERTIFY that ISHAM A. PARSONS, Jr.,
 of Sterling, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated April 13, 1917; that Permit No. 12946
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 2.9 second feet, was issued thereunder on July 23, 1919, showing that said works
 were completed on the 28th day of May, 1919; and that on the 28th
 day of July, 1925,

BOWEN CURLEY, Agent for JOHN A. BIELOH, the holder of said permit,
 of Idaho Falls, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of three unnamed
 springs, a tributary of to East Alkali Creek, for the purpose of irrigation and
 domestic use, under Use Permit No. 12946 of the State Engineer
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
 hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6
 of Licenses, at page 3336, on the 9th day of January, 1926;
 The right hereby confirmed dates from May 29, 1921;

The Point of Diversion is located
 in the SW 1/4 of NW 1/4, Sec. 21, 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 0.3
 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.	21	NW 1/4 SW 1/4	5	15

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
 this 9th day of January, 1926

W. G. SWENDSEN
 Commissioner of Reclamation

(SEAL)

37-2001

State of Idaho

License and Certificate of Water Right

Water License No. 90

Amount 2.0 sec. ft.

Water District No. 6

Priority 9-20-1919

THIS IS TO CERTIFY that AMOS L. MOUSER, PAUL MOUSER, CHAS. L. MOUSER & H. CLINTON EC. of Corral, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 3, 1903; that Permit No. 90 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2 second feet, was issued thereunder on September 8, 1924, showing that said works were completed on the 13th day of July, 1906; and that on the 30th day of October, 1924,

MRS. LUCINA E. MOUSER, Administratrix of the Estate of Amos L. Mouser, deceased, of Parma, State of Idaho, made proof to the satisfaction of the of Idaho, of the right to use the waters of Wild Horse Creek, a tributary of -----, for the purpose of irrigation and domestic use, under Use Permit No. 90 of the State Engineer and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3337, on the 21st day of January, 1926;

The right hereby confirmed dates from September 20, 1919;

The Point of Diversion ^{are} located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, Tp. 1 S., R. 11 E., B. M. Elmore 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 2.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
1 S.	11 E.	28	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	10	
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40	
		32	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40	
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	10	
		Total				100

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 21st day of January, 1926

W. C. SWENDSEN

Commissioner of Reclamation

(SEAL)

Application No. 18478
Permit No. 12946

APPLICATION FOR PERMIT 35-2033

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

District No. 68

1. Name of applicant: Isham A. Parsons

Postoffice address: Sterling

County: Bingham

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 2.9 cubic feet per second.

3. Source of water supply: 3 springs which is a tributary of East Alkali.

4. Location of point of diversion: 300 feet distant from the NE corner of Section 21, T. 4 S., R. 32 E.B.M. and is in the SE corner of the NE $\frac{1}{4}$ of Section 21, T. 4 S., R. 32 E.B.M.
County of Bingham.

5. To be used for: Irrigation and domestic purposes.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 145 acres.
(b) In the following legal subdivisions:

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?
point of return:

(d) If so, name stream and locate

6. Estimated cost of works: \$600.00

7. Description of works for diversion:

I. Kind of works: Dam with Pumping works

II. Dimensions of works:

(a) Height of dam 2 feet, length of dam at top 15 feet,
length of dam at bottom 10 feet. Material used in construction: dirt.

(b) Capacity of reservoir acres feet. (c) Size of headgate, width 4 feet,

Height 2 feet. (d) ~~Concrete~~ Ditch: width at bottom two feet,
width at water line three feet, depth of water One & half feet; diameter of pipe

8 inches; average grade per mile is one foot. Length of conduit is $\frac{3}{4}$ miles,
and it crosses the following quarter sections:

Dimensions of flume sixteen inches deep & 2 feet wide.

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

9. Time required for the complete application of the water to the proposed use is two 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.

Isham A. Parsons, Jr.

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9:00 A.M. April 13, 1917.

Returned to applicant for correction April 14, 1917.

Corrected application received May 7, 1917

APPROVAL OF STATE ENGINEER

The number of this permit is 12946

Recorded in Book 45 Page 12946 Approved May 28, 1917

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 July 27, 1917 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 May 28, 1918

The whole of said work to be completed on or before May 28, 1919.

Beneficial use of water appropriated in accordance herewith, to be made on or before May 28, 1921.

Witness my hand this 28th day of May, 1917.

J. H. Smith.

State Engineer.

Remarks:

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

	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
Twp. Range Sec.	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Totals.
4 S. 32 E. 21		-35-40-30-40--			145

Total Number of acres to be irrigated - - - - - 145

15(a) Is reservoir to be used? No.

Two springs are on land owned by applicant.

The three springs unnamed flows through natural channel tributary to East Alkalie Creek. Cr. source of supply.

AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS.

I, Isham A. Parsons, Jr. of Sterling, County of Bingham, State of Idaho, do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of Isham A. Parsons, Jr. is located, to-wit: and that I do hereby grant unto the said Isham A. Parsons, Jr., permission to file on the said spring as set forth in the foregoing application.

Isham A. Parsons, Jr.

STATE OF IDAHO,)
(SS:
County of Bingham.)

On this 28 day of March, 1917, before me, a Notary Public for the State of Idaho, residing at Sterling, personally appeared Isham A. Parsons, known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

W. W. Hays,
Notary Public.

My commission expires July 12th, 1917.

Notarial Seal.

STATE OF IDAHO,)
) ss:
 COUNTY OF BINGHAM,)

Isham A. Parsons, being first duly sworn, upon his oath deposes and says:
 That he is the owner and holder of Permit to appropriate the Public Waters
 of the State of Idaho, No. 12946.

That he intends to change the point of diversion as described in said
 permit, to the following described point: about 300 ft. from the SW corner of the
 NW $\frac{1}{4}$ of Sec. 21, Township 4 S. R. 32 E. B. M.

That such change will be made for the following reasons to-wit: Because
 of mistake in the original location.

That no one will be injured by such change and that deponent will make
 such change at his own risk.

And further deponent saith not.

Isham A. Parsons.

Subscribed and sworn to before me this 19th day of July, 1919.

E. O. Taylor.
 Notary Public.

My commission expires

(SEAL)

Received and filed for record in the Department of Reclamation
 at Boise, Idaho, at 9 A. M. July 21, 1919.

W. G. Swendsen.
 Commissioner of Reclamation.

Works completed: May 28, 1919
 Certificate issued: July 23, 1919.

Permit No. 12946

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that Isham A. Parsons of Sterling, County
 of Bingham, and State of Idaho, the holder of Permit No. 12946, issued upon
 Application No. 18478, bearing date of priority of April 13, 1917, authorizing
 the diversion of 2.9 second feet of the waters of three springs, County of Bingham,
 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 2.9 second feet
 of the waters of three springs; that the point of diversion of said waters is in the
 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 4 S., R. 32 E. B. M., and that the lands proposed to be irrigated
 by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$, Sec. 21, T. 4 S.,
 R. 32 E. B. M.

Witness my hand this 23d day of July, A. D. 1919.

W. G. Swendsen.
 Commissioner of Reclamation.
 By: S. E. Baer.
 Deputy.

License issued for 0.3 second feet
 Page 3336

SHERIFF'S DEED ON FORECLOSURE

THIS INDENTURE, Made this 21st day of October, A. D. 1924,
between A. B. Stephens Sheriff of the County of Bingham, State of Idaho,
party of the first part, and Bowen Curley, party of the second part, WITNESSETH:

WHEREAS, In and by a certain decree rendered by the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Bingham, on the 17th day of September, 1923, and entered on the 17th day of September, 1923, in a certain action then pending in said Court, wherein Bowen Curley, plaintiff, and Barbara Parsons, et al, defendants, it was, among other things, ORDERED, ADJUDGED and DECREED, that all and singular the mortgaged premises described in the complaint in said action, and specifically described in said decree, be sold at public auction, by the Sheriff of said County of Bingham, in the manner required by law, and according to the course and practice of said Court, and that said Sheriff execute the usual certificate and deeds to the purchaser, as required by law:

AND WHEREAS, A writ, reciting the material parts of said decree, and directing the said party of the first part, as such Sheriff, to execute the said decree, by making the sale and applying the proceeds in conformity therewith, having been to said Sheriff directed and delivered, the said Sheriff did, at the hour of 4 o'clock P.M., on the 20th day of October, 1923, after the public notice had been given, as required by the laws of this State and the course and practice of said Court, duly sell at public auction, in front of the Court House Door, in the City of Blackfoot, and County of Bingham, agreeably to the said decree, and the provisions of law, the premises in said decree mentioned; at which sale the premises in said decree, and hereinafter described, were fairly struck off to Bowen Curley for the sum of Five Hundred Twelve and 25/100 (\$512.25) DOLLARS Lawful Money of the United States, he being the highest bidder, and that being the highest sum bidden for the same;

AND WHEREAS, The said Bowen Curley thereupon paid to the said Sheriff the said sum of money so bidden by him;

AND WHEREAS, The said Sheriff thereupon made and issued the usual certificate in duplicate, of the said sale, in due form of law, and delivered one thereof to the said purchaser, and caused the other to be filed and recorded in the County Recorder's office of the County of Bingham;

AND WHEREAS, More than one year has elapsed since the date of said sale, and no redemption has been made of the premises so sold, as aforesaid, by or on behalf of the said judgment debtor, the said defendants, or by or on behalf of any other person;

NOW THIS INDENTURE WITNESSETH, That the said party of the first part, the said A. B. Stephens, Sheriff, in order to carry into effect the sale so made by him, as aforesaid, in pursuance of said decree, and in conformity to the statute in such case made and provided, and, also, in consideration of the premises, and of the said sum of Five Hundred Twelve and 25/100 (\$512.25) DOLLARS Lawful Money of the United States, so bidden and paid to him by the said purchaser, the said Bowen Curley, the receipt whereof is hereby acknowledged, hath GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents doth GRANT, BARGAIN, SELL and CONVEY, unto the said party of the second part, and to his heirs and assigns, FOREVER, The Southwest quarter (SW $\frac{1}{4}$) of Section Twenty one (21), Township Four (4) South of Range Thirty-two (32), East of the Boise Meridian, in Bingham County, Idaho, containing One Hundred Sixty (160) acres of land, and all water, water rights, ditches and ditch rights, and rights of way thereunto belonging or in any wise appertaining, and especially two and nine-tenths (2.9) second feet of the water in Three Springs as per certificate of completion of works No. 12, 946, dated July 23rd, 1919, also together with the tenements, hereditaments and appurtenances belonging to said premises.

