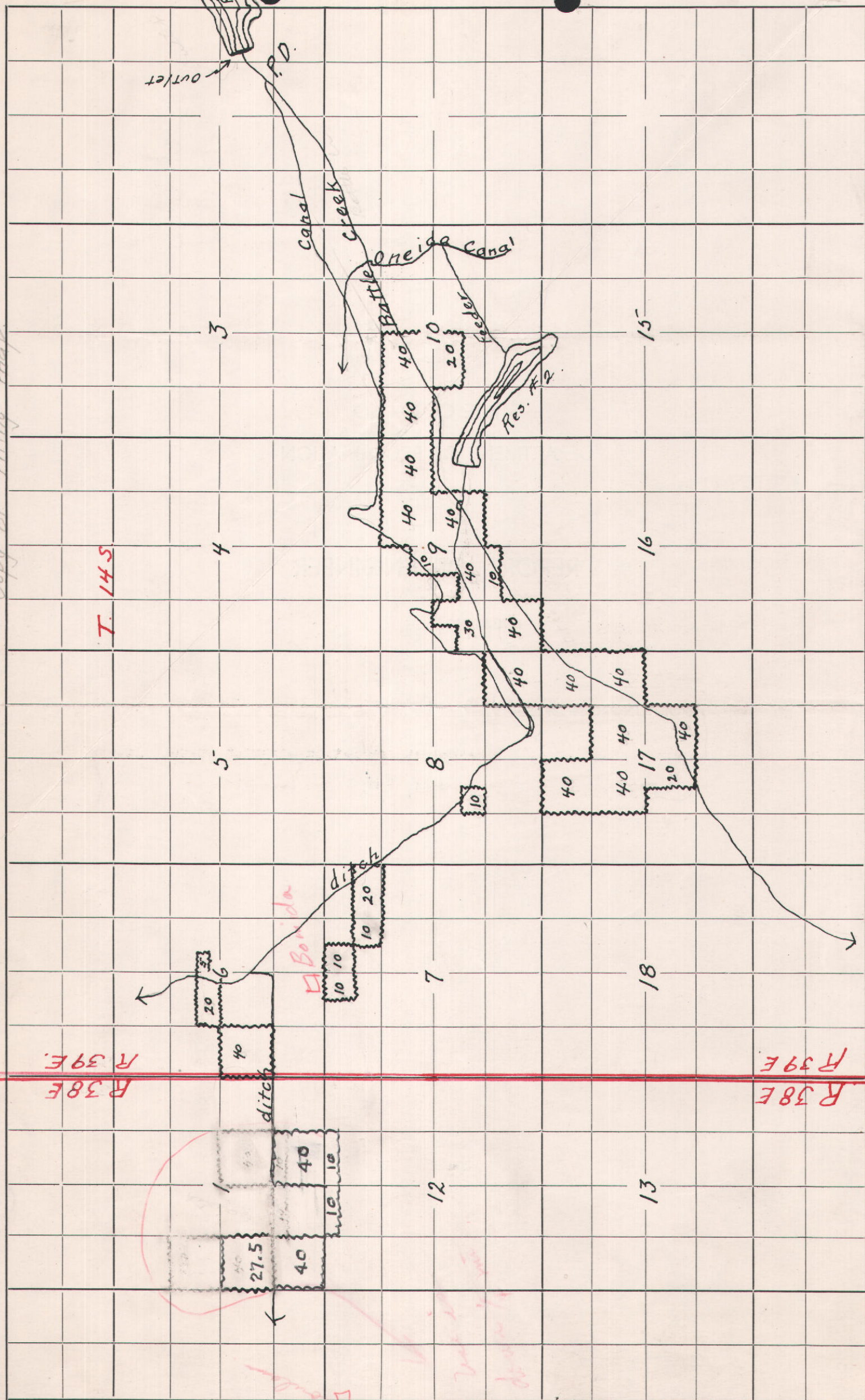


Copy of Filing map.



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

R-76

Affidavit of Publication

NOTICE FOR PUBLICATION

Application for Extension of Time
for Completion of Works Under
Senate Bill 232, Session Laws of
1921.

Notice is hereby given that on
the 24th day of August 1922 at 10:30
o'clock a. m., a hearing will be held
by the State Commissioner of Rec-
lamation or his Deputy at Boise,
County of Ada, State of Idaho, for
the purpose of receiving any pro-
tests, testimony and evidence re-
garding an application for an ex-
tension of time for completion of
Reservoir under Permit to Appro-
priate the Public Waters of the
State of Idaho No. R-76. The said
protests and evidences may be sub-
mitted either orally or by affidavits
by any persons owning or in pos-
session of a right to the use of any
waters of a stream or source of
supply affected by said exten-
sion.

The number of the said permit is
R-76.

The name and postoffice address
of the person or persons or cor-
poration holding the said permit or
permits are Strong Arm Reservoir
Company, Preston, Idaho.

The amount of water called for
by the said permit or permits is
787.25 acre feet from Battle Creek
which is tributary to Bear River.

Department of Reclamation,
W. G. SWENDSEN
Commissioner of Reclamation.

STATE OF IDAHO

COUNTY OF FRANKLIN

I J. L. Roe do sol-
emly swear that I am one of the publishers of the
FRANKLIN COUNTY CITIZEN, a weekly newspa-
per of general circulation published each week
at Preston, Idaho; that the notice attached hereto
and which is a part of this affidavit, and a part
of the proof of publication, was published for
2 consecutive weeks, the first publication
having been made on the 9 day of August
19 22 that said notice was published in the reg-
ular issue of every number of the paper during
the periods and times of publication, and that the
said notice was published in the newspaper and
not in a supplement.