One Dollar in Revenue Stamps affixed and canceled.

TO HAVE AND TO HOLD ALL AND SINGULAR, the premises above mentioned and described and hereby conveyed, or intended so to be, together with the appurtenances, unto the said party of the second part, his heirs and assigns, FOREVER.

IN WITNESS WHEREOF, the said party of the first part to these presents, Sheriff as aforesaid, hath hereunto set his hand and seal, the day and year first above written.

SEALED AND DELIVERED IN THE PRESENCE OF

A. B. STEPHENS (SEAL)
Sheriff of Bingham County,
State of Idaho.

SHERIFF'S OFFICE)
)SS.
County of Bingham)

On this 21st day of October, A. D. 1924, before me H. A. Benson, Clerk of the District Court in and for said County and State, personally appeared A. B. Stephens, Sheriff of the County of Bingham, State of Idaho, personally known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged to me that he, as such Sheriff aforesaid, executed the same.

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

(SEAL)

H. A. BENSON
Clerk of the District Court
By Ruth F. Hilliard, Deputy

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 10:30 A.M., June 1, 1925.

W. G. SWENDSEN
Commissioner of Reclamation.

QUIT CLAIM DEED

THIS INDENTURE, made the 17th day of March, in the year of our Lord, one thousand nine hundred and Twenty-five, between Bowen Curley, a single man of Idaho Falls, of the County of Bonneville, and State of Idaho, the party of the first part, and John A. Bieloh of Long Beach of the County of Los Angeles, and State of California, party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Dollar and other valuable considerations, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever quitclaim unto the said party of the second part, and to his heirs and assigns all the certain lot, piece, or parcel of land situate, lying and being in the County of Bingham, and State of Idaho, and Bounded and described as follows, to-wit:

The Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-one (21) in Township Four (4) South of Range Thirty-two (32) East of the Boise Meridian in Idaho, containing One Hundred Sixty (160) acres of land, and all water, water rights, ditches and ditch rights, and rights of way thereunto belonging or in any wise appertaining, and especially two and nine-tenths, (2.9) second feet of the water in Three Springs as per certificate of completion of works No. 12,946 dated July 23rd, 1919, also together with the tenements, hereditaments and appurtenances belonging to said premises.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of

D. F. RICHARDS

BOWEN CURLEY (SEAL)

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 17th day of March, in the year 1925, before me, the undersigned, a notary public in and for said state, personally appeared Bowen Curley, a single man, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)

My commission expires _____

D. F. RICHARDS.
Notary Public.
Residing at Idaho Falls, Idaho.

Received and filed for record in the Department of Reclamation at Boise, Idaho at 10:30 A.M., June 1, 1925.

W. G. SWENDSEN
Commissioner of Reclamation.

*Files
35-7188
r
35-2033*

March 31, 1976

Mr. William D. Thompson
Box 529
Blackfoot, Idaho 83221

Dear Mr. Thompson:

Enclosed please find copies of your water right licenses as requested in your letter of March 26th. Please note that a copy of license #35-7188 is also included. It was licensed in December of 1974.

If we can be of further assistance, please advise.

Sincerely,

Marcia L. Brown
Records Supervisor

mlb
Enc.

RECEIVED

MAR 27

March 26, 1976

Department of Water Resources

Mr. Bobby D. Fleenor
State of Idaho
Department of Water Resources
State House
Boise, Idaho 83720

Dear Sir,

Would you please forward to me a copy of License No. 35-2033(G129)h6) for an Unnamed Spring in Sec. 21, Twp. 4 S, Rge. 32 E. I have bought the property from Joe Davis and never have received a copy of this license.

Will you also please advise when I may expect to be licensed for permit No. 35-7188.

I am enclosing \$1.00 for a copy of the license.

Sincerely,

William D. Thompson
William D. Thompson,
Owner

WDT/sc

enclosure

May 13, 1970

and water
and water

RE: Permit No. 35-2033

H. B. Fitzpatrick
Vice President
Idaho Bank and Trust Company
Blackfoot, Idaho 83221

Dear Mr. Fitzpatrick:

This is in reply to your letter of May 8th, regarding the farm purchased by Mr. Joseph William Davis. Our records indicate that the water license for 0.30 c.f.s. or 15 miners inches is the only amount on record in our office. It is true the proof submitted was for 2.9 c.f.s., however, at the time the license was issued they were irrigating only 15 acres of land. It would be possible to submit new proofs and establish additional rights but the priority of the right would be advanced from the 28th day of May, 1919 which would be 51 years! We can find no other rights for the land in question.

As for the right-of-way problem, this would be a legal question that would have to be settled by an attorney. We are returning your copies of deeds and abstracts and water license.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

12946
35-2033



IDAHO BANK AND TRUST CO.

MEMBER FEDERAL DEPOSIT INSURANCE CORPORATION

BLACKFOOT, IDAHO

RECEIVED
MAY 22 1970
Department of Reclamation

May 8, 1970

State of Idaho
Bureau of Reclamation
State Capitol Building
Boise, Idaho

Gentlemen:

I'm writing on behalf of Mr. Joseph William Davis. Mr. Davis purchased a farm, the legal description of which is as follows:

The Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-one (21) in Township Four (4) South of Range Thirty-Two (32) East of the Boise Meridian in Idaho, containing One Hundred Sixty (160) acres of land, and all water rights, ditches and ditch rights, and right of way thereunto belonging or in any wise appertaining, and especially two and nine-tenths (2.9) second feet of the water in Three Springs as certificate of completion of works No. 12,946 dated July 23rd, 1919, also together with the tenements, hereditaments and appurtenances belonging to said premises.

This was purchased from the estate of Jane Nelson who was the widow of Andrew D. Nelson, also known as A. D. Nelson. This piece of ground was purchased by Mr. Nelson on October 15, 1925 from John Bieloh. Mr. Bieloh purchased the farm from Isham Parsons, Jr.

Mr. Isham Parson was issued a license and certificate of water right, a copy of which is enclosed. Also enclosed is a copy of the deed from Mr. Bieloh to Mr. Nelson, and a copy of a water deed given to Mr. Nelson from Mr. F. A. Stacy. This is recorded in Bingham County.

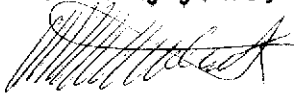
Mr. Davis is having problems with his neighbors over water rights and the use of a drain ditch from his property through part of the neighbor's property into a slough. This has been in use for 30 or 40 years.

12946
35-2033

Page Two
May 8, 1970
Bureau of Reclamation

Could you please tell us what water you show in your office as belonging to this farm and who Mr. Davis should talk to locally to straighten out his difficulty. Thanks for your help.

Sincerely yours,



H. B. Fitzpatrick
Vice President

HBf/plg

12946
35-2033

January 9, 1926

Re: Permit No. 12946
John A. Bieloh

Mr. A. S. Dickinson,
Attorney at Law,
Blackfoot, Idaho.

Dear Sir:

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

Very truly yours,

W. G. SWEEDSEN
Commissioner of Reclamation

By
Chief Clerk

H-Enc.

12946

A. S. DICKINSON
LAWYER

BLACKFOOT, IDAHO
December 30, 1925

*Make license
to John A. Bieloh
and transmit
to Bowen Curley.
A.M.C.*

Hon. W. G. Swendsen,
Boise,
Idaho.

Dear Sir & Friend:

I have your letter of December 21st. addressed to Bowen Curley of Idaho Falls, in regard to water permit No. 12,946 for 0.2 second feet of water for the irrigation of 15 acres of land in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section twenty-one (21) Township four (4) South of Range thirty-two (32) East of the Boise Meridian.

Bowen Curley acquired this land by purchasing it at a foreclosure sale, and then transferred the same to one John A. Bieloh of Long Beach, California, who about sixty days ago transferred the same by warranty deed to A. D. Nelson of Sterling, Idaho, and I represent Mr. Nelson. Of course these transfers carry all the appurtenances to the land so that Nelson is the real owner, equitable at least, of the license to be issued.

I think the best way would be to issue the license to Curley and let him transfer same to Nelson, And I am herewith enclosing you check for \$2.00 in full of your fees.

12943

A. S. DICKINSON
LAWYER

BLACKFOOT, IDAHO.

Hon. W. G. Swendson,
-2-

You can just issue the license and mail same to me and I will have Mr. Curley make the transfer, or if you prefer send it to Mr. Curley.

With kindest personal regards and wishing you the greetings of the season, I remain,

Yours very truly,

A handwritten signature in cursive script, reading "A. S. Dickinson". The signature is written in dark ink and is positioned below the typed name "A. S. Dickinson".

ASD/MR
Encl; 1

12943

RECEIPT FOR REGISTERED ARTICLE NO.

7801

fee paid class postage paid 192
 From Walter R. Lougher (Date)

Addressed to Orlando B. Thompson
Blackfoot

Accepting employee will place initials in spaces applicable to indicate indorsements, etc.

Return receipt desired

Special delivery

Delivery restricted { To addressee in person
 To addressee or order

Postmaster, per



12946

RECEIPT FOR REGISTERED ARTICLE NO.

7802

fee paid class postage paid 192
 From Walter R. Lougher (Date)

Addressed to A. L. Russell
Blackfoot

Accepting employee will place initials in spaces applicable to indicate indorsements, etc.

Return receipt desired

Special delivery

Delivery restricted { To addressee in person
 To addressee or order

Postmaster, per



12946

7803

Registered December 21, 1925

L. A. Merrill - Pocatello, Idaho
Lorenzo R. Thomas - Blackfoot, Idaho

(Order issued under Permit No. 12946)

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Lawrence P. Thomas

(Signature or name of addressee.)

J. H. Anderson

(Signature of addressee's agent.)

Date of delivery, *12/22*, 192*5*

Form 11

OFFICIAL POSTAGE OFFICE

12946

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 7801

INSURED PARCEL

No. _____

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



Return to Wmpt Reclamation

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

BOISE,

12946

IDAHO.

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

A. L. Merrill

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, *12/23-25*, 192

Form 381

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 780

INSURED PARCEL 1925

No. _____

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$200

POSTMARK OF DELIVERING
OFFICE

AND DATE OF DELIVERY

Return to

Lept Rectamachin
(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

BOISE,

12946 **IDAHO.**

December 21, 1925.

Re: Permit No. 12943.

Mr. Bowen Curley,
Idaho Falls, Idaho.

Dear Sir:-

Upon receipt of fees amounting to \$2.00, the license will be issued under the above numbered permit. The license will be granted for 0.2 second feet of water for the irrigation of fifteen acres of land in the NW¹SW¹ Sec. 21, Twp. 4 S., R. 32 E., in accordance with the report of our examining engineer.

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

By _____
Chief Clerk.

0.2

12943

December 21, 1925

Re: Permit No. 12946

MR. A. L. MERRILL
c/o Budge and Merrill
Attorneys at Law
Pocatello, Idaho

Dear Sir:

Enclosed is copy of order relative to Permit
No. 12946, John A. Bischo, holder.

You will recall this is the case at which you
appeared at a hearing for George A. Line, who is contesting
proof.

Your attention is called to the right of appeal
from this order as provided in Section 5689, Idaho Compiled
Statutes.

Very truly yours,

Assistant Commissioner
of Reclamation

GNC:E
Enclosure
CC: Lorenzo R. Thomas

12946

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

IN THE MATTER OF PROOF OF APPLICATION)
OF WATER TO BENEFICIAL USE AND PROTEST)
AGAINST SAID PROOF-PERMIT NO. 12946)

O R D E R

WHEREAS, On April 13, 1917, Isham A. Parsons, Jr., filed application for permit to appropriate 2.9 cubic feet per second of the waters of three springs, said to be tributary to East Alkali Creek, designating as the point of diversion of said water a point in the Northeast quarter of Section 21, Township 4 South, Range 32 East, Boise Meridian; and subsequently and on May 28, 1917, the State Engineer endorsed his approval on said application and designated same as Permit No. 12946 in the records of his office; and

WHEREAS, On July 19, 1919, the said Parsons made his affidavit of notice of intention to change point of diversion to a point in the Southwest quarter of the Northwest quarter of Section 21, Township 4 South, Range 32 East, Boise Meridian, and said notice was filed for record in the office of the Department of Reclamation on July 21, 1919; and

WHEREAS, On July 23, 1919, the Commissioner of Reclamation issued Certificate of Completion of Works for the said Permit No. 12946, affirming that the terms of said permit had been met and that the irrigation works contemplated thereby were adequate to convey 2.9 cubic feet per second of water to the place of intended use, which by said certificate is found to be the Southwest quarter of Section 21, Township 4 South, Range 32 East, Boise Meridian; and

WHEREAS, It appears from certain documents recorded under said Permit No. 12946, that one, Bowen Curley, did, by reason of foreclosure, secure title to the said Southwest Quarter of Section 21, and all ditches and water rights thereunto belonging, including all rights granted by Permit No. 12946; and

WHEREAS, Subsequently and on March 17, 1925, the said Bowen Curley quit-claimed to one, John A. Bieloh, all of his interest in the said described Southwest quarter of Section 21, including the water rights attached by virtue of Permit No. 12946; and

WHEREAS, On July 28, 1925, the said John A. Bieloh, by his agent, Bowen Curley, made proof satisfactory to the Department of Reclamation that the water appropriated by reason of Permit

12946

No. 12946, has been applied to a beneficial use; and

WHEREAS, On July 28, 1925, George A. Line, filed with the Department of Reclamation his affidavit setting forth certain facts; to-wit:

- First - That he is the owner under contract of purchase of the Northwest quarter of Section 21, Township 4 South, Range 32 East, Boise Meridian, upon which is located the diversion works and spring involved in Permit No. 12946;
- Second - That there is only one spring on the said Northwest quarter of Section 21, and that the right of permit holder to appropriate and divert this spring is protested;
- Third - That it would be a detriment to said Northwest quarter of Section 21, to have the water thereon permanently diverted to said Southwest quarter of Section 21;
- Fourth - That it is necessary for said permit holder to dam Spring Creek in order that the water may be diverted to permit holder's ditch;
- Fifth - That the amount of water from the said spring is insufficient to irrigate any amount of land and that the water which is actually diverted and used, is derived from Spring Creek and that he protests the right of permit holder to divert any water from the said Spring Creek or from the spring located on said Northwest quarter of Section 21;

WHEREUPON, The Department of Reclamation by its order and notice, dated August 28, 1925, fixed the time and place of hearing on the said proof and protest at the office of the said Department in the Capitol Building, at Boise, Idaho, for the hour of ten o'clock A. M., November 23, 1925 and gave written notice of the said hearing to the protestant and permit holder, advising them that they would be permitted to appear at the said hearing and present such further evidence or information in support of their respective claims as they may desire; and

WHEREAS, The protestant, George A. Line, made an appearance at the said hearing through his attorney, A. L. Merrill, urging that the proof of application of water to beneficial use offered by the permit holder should be rejected and that no license thereunder should be issued, in support of which request the said attorney urged that permit holder was not entitled to a license because of his failure to appear at the said hearing, and for the further reasons set forth in the protest, hereinbefore recited; the said attorney further urged that the permit was invalid because of owner's failure to comply with the provisions of Section 5573, Idaho Compiled Statutes, providing for permission to go upon the property of protestant for the purpose of initiating a right to the use of the said water, etc., and

WHEREAS, The Department of Reclamation in connection with its consideration of the proof of application of water to beneficial use under the said permit, had conducted an investigation on the ground to determine whether or not a license should issue thereunder, which said investigation disclosed the following:

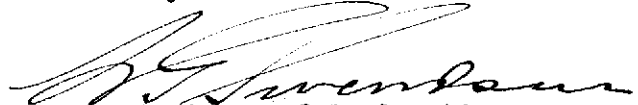
That the water covered by the said permit had been applied to a beneficial use on fifteen acres of land and to the extent of three tenths cubic foot per second;

That the said application was made through and by means of the works constructed under the said permit and upon which a certificate of completion of works was issued by the Commissioner of Reclamation, under date of July 23, 1919; and

Whereas, After a consideration of all the record data available to it, the results of its field investigation and the information adduced at the hearing, and in view of the conditions hereinbefore recited, it is found that the grounds upon which the protest are based are not sufficient to justify a rejection of the proof or a refusal of the license thereunder, the said protest being based upon the contention that the permit was invalid and that protestant was entitled to a favorable decision because of permit holder's failure to appear at the hearing; that it appears the only question before the undersigned, Commissioner of Reclamation, is whether or not the water represented by the said permit has actually been applied to beneficial use and that all other questions as to the validity of the said permit under the protest are matters upon which an administrative officer cannot pass;