Subscribed and sworn to before me this

30 day of Aug 19 22

Arthur M. Mott

Notary Public.

I, _____ register, do hereby certi-
fy that a notice, a printed copy of which is here-
unto attached, was by me pasted in a conspicuous
place in my office for a period of thirty days, I
having pasted said notice on the _____ day
of _____ 191 _____

R-76

State of Idaho

License and Certificate of Water Right

Water License No. 13149 R-76
 Water District No. _____

70 C.F.S.
 Amount 984.28 ac-ft.
 Priority September 17, 1940

THIS IS TO CERTIFY that **STRONG ARM RESERVOIR COMPANY** and store
 of **Preston, Idaho**, made application for a permit to appropriate the
 public waters of the State of Idaho, dated **June 21**, 19 **17**; that Permit No. **13149 & R-76**
~~was~~ ^{are} issued under said applications that Certificate of Completion of works, with a carrying capacity of
984.24 ^{acre} ~~second~~ feet, was issued thereunder on **September 23**, 19 **24**, showing that said works
 were completed on the **16th** day of **September**, 19 **22**; and that on the **7th**
 day of **November**, 19 **49**, **STRONG ARM RESERVOIR COMPANY (DIST)**
 By: **Joseph C. Hedin, President**

of **Preston**, State of **Idaho**, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of **Battle Creek**
 , a tributary of **Bear River**, for the purpose of **Irrigation and Domestic Use**
 , under Use Permit No. **13149 & R-76** of the **Department of Reclamation**
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page **6573**, on the **23** day of **December**, 19 **58**;
 The right hereby confirmed dates from **September 17, 19 40**;
 Outlets are
 The Point of ~~Entrance~~ located (**Reservoir #2 in Sec. 9, T14S-R39E, B.M.**) **Reservoir #1**
 in the **NE 1/4 SE 1/4, Sec. 2, Tp. 14 S., R. 39 E., B. M.** **County Franklin**
 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 **984.28** ^{acre} ~~cubic feet per second~~ ^{annum}.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 S.	39 E.	10	SE NW 1/4	40	40
			SW NW 1/4	40	40
			NE SW 1/4	20	20
			SE NE 1/4	40	40
			SW NE 1/4	40	40
			SE NW 1/4	10	10
			NE SW 1/4	40	40
			NW SW 1/4	30	30
		9	SW SW 1/4	40	40
			SE SW 1/4	10	10
			NW SE 1/4	40	40
			SE SE 1/4	40	40
		8	NE SW 1/4	10	10
			NW NE 1/4	20	20
		7	NW NE 1/4	20	20
			NE NE 1/4	10	10
14 S.	39 E.	6	SW NE 1/4	5	5
			SE NW 1/4	20	20
			NW SW 1/4	40	40
			NE NE 1/4	40	40
		17	SW NE 1/4	40	40
			SE NE 1/4	40	40
			NE NW 1/4	40	40
			SE NW 1/4	40	40
		1	NE SW 1/4	20	20
			NW SE 1/4	40	40
			NW SW 1/4	27.5	27.5
			SW SE 1/4	40	40
14 S.	38 E.	12	NW NE 1/4	10	10
			NE NW 1/4	10	10

Total number of acres irrigated - - - 908

13 2286

Date of first receipt at office of State Engineer 9:00 A. M. July 21, 1917.

Returned to applicant for correction August 3, 1917.

Corrected application received August 22, 1917.

Approval of State Engineer

The number of this Permit is R -76.

Recorded in book R -1

Page R-76

Approved September 10, 1917.

This is to certify that I have examined the within application for a permit to construct a reservoir and to store the unappropriated 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 November 9, 1917,

and to continue diligently and

uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before March 10, 1920.

The whole of said work to be completed on or before September 10, 1922.

Beneficial use of water stored in accordance herewith, to be made on or before September 10, 1924.

as set out in Permit No. 13149 for the appropriation of the public waters of the State of Idaho, which is hereby referred to and made a part hereof.

Witness my hand this 10th day of September, 1917.

J. H. Smith,

, State Engineer.

Remarks:

All waters herein provided and indicated on the maps filed herewith as being diverted from the Canal of the Oneida Irrigation District are diverted and taken from such Canal under a written agreement existing between the Oneida Irrigation District and the Strong Arm Reservoir Company, by which an equivalent amount of water is returned into the canals of the said Irrigation District for all waters so diverted by the Strong Arm Reservoir Company from the ditch of said Oneida Irrigation District. This exchange of water is mutually advantageous inasmuch as by such means both parties of the contract may avail themselves of the water for irrigation purposes at such times as such water is most demanded.

Permits No. 13149-R-76

Extension of Time for Completion of Work under Senate Bill 232,

Session Laws of 1921

Approval of Commissioner of Reclamation

WHEREAS, Application for an extension of time for Completion of Works under Permits Nos. 13149 and R-76, has been made by the owner thereof, which application was duly advertised in the Franklin County Citizen of Preston, Idaho, for a period of two consecutive weeks, and

WHEREAS, a hearing in regard to the said Application was then duly held at Boise, Idaho, on August 24, 1922, as specified in the said advertisement above referred to, and;

WHEREAS, after taking into consideration all evidence and testimony introduced at the said hearing it appears that the owner of the said Permit is entitled to a further extension of time within which to complete work,

13-2286

Application for a Permit to Construct the STRONG ARM Reservoir

And to Store the Unappropriated Waters of the State of Idaho

Application No. R 18704.
Permit No. R 76.
District No. 5 J.