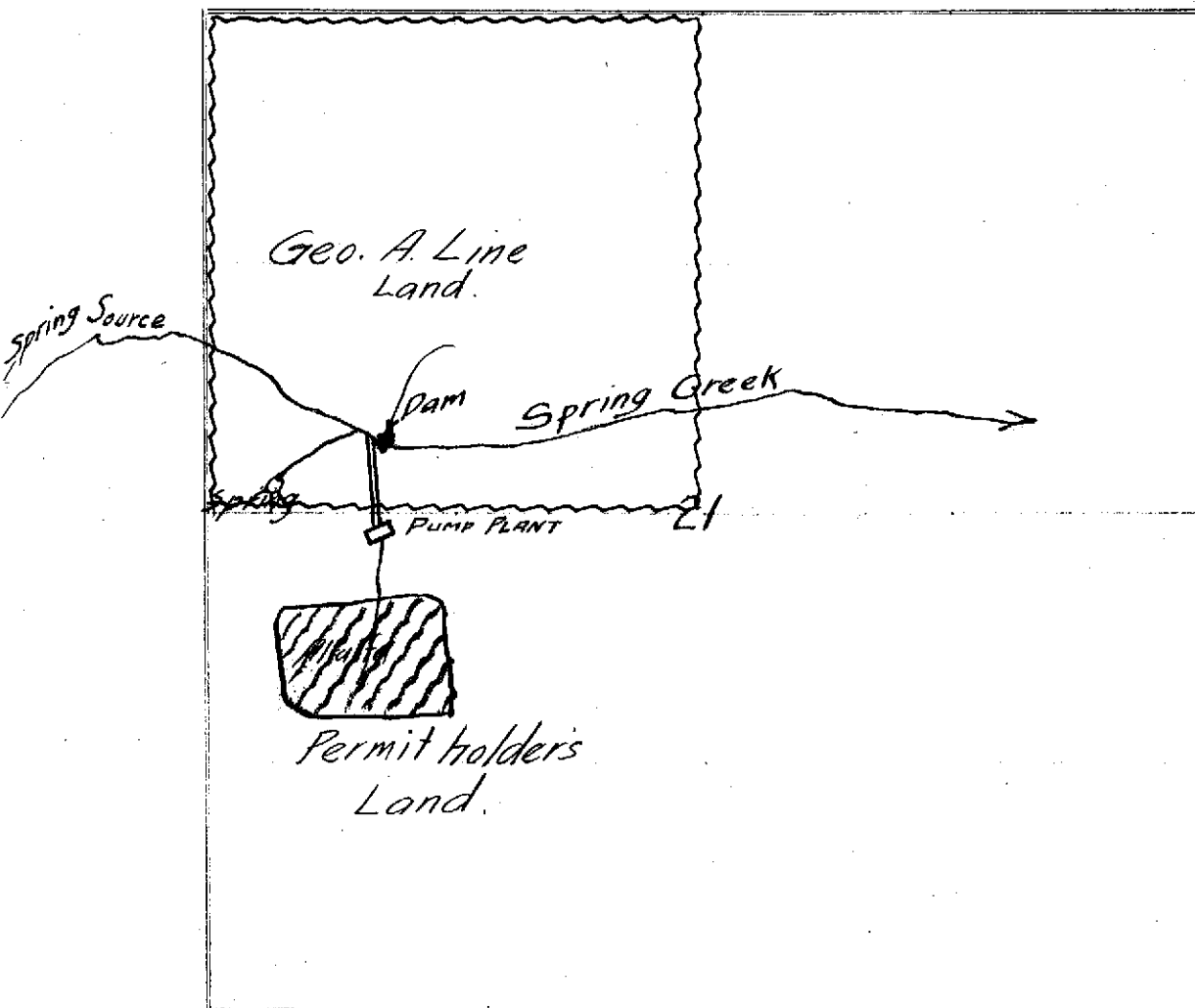
NOW, THEREFORE, IT IS HEREBY ORDERED, That the said contest or protest be dismissed and that a license issue under the said permit in accordance with the report of the engineer who made an examination on the ground for the Department of Reclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office, this 18th day of December, 1925.


Commissioner of Reclamation

I. Name Permit No. 12946

II. T. 4 S. R. 32 E. B.M. Section 21



Remarks:

12946

BOWEN CURLEY

IDAHO FALLS, IDAHO August 1st, 1925

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

Dear sir:-

your letter of the 31st inst refering to water permit No.
12946, received please accept thnks for the same.

very truly yours,

Bowen Curley

12946

W.G. Swendsen
Boise, Idaho

12946

MEMORANDUM

November 24, 1925

Re: Permit No. 12946

Permit claims as source of supply three springs - map filed with application for permit shows their location, one in NE $\frac{1}{4}$ NW $\frac{1}{4}$, one in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21 and one in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20 - and that point of diversion is in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21. The point of diversion as exists and in use is on SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21 and the water which is diverted is the combined flow of the spring on the SW corner of Line's land and other water either originating on or flowing onto Line's land. This source I did not examine, neither did I observe the spring claimed as being located on NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, still it may be there. This whole locality is of a marshy nature and water rises to the surface and flows off in a natural channel, locally known as Spring Creek, East Spring Creek or Alkali Creek.

In my opinion, the water is subject to appropriation within the meaning of the permit law, Section 5572 does not apply and the State is in no way concerned with the matter of right-of-way.

Geo. H. Carter

12946

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

IN THE MATTER OF THE PROTEST)
AGAINST PROOF OF BENEFICIAL)
USE OF WATER UNDER PERMIT NO.)
12946.)

WHEREAS, A hearing with respect to a protest wedged against the offering of proof of beneficial use under the above stated permit by the permit holder and his attorneys is had in connection with protest filed by Merrill and Merrill, Attorneys, for and on behalf of their client, Geo. A. Line, protestant; and

WHEREAS, Such hearing was set for this 23d day of November, 1925, before the undersigned, Commissioner of Reclamation; and,

WHEREAS, The protestant, Mr. Line made an appearance through his attorney Mr. Merrill; the permit holder not being represented at the hearing and not having made any appearance; and,

WHEREAS, Mr. Merrill urged that the approval of the proof as offered and issuance of license under this permit should be denied because of the failure of the holder of the permit to appear at the said hearing, and further urged that the permit is invalid by reason of permit holder's trespassing upon the property of the protestant through backing water or otherwise thereon and that because of such condition license should not be granted; Mr. Merrill also urged the position that the point of diversion employed by the permit holder was on the property of the protestant and that the spring which forms the source of supply of the water appropriated, rises upon protestant's property and that no permission, as required by law, had been secured by permit holder from the said Mr. Line to divert water of the said spring, and upon these grounds requested that the license be denied;

WHEREUPON, Hearing concluded and the matter of decision was taken under advisement.

Dated at Boise, Idaho, this 23d day of November, 1925.

Commissioner of Reclamation

12946

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

IN THE MATTER OF THE PROTEST AGAINST
PROOF OF BENEFICIAL USE OF WATER
UNDER PERMIT NO. 12946.

NOTICE OF HEARING.

To:

Mr. Bowen Curley, Agent for Holder, Idaho Falls, Idaho:
Mr. Lorenzo R. Thomas, Attorney, Blackfoot, Idaho:
Mr. George A. Line, Sterling, Idaho:
Messrs. Budge & Merrill, Attorneys, Pocatello, Idaho:

You, and each of you, are hereby notified that, on November 23, 1925, a hearing will be held at the department of reclamation of the State of Idaho, at Boise, in the matter of the protest of Geo. A. Line against proof of beneficial use of water under Permit No. 12946:

That said protest was filed by Geo. A. Line July 28, 1925, and requests that license be denied for the following reasons, to-wit: That it would be a detriment to the land upon which the spring is located to have the water permanently diverted to the SW $\frac{1}{4}$ of Sec. 21, Township 4, South, Range 32 E., B.M., the land described by Mr. Bowen; that the water from the spring is not sufficient to irrigate any amount of land but that the water that Mr. Curley, et al, have used has been from Spring Creek and that he protests the right of Mr. Curley, et al, from obtaining any right whatsoever to divert the water from the spring creek or from the spring mentioned by Mr. Curley by obstructing or damming Spring Creek:

That the protestant and protestees herein are required to appear at the Department of Reclamation of the State of Idaho, at the Capitol Building, Boise, at 10 a.m., November 23, 1925, and submit such further evidence in support of his claim as he or they may desire.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of my office, at Boise, Idaho, this 28th day of August, 1925.

W. G. Swenson
Commissioner of Reclamation.

12946

July 31, 1925

Re: Permit No. 12946-John A. Bieloh

Mr. Bowen Curley
Idaho Falls, Idaho

Dear Sir:

We are in receipt of a letter from
Mr. Lorenzo R. Thomas in which he transmitted
the depositions of yourself and witnesses and
the affidavit of publication for proof of
beneficial use of water under the above numbered
permit. You will be advised later as to what
action will be taken in regard to this proof.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

CB:EK

12946

L. R. THOMAS

J. H. ANDERSEN

THOMAS & ANDERSEN
ATTORNEYS AT LAW
BLACKFOOT, IDAHO

July 28, 1925

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

Dear Sir:

I have the honor to hand you herewith proof of application of water to beneficial use on Permit #12946, submitted by Bowen Curley, agent of the present holder of the said permit, and his corroborating witnesses together with affidavit of publication.

You may acknowledge receipt of this proof to Mr. Bowen Curley at Idaho Falls, Idaho. When this proof is approved you may write Mr. Curley for a check covering your fees in this case.

Yours very truly

Loring R. Thomas

LRT:MR
encl-4.

12946

Affidavit of Publication

NOTICE FOR PUBLICATION

Notice of proof application of water to beneficial use.

Notice is hereby given that at 10 a. m. on the 28th day of July, 1925, at Blackfoot, county of Bingham, state of Idaho, before Lorenzo R. Thomas, notary public, proof will be submitted of the application to beneficial use of 2.8 cubic feet per second of the waters of 3 springs, in accordance with the terms and conditions of Permit No. 12946 heretofore issued by the state engineer of the state of Idaho.

The name and post office address of the person or corporation holding said permit is John A. Bielob, Long Beach, California. The use to which said water has been applied is irrigation and domestic use. The amount applied to beneficial use is 2.8 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW 1/4, Section 21, Township 4 South, Range 32 East, Boise Meridian.

The date of the priority which said user is prepared to establish is May 29, 1921.

W. G. Swanson,
Commissioner of Reclamation.
Adv. 25-24-27-28

STATE OF IDAHO,
COUNTY OF BINGHAM, } ss.

I, Keturah Price
principal clerk
and bookkeeper, do solemnly swear that I am the and bookkeeper of THE IDAHO REPUBLICAN, a weekly newspaper of general circulation, published each week at Blackfoot, Bingham county, Idaho; that the notice attached hereto and which is a part of this affidavit, and a part of the proof of publication, was published weekly in said newspaper four consecutive weeks; first publication having been made on the 18th day of June, 1925; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement; said newspaper having been published for more than one year and being a newspaper in the meaning of the law.

Keturah Price

Subscribed and sworn to before me this

10th day of

July, A. D. 1925

Leo J. Chapman
Notary Public.

12946

Handwritten notes and signatures at the top of the page.

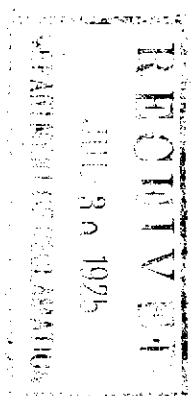
Affidavit of Publication

BY

THE IDAHO REPUBLICAN
BLACKFOOT, IDAHO

Made this..... day of..... 192.....

VS.



PERMIT NO. 12946**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. Bowen Curley, agent for John A. Bieloh, successor in interest to Isham A. Parsons, original permittee; age 80 years; Idaho Falls, Idaho; banker; Idaho Falls, Idaho.

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. No corporation domestic or foreign is interested in this permit.

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

Ans. No. 12946, April 13, 1917, May 29, 1921.

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

Ans. Unnamed springs; SW¹/₄ NW¹/₄, Section 21, Township 4 South of Range 32 E. R. 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. Main and lateral ditches; 3 second feet; private ditches, unnamed, and a private pumping plant by which the water is raised from the spring to the ditches.

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 used for irrigation purposes on the SW¹/₄, Section 21, Township 4 South, Range 32 East. The E¹/₂ SW¹/₄, 20 acres in SW¹/₄ SW¹/₄, and the SW¹/₄ NW¹/₄ SW¹/₄ have been irrigated, 60 acres of which land is natural meadow and the remainder cultivated. The improvement resulting from irrigation is the reclamation of the land, a good pasture and production of agricultural crops of both hay and grain.

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

Ans. Irrigation purposes only.

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

Ans. One inch per acre.

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. No corporation interested in this permit.

12946

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

Ans. This land has been irrigated by applying water thereto and covering the surface of the same to the extent of 110 acres with the exception that small areas here and there have sub-irrigated from the ditches and the water upon the land, during the past four or five years and to the extent of at least one inch per acre.

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. None.

(Sign)

Brownlee

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 _____ 28th _____ day of _____ July _____ A. D. 19_25_.

James R. Thomas
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho

12946

RECORDED
JUL 28 1925
JUL 28 1925
JUL 28 1925

Permit No. 12946

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Martin A. Driscoll; age 50 years; Sterling, Idaho; farmer and stock
raiser; Sterling, Idaho.

Ques. 2. Are you acquainted with John A. Bieloh, the
holder of Permit No. 12946? How long have you known him and where does he reside?

Ans. No. But, I have been acquainted with his predecessors in interest since
before this permit issued. I am informed Mr. Bieloh lives at Long Beach, California.
I am now and have been well acquainted with Isham A. Parsons the original permittee
for several years and he resides at Sterling, Idaho. I am acquainted with Bowen Gurley
agent of John A. Bieloh and have been for several years last past.

Ques. 3. Have you read or heard read said Permit No. 12946, 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. Unnamed springs; SW¹/₄ Section 21, Township 4 South of Range 32 East;
a private pumping plant and ditches and laterals. The main ditch 6 feet wide, 18
inches deep; one ditch 3 feet wide and 18 inches deep; and a series of laterals 3 feet
wide and 1 foot deep.

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 second feet. 3 second feet.

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. For irrigation purposes on SW¹/₄ Section 21, Township 4 South of Range
32 East. E¹/₂S¹/₄, 20 acres in west portion of SW¹/₄SW¹/₄ and the SW¹/₄NW¹/₄SW¹/₄ Section 21,
or 110 acres. 60 acres of the irrigated land is natural meadow and 50 acres of the
irrigated land has been cultivated. The improvements and results of this irrigation
have been the production of good agricultural crops, good hay and excellent pasturage.

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

Ans. Water applied for irrigation purposes only.

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. The character of the land reclaimed is a sandy loam and requires for
profitable cultivation one inch of water per acre.

12946

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. None whatever.

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. During the irrigation seasons of the past five years I have seen this land irrigated by the flooding or covering thereof with water and to the extent of approximately 110 acres for which water was diverted under this permit to the extent of one inch or more per acre. Small areas here and there are sub-irrigated by reason of the water flowing in the ditches and being applied as above stated.

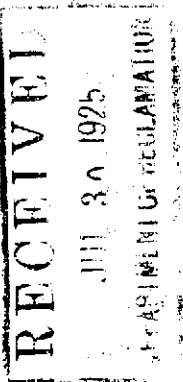
(Sign) Martin A. Driscoll

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 28th day of July A. D. 19 25

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

My commission expires May 26, 1927

12946



Permit No. 12946

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Isham A. Parsons; age 45 years; Sterling, Idaho; farmer; Sterling, Idaho.

Ques. 2. Are you acquainted with John A. Bieloh, the

holder of Permit No. 12946? How long have you known him and where does he reside?

Ans. Yes, four months; Long Beach, California. I was the original permittee but Mr. Bieloh has succeeded to my interests.

Ques. 3. Have you read or heard read said Permit No. 12946, 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. Unnamed springs; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 4 South of Range 32 East; a private pumping plant and ditches and laterals. The main ditch 6 feet wide, 18 inches deep; one ditch 3 feet wide and 18 inches deep; and a series of laterals 3 feet wide and 1 foot deep.

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 second feet; 3 second feet.

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. For irrigation purposes on SW $\frac{1}{4}$, Section 21, Township 4 South of Range 32 East. E $\frac{1}{2}$ SW $\frac{1}{4}$, 20 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, said section 21 have been irrigated. 60 acres of the irrigated land is natural meadow and 50 acres cultivated land. The improvements resulting from irrigation have been the reclamation of the land and the production of agricultural crops of grain and hay and first class pasture.

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

Ans. Water applied for irrigation purposes only.

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. The land reclaimed is a sandy loam and requires one inch per acre for its profitable cultivation.

12946

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. Not at all, although I was the original permittee my entire interests in the works, water, and lands have been conveyed and the present exclusive owner is John A. Rieloh.

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. For five years last past during the irrigation seasons, I have seen approximately 110 acres of this land irrigated with the water appropriated to the extent of one inch per acre by the application of the water to beneficial use by the flooding or covering of the land with the said water. Small areas here and there are sub-irrigated by reason of the water flowing in the ditches and being applied as above stated.

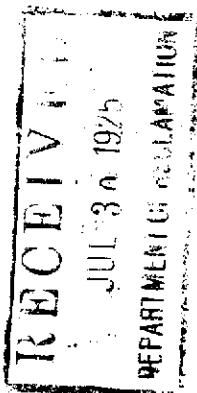
(Sign) Shamuel Parsons

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 28th day of July A. D. 1925

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

My commission expires May 26, 1927

12946



July 28, 1925

Re: Permit No. 12946-John A. Bieloh

Mr. George A. Line
Sterling, Idaho

Dear Sir:

Referring to your letter of the 27th instant, would say that your protest has been placed on file and will be given due consideration before issuing license.

This permit now stands upon the records of John A. Bieloh instead of Bowen Curley. However, Mr. Curley is acting as agent for the holder in the matter of proof.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

CB:EK

12946

GEORGE A. LINE.
SENATOR, BINGHAM COUNTY
HOME ADDRESS:
BLACKFOOT, IDAHO

COMMITTEES:
AGRICULTURAL
EDUCATIONAL INSTITUTIONS
IRRIGATION AND WATER RESOURCES
STATE AFFAIRS

State of Idaho

SENATE CHAMBER

~~BOISE~~

Sterling, Idaho

7 - 27 - 25

Hon. W. G. Swendsen

Boise

Idaho

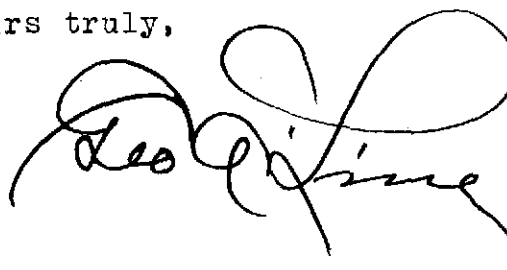
Dear Mr. Swendsen:

Inclosed you will find an affadavit
duly executed in regard to the protest of
Mr. Bowen Curley and etc. making proof on
said spring located on the lands under contract.

I trust you will give this matter due
consideration.

Thanking you in advance, I am

Yours truly,



GAL:M

12946

GEORGE A. LINE,
SENATOR, BINGHAM COUNTY

HOME ADDRESS:
BLACKFOOT, IDAHO

COMMITTEES:
AGRICULTURAL
EDUCATIONAL INSTITUTIONS
IRRIGATION AND WATER RESOURCES
STATE AFFAIRS

State of Idaho

SENATE CHAMBER
BOISE

12946

A F F I D A V I T

Know all men by these presence that I Geo. A. Line,
being duly sworn, makes the following Statement:

That he is the owner under contract
of purchase of the NW $\frac{1}{4}$ of Section 21 Town-
ship 4 South Range 32 E.B.M. upon which is
located a certain spring of water. And
that Bowen Curley and el. are endeavoring to
make final proof for the diverting of the water
of the spring upon other land for irrigating pur-
poses.