1. Name of Applicant: Strong Arm Reservoir Company,

Postoffice Address: Preston, R.F.D. #2. County: Franklin. State: Idaho.

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: April 7, 1905. Preston, Idaho.
- (b) Amount of capital stock: \$ 30000.00.
- (c) Amount paid in: \$8350.00.
- (d) Names and addresses of directors: Joseph Condie, Wm. A. Schuldberg, Julius Johnson,
Jed Miles, Preston, Idaho.

II. The financial resources of the applicant are: (a) Cash on hand: \$ None.
(b) Treasury stock: \$ None. (c) Bonds to be issued: \$ None.
(d) Other resources: Stockholders to do work by Mutual labor.

2. Quantity of water to be stored Seventeen hundred seventy two [1772] acre feet per annum.

3. Source of water supply Battle Creek, which is a tributary of Bear River.

4. Water is to be used for: Irrigation and domestic purposes.

5. The outlet of the proposed reservoir is located N. 32° 19' E. 2694.9 from S $\frac{1}{4}$ Cor. Sec. 2, T. 14 S.,
R. 39 E.B.M.
feet distant from the corner of Section, T., R.,

B. M., and is in the NE SE of Section 2, T. 14 S. R. 39 E.B. M., County of Franklin.

6. Fill out either (a) or (b).

(a) The reservoir^{#1} is located in the channel of Battle Creek.

(b) The reservoir^{#2 & #3} is to be filled through the Strong Arm Feeder Canal,

which has a width at bottom of 4 ft., width at top of 7 ft., depth of 1 $\frac{1}{2}$ ft., average
grade per mile 80 ft., capacity 50 cubic feet per second.

7. (a) The area of the high water line of the reservoir is #1- 78.1. #2- 42.3. #3- 53.2 acres.

(b) The available capacity of the reservoir is #1-607.37. #2-376.93. #3-787.25. Total 1771.55 acre feet.
#1-30' #2-30' #1-437' #2-745' #1-40' #2-30'

8. Height of dam: #3-45 feet; length of dam at top/ #3-660 feet; length of dam at bottom/ #3-20 feet.

Material used in dam: Earth & Rock.

9. The estimated cost of proposed reservoir is \$ #1- 1000 #2- 2000 #3- 2500

10. Amount of land to be irrigated 3882 acres; said land being described in Use Permit mentioned in

Paragraph 13 herein, which Use Permit is hereby referred to and made a part hereof.

11. The time required for the completion of such work is 5 years.

13. The water stored in accordance with this permit will be conducted to the place of use through the Strong Arm
canal, constructed under the terms of Permit No. 13149, filed by Strong Arm Reservoir
Company on July 21, 1917.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and to store the unap-
propriated waters of the State of Idaho as herein set forth.

Strong Arm Reservoir/ Company
Applicant.

By Herbert Wing, Agent.

NOW, THEREFORE, I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, by virtue of the authority vested in me under Senate Bill 232, Session Laws of 1921, hereby extend the time for completion of works under Permits to Appropriate the Public Waters of the State of Idaho, No. 13149 and R-76 to September 10, 1924.

WITNESS my hand this 1st day of September, 1922.

Geo. N. Carter,
Asst. Commissioner of Reclamation.

STATE OF IDAHO

CERTIFICATE OF COMPLETION OF RESERVOIR AND
RIGHT TO STORE WATER

Water District 5-J

Amount 984.24 A. F.

Priority 7-21-17

THIS IS TO CERTIFY that Strong Arm Reservoir Company, of Preston, State of Idaho, has made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to store the waters of Battle Creek, a tributary of Bear River, for the purpose of irrigation and domestic use, under Use Permit No. 13149, and Reservoir Permit No. 76 of the State Engineer, and that said right to store said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by order of the Commissioner of Reclamation of Idaho, and entered of record at Boise, in volume 1 of Reservoir Permits, at page 76, on the 23rd day of September, 1924; that the right hereby confirmed dates from July 21, 1917; that the amount of water entitled to be stored each year in Reservoir No. 1 and No. 2, under such right, for the purposes aforesaid, shall not exceed 984.24 acre feet.

That Reservoir No. 1 is located in Section 10, Tp. 14 S., R. 39 E.,
B. M. That Reservoir No. 2 is located in Sections 1 and 2 Tp. 14 S., R. 39 E.
B. M. County of Franklin.

WITNESS the seal and signature of the Commissioner of Reclamation affixed at Boise, Idaho, this 23rd day of September, 1924.

W. G. SWENDSEN,
Commissioner of Reclamation

By: Geo. N. Carter,
Assistant

(SEAL)

984.24
Page 673

June
~~May~~ 1967

N O T E

Plans, specifications, and drawings have been withdrawn from this
file and entered into the Records of Dams file.