That there is only one spring upon this legal
subdivision and that he is protesting the right of
Mr. Curley to divert or obtain a right to the
water of this spring.

That it would be a detrement to the land
upon which the spring is located to have this
water permanently diverted to Mr. Curley's land
namely the SW $\frac{1}{4}$ Section 21 Township 4 South
Range 32 E.B.M.

That to divert the water from this spring it
has been necessary to dam Spring Creek which
has been done annually for the last 3 or 4 years
by permission from Geo. A. Line. And that
permission has been asked to dam Spring Creek
by Mr. Curley's representatives or the owner of
this said land.

Geo. A. Line further says that the water from
this spring is not sufficient to irrigate any
amount of land but that the water that Mr. Curley
and el. have used has been from Spring Creek and that
he protests Mr. Curley and el. from obtaining any
right what so ever to divert the water from Spring
Creek or from the spring mentioned by Mr. Curley by
obstructing or daming Spring Creek.

Signed

Geo. A. Line

Personal appeared before me this 27th July 1925-
Geo. A. Line who Deposed and says that the above
statement is true and correct.
my commission expires Feb 26-1928

Thomas Blackman
Notary Public
Residing at Springfield
Idaho

July 10, 1925.

Re: Permit No. 12946.

Messrs. Budge & Merrill,
Attorneys at law,
Pocatello, Idaho.

Gentlemen:-

Referring to your letter of the 9th inst. would say that, on May 28, 1917, Permit No. 12946 was issued to one, Isham A. Parsons, for the diversion of 2.9 second feet of the waters of three springs, located on the NW $\frac{1}{4}$, Sec. 21, Twp. 4 S., Range 32 E., B.M.

By Sheriff's Deed of Foreclosure, dated October 21, 1924, title to this water right went to Bowen Curley, and from Curley to John A. Bielch by quitclaim deed dated March 17, 1925.

Proof of completion of works was made by Isham Parsons and the certificate of completion issued to him July 23, 1919.

Notice of proof of beneficial use of water is now being published by Bowen Curley, agent for John A. Bielch, proof to be made July 28, 1925, before Lorenzo R. Thomas, at Blackfoot.

As we find no later permits issued to Bowen Curley, we take it this is the permit to which you refer.

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

By _____
Chief Clerk.

12946

BUDGE & MERRILL
COUNSELORS AND ATTORNEYS AT LAW
POCATELLO, IDAHO

JESSE R. S. BUDGE
A. L. MERRILL
R. D. MERRILL

July 9th, 1925

Commissioner of Reclamation,
Boise, Idaho

Dear Sir:

Seemingly some effort has been made to file upon certain springs on the Northwest Quarter of Section 21, Township 4 South Range 32 E. B. M. by a Mr. Curley and a Mr. Leach. We are representing the parties interested in the title to this property and we would like to be advised what this situation is in order that we might be heard in opposition to such filing.

Sincerely yours,

BUDGE & MERRILL

BY: *A. L. Merrill*

ALM/B

12946

27081

12946

July 6, 1925.

Re: Permit No. 12946-John A. Nielson.

Mr. George A. Line,
Blackfoot, Idaho.

Dear Sir:-

Referring to your letter of the 1st inst. would say that your protest against proof under the above permit should be in the form of an affidavit, setting forth the facts you desire to bring to the attention of the Commissioner of Reclamation before issuing license. This statement, or affidavit, should be filed in this office not later than July 28, the date set for proof.

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

By _____
Chief Clerk.

12946

GEORGE A. LINE,
SENATOR, BINGHAM COUNTY
HOME ADDRESS:
BLACKFOOT, IDAHO

State of Idaho

SENATE CHAMBER
BOISE

7 - 1 - 25

COMMITTEES:
AGRICULTURAL
EDUCATIONAL INSTITUTIONS
IRRIGATION AND WATER RESOURCES
STATE AFFAIRS

Hon. W. G. Swendsen

Boise

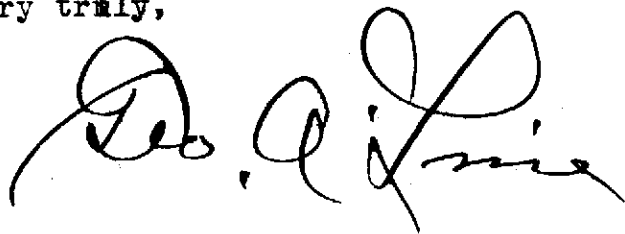
Idaho

Dear Mr. Swendsen:

I am protesting the making of proof on the springs or spring on the NW $\frac{1}{2}$ Sec. 21, 4 South 32E.B.M. by Bowen Curley and a Mr. Leech. These springs are upon my land and the water has not been diverted only by permission from year to year which also required the diverting of Spring Creek and changing the flow of water. This was done also by permission.

I am contemplating the draining of this land and this filing or proof by Mr. Curley would be a detriment to my land.

Yours very truly,



12946

BOWEN CURLEY

W.G. Swendsen, Commissioner of Reclamation, IDAHO FALLS, IDAHO June 22nd. 1925
Boise, Idaho,

Der Sir:-

I have your letter of the 19th. inst. Stating that you have changed the date at which Proof is to be made in the Parsons case to July 28th. 1925, and that the change is satisfactory to you.

Very truly yours,

Bowen Curley.

12946

June 19, 1925.

Re: Permit No. 12946-Bislob

The Idaho Republican,
Blackfoot, Idaho.

Gentlemen:-

Referring to your letter of the 17th inst.,
advising us of the change in date for making proof under
the above numbered permit, would say this change is satis-
factory to this office. The notice will, therefore, read
the 28th of July instead of the 15th.

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

By _____
Chief Clerk.

July 28

12946

The Idaho Republican

BYRD TREGO, EDITOR AND PROPRIETOR

BLACKFOOT, IDAHO

June 17, 1925.

W. G. Swendsen,

Boise, Idaho.

Dear Sir:

Mr. Lorenzo R. Thomas asked me to inform you that the date of Notice of Proof Application of Water to Beneficial use will be changed from July 15, to July 28, as he could not be in Blackfoot on that date.

Very truly ,

THE IDAHO REPUBLICAN,

Per-K. P.

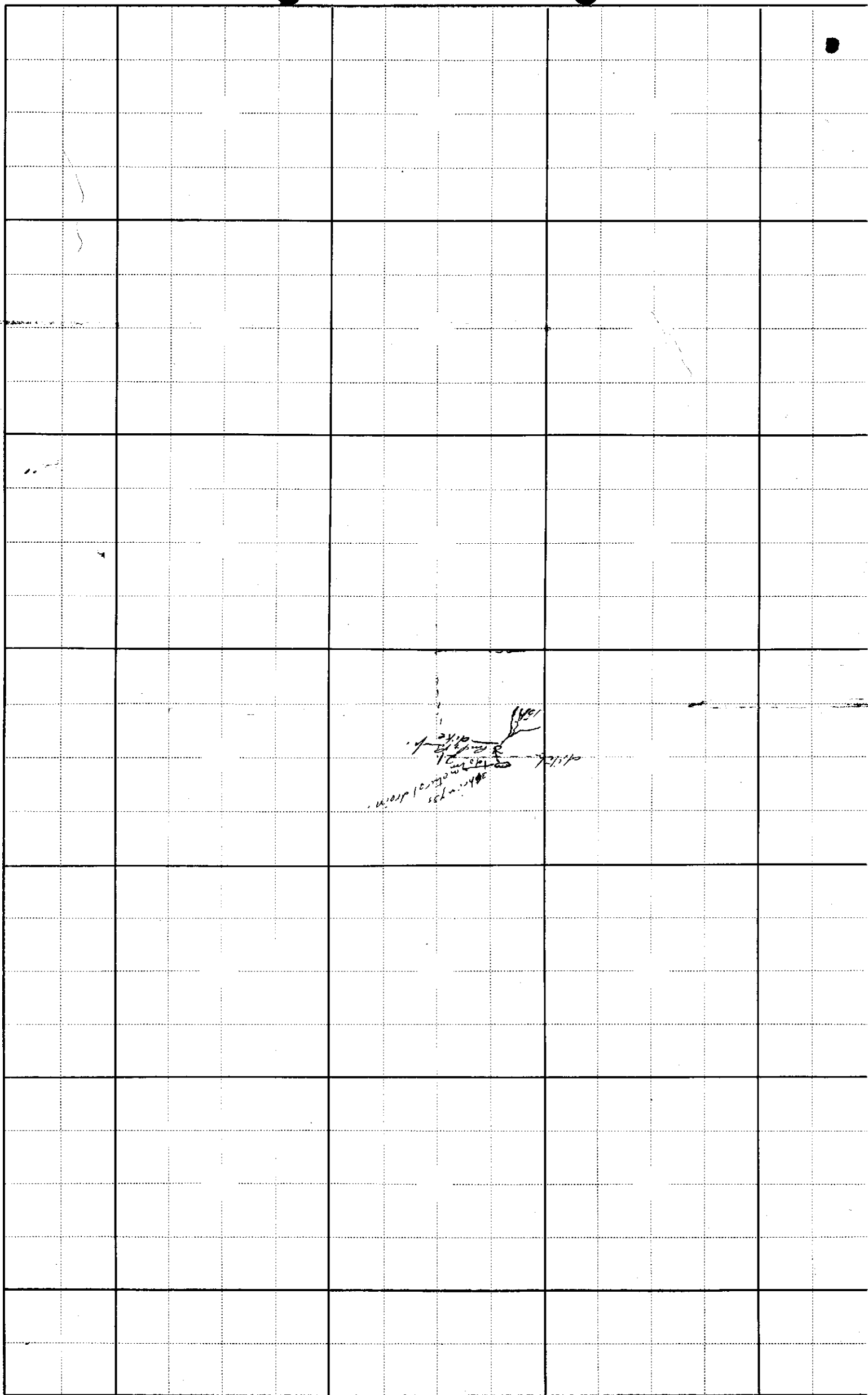
12946

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____



Handwritten notes in the center of the grid, possibly indicating a location or feature. The text is written in ink and includes the words "WATER" and "CREEK" along with some numbers and symbols.

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

Permit No. 12946This proof is for Beneficial UseIn Water District No. 68

1. Name of applicant: John A. Bieloh
2. Source of water supply: 3 Springs
3. Location of point of diversion: Is in the SW 1/4 NW 1/4 of Section 21
T. 4 S., R. 32 E.B.M. County of Bingham

4. Describe works as they exist, giving dimensions and capacities of same: Has dug trench from springs to pump, where water collects into small pond. Has about 4 ft bottom 2' to 4' deep. Has dug trench from springs to pump, where water collects into small pond. Has about 4 ft bottom 2' to 4' deep. and pump with 4 inches vertical iron pipe. Tractor for power. about 10 ft hole dug and pump with 4 inch vertical iron pipe. Has water about 10 ft deep. 8" galvanized pipe into ditch. 2 ft bottom est capacity 100" also has ditch. Three 8" galvanized pipe into ditch. 2 ft bottom est capacity 100" also has ditch built to carry water on more land but no ditch in some built to carry water on more land but no ditch in some.

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes, not at this time but had been in today est about 40"
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): SW 1/4, Sec. 21 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? Probably Snake R. Probably Snake R.
- Remarks: These springs are in one pond on land belonging to Mr. Geo. Line who informs me they are using his water under protest from him. Water from spring drains thru natural channel on his land. has to be dammed off to spring drains thru natural channel on his land, has to be dammed off to run same to pump no one on land about 15 acres alfalfa (then 52 mi. to pump. No one on land about 15 acres alfalfa.

This examination was made on the 25 day of June 1925

(Signed)

R. T. Satchell

Examiner.

12946

Bowen Curley
Idaho Falls

Permit No. 12946

Examination for Beneficial Use

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.

June 19, 1925.

Re: Permit No. 12946-Bieloh

Mr. Bowen Curley,
Idaho Falls, Idaho.

Dear Sir:-

We are in receipt of a communication from Mr. L.R.Thomas, of Blackfoot, advising us that the date for making proof under the above permit has been changed to July 28. This change is satisfactory to this office and we have so advised Mr. Thomas and also the publisher of the Idaho Republican to make the change, in the notice.

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

By _____
Chief Clerk.

12946

June 19, 1925.

Re: Permit No. 12946-Bieloh.

Mr. L. R. Thomas,
Attorney at law,
Blackfoot, Idaho.

Dear Sir:-

Referring to your letter of the 16th inst. would say that it will be satisfactory to this office for proof under the above permit to be made before you on July 28 instead of the 15th and we are so advising the publisher of the Idaho Republican.

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

By _____
Chief Clerk.

12946

L. R. THOMAS

J. H. ANDERSEN

THOMAS & ANDERSEN
ATTORNEYS AT LAW
BLACKFOOT, IDAHO

June 16, 1925

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

Dear Sir:

Mr. Bowen Curley of Idaho Falls consulted me today with reference to proof on Permit No. 12946, John A. Bicheloh, which you were kind enough to set before me for July 15th.

I advised Mr. Curley that I would not be at home until later in the month because I am going to California to visit my parents. I called the Idaho Republican and asked them to change the date from July 15th to July 28th which they have done.

We trust this is entirely satisfactory with you. With personal regard, I remain

Yours truly

L R Thomas

LRT:MR

12946

The Idaho Republican

BYRD TREGO, EDITOR AND PROPRIETOR

BLACKFOOT, IDAHO

June 13, 1925.

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

Dear Sir:

This will acknowledge receipt of
Notice for Publication which will appear
in four consecutive weeks starting with
our issue of June 18. Thank you.

Truly yours,

THE IDAHO REPUBLICAN.

N. Trego

12946

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DATE June 12, 1925

The Republican,
Blackfoot, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to July 15, 1925, the date set for proof, the expense of the publication to be paid by the applicant, by his agent, Bowen Carley, Idaho Falls, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

July 15

12944

June 12, 1925.

Re: Permit No. 12946- John A. Bieleh.

Mr. Bowen Curley,
Idaho Falls, Idaho.

Dear Sir:-

Relative to options for proof of use of water under the above numbered permit would say that a copy of the enclosed notice has today been mailed to the Blackfoot Republican for the required four weeks publication prior to July 15, the date set for proof.

We have given the name of Berenice R. Thomas as the notary public before whom the proof should be taken and, on the date set, you should appear at Mr. Thomas's office, with two witnesses, and fill out the deposition blanks which will be furnished him from this office. If you desire to make a change in the name of the notary, please advise the publisher of the Republican before the notice has been published, and also advise this office of such change.

The names of the witnesses are not required to be published. Any two persons who are acquainted with the water right and have seen the water used upon the land.

The enclosed copy of the notice is for your own file. None need not be returned to us. The publisher of the paper will advise you as to fees for publication.

In view of the fact that the proof is being made 4 years, 1 month and 16 days later than May 28, 1921, the date of priority will have to be brought down that length of time from the date of the filing, April 18, 1917, or to May 28, 1921. This change has also been made in the notices for proof.

Any further information will be given upon request.

Very truly yours,
W. G. SWENSON,
Commissioner of Reclamation.
By

Encl.

Chief Clerk.

12946

BOWEN CURLEY

IDAHO FALLS, IDAHO

June 10th. 1925

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

Dear Sir:-

Refering to your letter of the 4th. inst. Application of Isham A Parsons for Permit No. 12946, For water for the SW $\frac{1}{4}$ of Sec. 21, Tp. 4, South of Range, 32, I herewith hand you notice of Proof, to be published by the Blackfoot Republica, I am not familiar with these affairs, and may have made some error or over looked something. I will take the liberty of asking you to assist me in this matter by giving me such instruction, as you may think necessary. You will notice that I have made the date at which proof will be made at July 20th. 1925, I think this will give ample time for the publication.

Very truly yours,

Bowen Curley
John A. Belk

12946

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 10th 1925

(P. O.) _____

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Blackfoot Republic, of Blackfoot, Idaho., published in
the county in which the works are situated.

Bert C. Cullen
Agent for John A. Bieloh.

(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.

12946

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 29th day of July, 1925,
at Blackfoot, County of Bingham, State of Idaho,
before Lorenzo R. Thomas, notary public, proof will be submitted
of the application to beneficial use of 2.9 cubic feet per second of the
waters of S. springs, in accordance with the terms and conditions of
Permit No. 12946 heretofore issued by the State Engineer
of the State of Idaho.

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

John A. Dielsh, Long Beach, California.

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

The amount applied to beneficial use is 2.9 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) SW 1/4 Sec. 21, Twp. 4 S., R. 32 E., B.M.

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

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

~~The source of supply from which such water is diverted is~~

The date of the priority which said user is prepared to establish is May 21, 1925.

SW NW - 21 - 49 - 32 E

Bingham
- 49 -

W. G. Swendsen

Commissioner of Reclamation.

Bir. brought down 4 yrs - 1 mo - 16 days from April 13/17 -
May 29 - 1921

12946

BOWEN CURLEY

IDAHO FALLS, IDAHO

June 5th. 1925

W.G. Swendsen, Commissioner of Reclamation

Boise, Idaho,

Dear Sir:-

Your letter of the 4th. inst. with Sheriff's Deed and Quit Claim Deed to John A. Bieloh, with papers to be executed, received. Please accept thanks for the same. I will have the matter attended to as soon as possible.

Very truly yours,

Bowen Curley.

12946

June 4, 1925

Re: Permit No. 12946-John A. Bieloh

Mr. Bowen Baffey
Idaho Falls, Idaho

Dear Sir:

We are herewith returning your Sheriff's Deed on Foreclosure, together with a Quit Claim Deed to John Bieloh, of the above numbered permit, these having been placed on record in this office. These papers were left at the office by Mr. Bieloh a few days ago, with the request that we return them to you, together with blank notices for proof of beneficial use of water.

When these notices have been returned to this office one copy will be mailed to the paper designated by you, for the required four weeks publication prior to the date of making proof, and deposition blanks will be mailed to you, one for the holder, or his agent, and one each for two witnesses. The deposition of the holder could be made out by you as agent, if desired.

The fee for recording the two deeds amounts to \$1.00.

Very truly yours,

W. O. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

CBKKK
Encl.

12946

Bowen Curley, President.

Jay J. Smith, Vice President

D.F. Richards, Cashier

No. 6982

American National Bank

CAPITAL AND SURPLUS \$75,000.00

Idaho Falls, Idaho, May 28th. 1925

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

Dear Sir:-

I have your letter of the 27th. inst. Referring to the Permit No. # 12946, I.A. Parsons, for the, SW $\frac{1}{4}$ of Sec. 21, Tp. 4 South of Range, 32, E.B.M.