Permit No. R-76
Df

R-76

April 15, 1959

Re: Permit No's R-76, R-689, 13149

Mr. Ben B. Johnson
Attorney At Law
Preston, Idaho

Dear Mr. Johnson:

We enclose departmental receipt No. 29559, which was issued covering payment in the amount of \$9.00 for certified photocopies of maps filed in connection with the above listed permits, which were sent to you under date of April 7, 1959.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/lw
Encls. (1)

R-76

April 7, 1959

Re: Permit Numbers

R-76; 13149; R-689

Mr. Ben Johnson
Attorney At Law
Preston, Idaho

Dear Mr. Johnson:

Upon request of your telephone call of April 6, 1959, we are enclosing certified photo-copies of maps filed in connection with the following permits - Permit No. R-76; Permit No. 13149, Permit No. 689.

If for any reason the copies of the maps previously certified and sent to you are different in any manner what so ever, you may send us a copy of copies previously sent you and we will make you additional copies without charge.

You may remit your check made out to the Department of Reclamation to the amount of \$9.00 in payment of said certified copies.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer.
By

ROY W. THOMPSON
Supervisor of Water Distribution

RWT/lw
Enclosures

~~13149~~

R-76

Feb. 23, 1959

Re: Permit No. R-76
Permit No. 13149

Mr. Ben B. Johnson
Attorney at Law
Preston, Idaho

Dear Mr. Johnson:

We enclose departmental receipt No. 29500 covering \$8.00 in fees for certified photo-copies of Affidavits submitted in connection with Permit No. R-76 and certified photo-copy of Permit No. 13149 showing acreage included in the permit, which were mailed to you on February 19, 1959.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Chief Clerk

EPR:cw

R-76

BEN B. JOHNSON
ATTORNEY AND COUNSELOR AT LAW
FIRST SECURITY BANK BUILDING
PRESTON, IDAHO

of Enc 7 & 8

RECEIVED
FEB 23 1959
Department of Reclamation

February 21, 1959

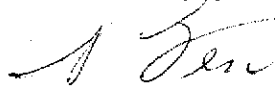
Roy W. Thompson
Supervisor of Water Distribution
Department of Reclamation
Boise, Idaho

Dear Mr. Thompson:

Re: Permit No. R-76
Permit No. 13149

Thank you for your letter of February 19, and also for the enclosures.

Sincerely yours,



BEN B. JOHNSON

BBJ:lkp
Enclosure
Check - \$8.00

Thanks

R-76

\$8.00
due

February 19, 1959

Re: Permit No. R-76
Permit No. 13149

Mr. Ben E. Johnson
Attorney At Law
First Security Bank Building
Preston, Idaho

Dear Mr. Johnson:

We are enclosing, as per your request, certified photocopies of Affidavits submitted in connection with Permit No. R-76.

We are also enclosing certified photo-copy of Permit No. 13149 showing acreage included in the permit. We had to send you a copy of the entire permit in order to tie the acreage to the permit.

You may remit the sum of \$8.00 for the certified copies.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

RWT/lw
Enclosures - Noted Above

R-76

BEN B. JOHNSON
ATTORNEY AND COUNSELOR AT LAW
FIRST SECURITY BANK BUILDING
PRESTON, IDAHO

RECEIVED
FEB 19 1959
Department of Reclamation

February 17, 1959

Roy Thompson
Department of Reclamation
State Capitol Building
Boise, Idaho

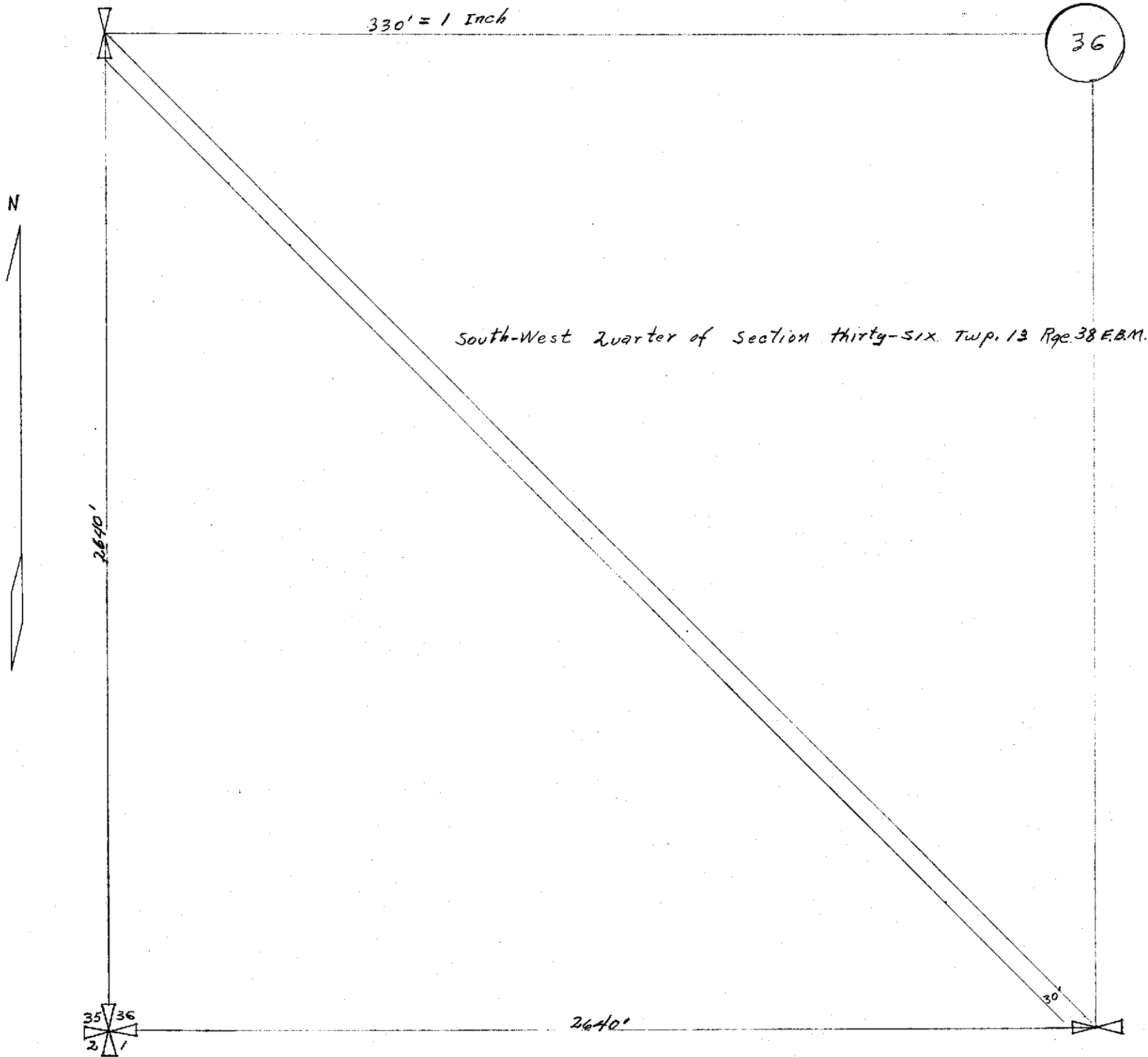
Dear Mr. Thompson:

Would you kindly mail me certified copies of the
affidavits submitted in connection with permit No.
R-76, Strongarm Reservoir Irrigation District, and
mail me the bill for the same?

Very truly yours,


BEN B. JOHNSON

R-76



Form



R. 76

January 12, 1959

Re: Permit Numbers -
13149, R-76, R-689

Gustave C. Hedin, Secretary
Strong Arm Irrigation District
Preston, Idaho

Dear Mr. Hedin:

We are enclosing departmental receipt No. 29446 to the amount of \$8.50 in receipt of your payment for certified copies of Permit No's 13149, R-76 and R-689, furnished by the Department of Reclamation.

We also enclose departmental receipt No. 29445 to the amount of \$14.00 in receipt of your payment for copies of various documents taken from the files of the Strong Arm Irrigation District on file in the Department of Reclamation, the above being ordered by Joseph Hedin, President of the district.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

RWT/lw
Encls. (2)

R-76

December 26, 1958

Re: Permit No's. 13149, R-76, R-689

Mr. Gustav C. Hedin, Secretary
Strong Arm Irrigation District
Preston, Idaho

Dear Mr. Hedin:

We are enclosing the following, in connection with the above listed permits.

License and Certificate of Water Right
Permit No. 13149 - For 70 cubic feet per second
Permit No. R-76 - For 984.28 Acre Feet
Permit No. R-689 - For 577.72 Acre Feet

Certificate of Completion of Works on Permit No. R-689
For - 577.72 Acre Feet

Copies of Amendments on Permit No. R-689 and Permit No. 13149

Departmental receipt's No. 29424, for \$64.00 in payment of License
fee, and receipt No. 29425, for Completion of Works Proof on Permit
No. R-689.

We also enclose certified copies of the following permits, as ordered
by Joseph Hedin and Mr. Geddes, while in our office on December 23rd.

Permit No. 13149
Permit No. R-76
Permit No. R-689

The fee for preparing the above listed certified copies is \$8.50, which
you may remit to the Department of Reclamation.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

RWT/lw
cc: Joseph Hedin
Enclosures: Noted above

R-76

GEO. N. CARTER
=====

August 25, 1958

Re: R-76

Mr. Ben Johnson
Attorney At Law
First Security Bank Bldg.
Preston, Idaho

Dear Mr. Johnson:

In clearing out Mark Kulp's desk I find the enclosed which I am happy to return to you.

I looked up the permit file and conclude the affidavit escaped recording.

Incidentally I note from the files a letter to you dated March 19, 1958 which states that all requirements of proof of beneficial use of water on Permits R-76 and R-689 have been met except payment of a \$64.00 fee for the licenses. Licenses can be issued--upon receipt of the fee.

With kind personal regards. I remain.

Sincerely yours,

Geo. N. Carter
State Reclamation Engineer

GNC/nls
Enc.

R-76

March 26, 1953

Re: Permits Nos. R-689 and R-76

Mr. Ben B. Johnson
Attorney At Law
First Security Bank Building
Preston, Idaho

Dear Mr. Johnson:

Enclosed is departmental receipt #29030 for \$5.00, issued as receipt of the fee of two dollars and a half each for certified copies of Permits Nos. R-689 and R-76.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

R-76

March 19, 1958

Re: Permits Nos. R-689 and R-76

Mr. Ben B. Johnson
Attorney At Law
First Security Bank Building
Preston, Idaho

Dear Mr. Johnson:

In reply to your request of March 12, 1958, requesting certified copies of Permit Nos. R-689 and R-76, we are enclosing certified copies of Permit No. R-689 and R-76.

The fee for certified copies of these two permits is \$2.50 each, making a total of \$5.00, which you may submit to this department.

We wish to state, in connection with Permit No. R-76 and R-689 that the company made Completion of Works and Beneficial Use on both permits and an engineers inspection has been made by this department, however, license has not been issued due to the fact that a \$64.00 fee in connection with these licenses has not been paid.