I made a loan on this land, and sold it to a party in California, We supposed that the proof had been made, but as that was not done, and the land has been watered, since the permit was issued, we are glad to be able to make the proof I do not know who was appointed as administrator of the Estate, and the matter has run so long, that we would be glad to have the present owner of the land make the proof, Could not I as Mortgagee make the proof, the owner of the Mortgage lives in California.

Of course we will be glad to pay the costs you mention, and to pay for the publication as mentioned,

Please find inclosed a stamped addressed envelope for your convenience.

Very truly yours,

Bowen Curley

P.S. Please give me such instructions as you may think necessary,

B.C.

12946

May 27, 1925.

Re: Permit No. 12946-Isham A. Parsons.

Mr. Bowen Curley,
Idaho Falls, Idaho.

Dear Sir:-

Referring to yours of the 23rd inst. would say that the holder of the above numbered permit failed to complete his water right under the permit through his failure to make the required proof of beneficial use of the water. This proof was due May 28, 1921, and notice was mailed to the holder three months in advance of such date. This proof, however, will be accepted when made at a later date than specified in the permit but the earlier priority will be brought down from the date of the filing a length of time equal to the time elapsing between the date proof is due and the date proof is actually made. That is, if this proof had been made on May 28, 1925, instead of May 28, 1921, the priority of the right would have been brought down to April 13, 1921, or four years from April 13, 1917, and so on.

Notice of this proof is required to be published four full weeks, five publications, prior to the date set for proof, and, on the date advertised for making proof, the holder, with two witnesses will be required to appear before the notary public, or other officer before whom proof is to be made, and fill out the deposition blanks which will be furnished the said officer from this office.

If it is desired to proceed with the proof at this time, the enclosed blanks should be completed, as to the time, the date, the place and the name of the officer before whom proof is to be made, and the said blanks returned to this office, in duplicate, together with circular letter authorizing us to order the notice published in some paper printed in the county in which the land is situated.

Prior to the date of making proof, or as soon thereafter as possible, a representative from this office will make an examination upon the land to ascertain the acreage under cultivation and irrigation.

The fees due before issuing the license will be \$2. 0 for each forty acre tract, or fraction, upon which the water has been used beneficially, and license will be issued for an inch to the acre for such lands. No fees are due at this time.

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

By _____
Chief Clerk.

12946

Bowen & Co., President.

Joy J. Smith, Vice President

D. F. Richards, Cashier

No 6982

American National Bank

CAPITAL AND SURPLUS \$75,000.00

Idaho Falls, Idaho May 23rd, 1925

To the Commissioner of Reclamation

Boise, Idaho.

Dear Sir:-

Herewith I hand you copies of permit and letter from the Commissioner of Reclamation, Please let me know by return mail the standing of the water on this tract of land, I understand that Mr. Parsons died long ago, and do not know what was done in the matter,

I can supply affidavits that the water has been used on the land every year, and would be glad to hear what payments should be made and full information, in regard to the matter.

Very truly yours,

Bowen & Co.

12946

Permit No. I2946

Certificate of Completion of work

666

To all whom it may concern;

Isham A. Parsons,

of Sterling, County of Bingham, and State of Idaho, the holder of Permit No. I2946, Issued upon application No. I3478, authorizing the the diversion of 2, and 9 Second feet of the water of Three Springs County of Bingham, and State of Idaho, for Irrigation and domestic purposes, has fully complied with the provisions of law of the state of Idaho, relating to the proof of completion of work of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use 2.9 second feet of the water of, three springs that the point of diversion of said water is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 21, T. 4 S. R. range 32, E. B. M. and that the land^s proposed to be irrigated by the use of said water are described as follows, to wit; SW $\frac{1}{4}$, of Sec. 21, T. 4 S. R. 32 E. B. M.

Witness my hand this 23rd. day of July, A. D. 1919

W. C. Swendsen

Commissioner of Reclamation

By; STB

Deputy.

12946

(Copy)

STATE OF IDAHO,
Reclamation Department,

December 19th. ~~###~~ 1919

Permit 12946.

Mr. Bo en Carley,
Idaho Falls, Idaho,

Dear Sir:-

Replying to your favor of the 26th, inst. will state that the above numbered permit is in good standing upon the records of this department, proof of completion of work having been made, and certificate issued. Proof of beneficial use of water under this permit is not required until May 28th, 1921

Very truly yours,

W.G. Wendsen.

Commissioner of Reclamation

By A. Brown

12946

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Isham A Parsons
Sterling, Idaho.
Dear Sir:

Feb. 7, 1921.

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. ¹²⁹⁴⁶~~12946~~, ~~May 28, 1922~~ 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 date it is submitted.

Yours truly,

W. G. Swendsen,
Commissioner of Reclamation.

12946

December 29, 1919.

Re: Permit 12946.

Mr. Bowen Oxley,
Idaho Falls, Idaho.

Dear Sir:

Replying to yours of the 26th instant, will state that the above numbered permit is in good standing upon the records of this department, proof of completion of works having been made and certificate issued. Proof of beneficial use of water under this permit is not required until May 26, 1921.

Yours very truly,

W. G. SWENDESEN,

Commissioner of
Reclamation,

By

B/B.

12946

Bowen Curley, President.

W. R. Mason, Vice President and Cashier.

No 6982

American National Bank

CAPITAL AND SURPLUS, \$60,000.00

Idaho Falls, Idaho, December 26th. 1919

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

Dear Sir:-

The party owning the SW $\frac{1}{4}$ of Sec. 21 in Tp. 4, South, of Range 32, E. holding Certificate of Completion of work 12946 dated July 23rd. 1919, carrying 2.9 second feet of water in Three Springs, has made application for a loan on the land covered by this water. (Recorded in Book No. 45)

I wish to know before making the loan if all the work required has been done, and all the requirements have been fully complied with,

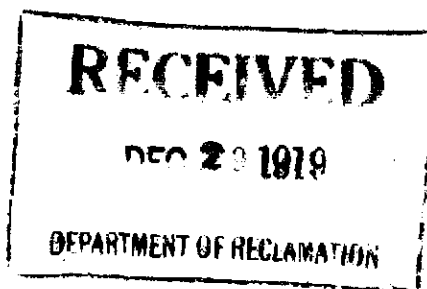
If there are other things to be done before the title to the water is complete, Please have the kindness to mention them.

The certificate of Completion of work, belongs to the party who sold the land to my client, should this be indorsed?

I am not familiar with this kind of water rights, and will ask you to give me such information as you may think I need at this time.

Very truly yours

Bowen Curley



12946

July 26th
1919

In re: Permit: 12946

A. Parsons
Sterling, Idaho

Dear sir:

Pursuant to your request
I am inclosing herewith application for change
of point of diversion together with two map
forms; kindly submit the maps in duplicate.

Yours very truly

W. G. Swendsen
Commissioner of
Reclamation

By:

12946

July 25th,
1919

In re: Permit #18478

Isham A. Parsons,
Sterling, Idaho.

Dear Sir:

Herewith find enclosed Certificate of Completion of Works issued under the above numbered permit. Also receipt covering fees submitted.

I am also enclosing duly recorded affidavit of change of point of diversion together with copy of map which you should retain for your own reference.

Yours very truly,

W. G. SWENDSEN
Commissioner of
Reclamation

By

L:K
Enc.

12946

Sterling Ma.

June 18/19

State Engineer

Dear Sir. As the
Point of Diversion is
located wrong, in my
permit no 12946

Wayed you pls. Send
me blanks for correction
Yours Resply

John G. Parsons

12946

[illegible]

Permit No. _____

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Steering } ss.

Sham A. Parsons, 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. 12946, and that his postoffice address is Steering
State of Idaho

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

East Spring Creek and two natural Springs
Third: That the point of diversion of said water is SW 1/4 N. 21 of Section 21, township 4, south of Range 32 E, 12 N.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 28, 1919

Fifth: That the use for which said water is intended is Irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or ~~were~~) fully completed and consisted of the following:

I. Kind of works: Ditch to and from Pumping plant
(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 2 ft feet, width at water line three feet, depth of water 14 inches feet; diameter of pipe _____ inches; average grade per mile is four feet. Length of conduit is 3/4 miles.

Seventh: That said works are capable of conducting to the place of intended use 150 inches second feet of water.

Eighth: That water appropriated under said permit is available for 160 acres of land described as follows: _____

SW 1/4, Section 21, township 4, south Range 32 East of Boise Meridian

Ninth: Remarks: That _____

Sham A. Parsons Jr
(Sign here)

Subscribed and sworn to before me this 6th day of June, 1919

My commission expires April 1923

E. Taylor
Notary Public.

12946

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

March 1, 1919

Isham A. Parsons,
Sterling, Idaho.

Dear Sir:—

Under the terms of your permit No. 12946, you are required to complete your diversion works on or before May 28, 1919. 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,

FRED A. WILKIE,

State Engineer.

12946

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit No. 129464
Isham A. Parsons, Jr.
Sterling, Idaho.

Boise, Idaho,

May 28, 1917

Dear Sir:

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.

J. H. SMITH,

State Engineer.

12946

April 14, 1917.

18478-

Mr. Isham A. Parsons, Jr.,
Sterling, Idaho.

Fill in paragraph 11.

BB.

18478. R. #365.

12946