Permit No. R-76 has been approved for 984.28 acre feet. Permit No. R-689 has been approved for a total of 577.72 acre feet, making a total of the two permits to the sum of 1562.00 acre feet.

Very truly yours,

MARK R. RULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lv
Encls. (2)

See letter in File R 689

R-76

December 21, 1953

RE: Permits Nos. R-76 & R-689

Mr. Joseph Hedin
Strongarm Irrigation District
Preston, Idaho

Dear Mr. Hedin:

The reports of our field engineer in connection with your Permits Nos. R-76 & R-689 are now on file.

On Permit No. R-76, a license can be issued for the storage of 984.28 acre feet of water from Battle Creek, for use on the land included within the boundaries of the Strongarm Irrigation District.

The license fee on this will amount to \$64.00, as the land is limited in 32 forty acre subdivisions and the fee is at the rate of \$2.00 for each such subdivision.

Certificate of Completion of Works and License on Permit No. R-689 can be issued for 577.72 acre feet of water from Battle Creek. The fee for Certificate of Completion of Works amounts to \$5.00, but there will be no additional license fee since this permit includes the same lands described in Permit No. R-76.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re

R-76

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. R 76

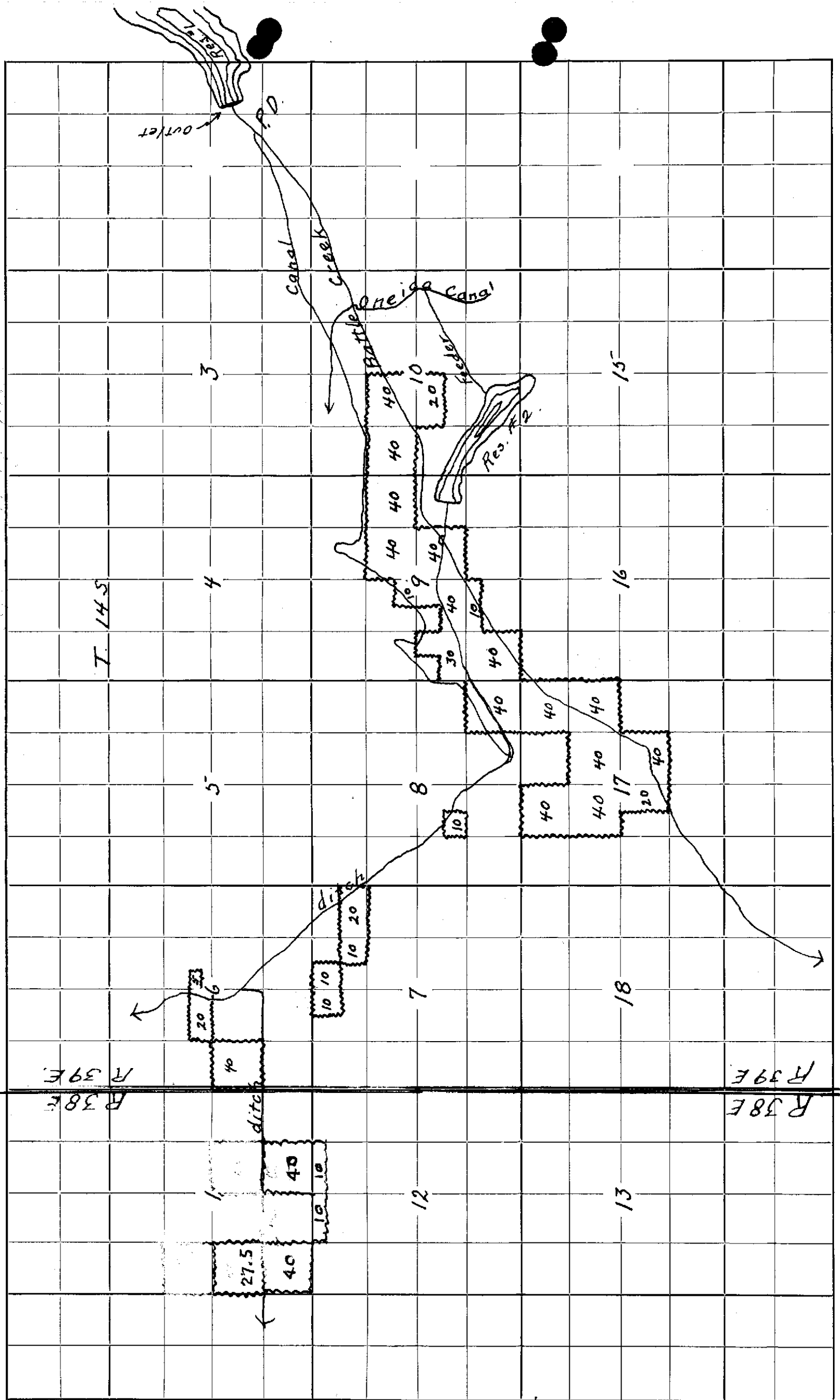
REPORT ON PROOF OF Beneficial use

984.28 Ac fr
on R.R.

32-40's -

687-60

R-76



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

Total capacity of Reservoirs ?

Demund 688 Privy 1883 ?

~~777.7~~ 984.28 cu under PR-76 ?

1072.28

777.7
688
777.7
688
777.7
688

My calculator 1945

Res #1 1355

#2 380

1735

License 984.28 under R-76.

" 577.72 " R-689

R-76

Hold until they lower the spillway
12 to 18" on the smaller reservoir.

Everything else is in order.

F. Hedin says the suit is still pending.
Judge Baume is lawyer for Twin Lakes.

2. Report of the Legal Sub-Committee on Rules and Procedures for meetings of the Compact Committee.

3. Budget

4. Consideration of the Fisheries problem, as it affects or needs consideration by the Compact Committee.

5. Considerations of Items Nos. 1, 2, & 3, of the January 23, 1952, list of ~~copies~~.
topics

0010-568
889
82786
21265

MEMO TO FIELD ENGINEER:

Permit No. R-76 calls for the storage of 984.24 and Permit No. R-689 for additional 1000 acre feet.

A protest has been filed by the Twin Lakes Canal Company, stating that the works are not capable of storing and conducting to the place of use an additional 1000 acre feet and that no such amount of water has been applied to beneficial use. Also that the Strongarm Reservoir Irrigation District has no right to the use of more than the 950 acre feet which is its original storage capacity.

The protest refers to an action pending, entitled "Twin Lakes Canal Company vs. the Strongarm Reservoir Irrigation District" requesting that the rights of said parties be defined and that an injunction be issued permanently enjoining the defendant from interfering with the flow of Battle Creek after the reservoir has been filled to the original capacity.

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

Permit No. B-76This proof is for Beneficial use In Water District No. _____1. Name of applicant Strong Arm Reservoir Irrigation District, Preston, Idaho2. Source of water supply: Battle Creek3. Location of point of ~~diversion~~ outlet: Is in the NW 1/4 of Section 8T. 14 S. R. 39 E. County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same:

5. Water is used for: Irrigation and domestic purposes.

6. State whether or not water has been turned into works of diversion:

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 other than irrigation):

All land within the Strong Arm Reservoir Irrigation District system, located in
Township 14 South, Range 38 and 39 East, E.M.

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

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

Remarks: Capacity of large Reservoir is 1850 acre feet
See map of R. J. Wood (Drought Relief 1935)

Copy of smaller reservoir was estimated at 400 acre
feet, C. H. H. and Joe Hedim in agreement
Total Capacity of both reservoirs is 2250 acre feet

See Report in Dam File Feb 25-53

This examination was made on the 25th day of Feb 1953(Signed) C. H. Hedim

License 984.28 acre feet
under this Permit.

All requirements on both dams has been

Earth slip on small dam
 is 29 yds long x full depth of bank.
 Handed in some gravel to fill
 part of slip.

10 large balsam trees on dam
 one willow

14 trees = total trees on dam
 upstream side at
 high water line

Area = approx. .4 mi. long
 x 100 yds wide (avg)

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 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.
6. Give general characteristics of soils, topography, and crops raised.

2250 00
 1772.28
 477.72

Strongsville Reservoir Mr. District
 Joseph Hedra, President, Forested.

Permit No. 2498

Examination for Beneficial use

County Franklin

145 39E

Area = 3882 a.

#1 = 607.37 } Compl. of 2nd
 #2 = 376.93 }
 #3 = 787.25' }
 1771.55' }
 984.24 }
 acres

#1 is in S. 10 - 14 S - 39 E
 #2 " " S. 12 " "

#2 is filled thru a
 feeder canal.

Cert. of Compl. of Reservoir
 issued under # 13149
 Res # 14 #2 for an
 amount of 984.24 af.

Lower Reservoir P.D. is
 in NE SE 59

Dam approx. 18'-20' h.
 14" pipe thru dam.
 Concrete collar for outlet.
 Has vertical gate in a
 concrete pit

No riprap approx 42 feet
 350 to 400 a-foot cap
 (Hedra)

Has a large earth slip
 on downstream side
 immediately against and
 S. of outlet.

upstream slope 2:1
 downstream " = 1 1/2:1
 made of clay.
 Will do repair this
 fall (1951)

Large ants can cause
 bank trouble

July 1, 1952

RE: Permits Nos. R-76 and R-689

Mr. Joseph Hedin, President
Strongarm Irrigation District
Preston, Idaho

Dear Mr. Hedin:

I will call on you either Wednesday afternoon or Thursday morning when in that region and would like to make inspection in connection with your Permits Nos. R-76 and R-689, in order to get the land listed which you are actually irrigating.

This will make the inspection in connection with the completion of the reservoirs very easy and one that can be made at any time.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

R-76

✓
November 17, 1949

Re: Permits Nos. R-76 and R-689

Mr. Ben Johnson
First Security Bank Building
Preston, Idaho

Dear Mr. Johnson:

We acknowledge receipt of your letter of November 15, 1949, enclosing Affidavits of Publication in the Preston Citizen in connection with proofs under the above numbered Permits of the Strong Arm Reservoir Company.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

CC: Mr. Joseph C. Hedin.

R-76

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. R-76

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Joseph C. Hedin, President, Strongarm Reservoir Irrigation District, Route 1, Preston, Idaho.

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

Ans. Strongarm Reservoir Irrigation District, Route 1, Preston, Idaho, President and Chairman of Board of Directors

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit. R-76 - August 14, 1940, 984.24 acre feet. Completion of

Ans. works 9-23-24. Used water since that date.

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

Ans. Battle Creek and drainage, point of diversion - about $\frac{1}{4}$ mile downstream in N W $\frac{1}{4}$, S E $\frac{1}{4}$ of Sec. 2 Twp. 14 S. Range 39 EBM, also in Sec. 9, Twp. 14 S Range 39 EBM. Complete diversion works constructed and used for years.

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. Diversion works completed years ago. Cement headgates, and can convey out of the two diversion ditches about 20 C.F.S. (Upper ditch and lower 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. Irrigation and domestic (used on all lands of Strongarm Reservoir Irrigation District). Land is cultivated, raises diversified irrigated crops. Owners of property have improved land and built homes thereon.

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

Ans. _____

R-76 *not*

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

Ans. _____

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

Ans. _____

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

Ans. All water stored, and claimed under this permit has been applied to beneficial use on lands under Strongarm Reservoir Irrigation District in amount of 984.24 acre feet of storage water plus rights in natural stream flow of Battlecreek and tributaries.

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. Claim, Decreed rights in Battlecreek and tributaries, above dam, also other waters of Battlecreek, drainage basin above Reservoir, and have used the same on lands of Strongarm Reservoir Irrigation District, since 1872, 1875, 1917.

(Sign)

Joseph C. Hedin, Pres.

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 Preston, County of Franklin,

State of Idaho, on this 7th day of November, A. D. 1949.

My commission expires May 1st 1953.

I hereby certify that the proof and testimony offered in the above entitled matter, was presented to me and before me on the 4th day of November, 1949, but was not subscribed until the 7th of November, 1949, when it was typed (as blanks necessary for signature were not available). That the hearing on the proof was continued from the 4th day of November 1949 until the 7th day of November 1949, when it was completed. That no one has appeared as a protestant.

Witness my signature and my notary seal this 7th day of November 1949.

Notary Public, Preston, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R 76

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Clifford Warr, 56, Preston, Idaho, Secretary National Farm Loan Ass'n.

Ques. 2. Are you acquainted with Strongarm Reservoir Irrigation District, holder of Permit No. R 76? How long have you known him and where does he reside?

Ans. over 15 years, Preston, Route 1, Idaho

Ques. 3. Have you read or heard read said Permit No. R. 76, 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. Battle Creek, and drainage area; diversion below dam, in Nw $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2, Twp 14 S. R. 39 EBM., also in Sec. 9, Twp 14 S. R. 39 EBM., Diversification works constructed years ago., and used for years. Upper ditch and lower ditches, also concrete headgates.

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. 20 cfs

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

Ans. Domestic and irrigation of lands in and under Strongarm Reservoir Irrigation District, in Franklin County, Idaho.

Diversified irrigated crops raised in this area, homes and other buildings have been built on lands in this irrigation District. Land is cultivated but is not level. It is not meadow land.

R-76

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

Ans. x

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. Land takes about $2\frac{1}{2}$ acre feet of water per acre for proper irrigation and adequate supply. Diversified farming land.

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

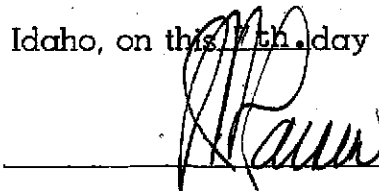
Ans. none

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

Ans. I have lived in locality for over 15 years, and have seen development of area. Reservoir was filled to capacity in 1949, and all of water was used on lands in Strongarm Reservoir Irrigation District during 1949. I drive past these lands almost daily.

(Signed) 

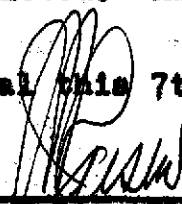
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston,
County of Franklin, State of Idaho, on this 7th day of November,
A. D. 1949.


Notary Public.

My commission expires May 1-1953

I hereby certify that the proof and testimony offered in the above entitled matter, was presented to me and before me on the 4th day of November 1949, but was not subscribed until the 7th of November, 1949, when it was typed (as blanks were not available). That the hearing on the proof was continued from the 4th day of November 1949 until the 7th of November 1949 when it was completed. That no one has appeared as a protestant.

Witness my signature and my notary seal this 7th day of Nov. 1949.


Notary Public
Preston, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R 76

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. John W. Casperson, 66, Preston, Idaho, farmer

Ques. 2. Are you acquainted with Strongarm Reservoir Irr. District, the holder of Permit No. R. 76? How long have you known him and where does he reside?

Ans. over 15 to 20 years, Preston, Route 1, Idaho

Ques. 3. Have you read or heard read said Permit No. R. 76, 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. Battle Creek, and drainage area; diversion below dam, in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2, Twp 14 S. R. 39 EBM. also in Sec. 9, Twp 14. S. R. 39 EBM. Diversion works constructed and used for years. Upper ditch and lower ditch, also concrete headgates.

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. 20 CFS

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

Ans. Domestic and irrigation of lands in and under Strongarm Reservoir

Irrigation District, in Franklin County, Idaho.

Diversified irrigated crops raised in this area, homes and other buildings have been built on District lands.

R-76

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

Ans. x

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. Land takes about $2\frac{1}{2}$ acre feet of water per acre for proper irrigation and adequate supply

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

Ans. none

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

Ans. I have lived in locality for over 20 years, and have seen development of area. Reservoir was filled to capacity in 1949, and all of water was used on lands in Strongarm Reservoir Irrigation District during 1949. I drive past these lands almost daily.

(Signed) John W. Casperson

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 Preston,
County of Franklin, State of Idaho, on this 7th day of November,
A. D. 1949.

[Signature]

Notary Public.

My commission expires May 1st 1953.

I hereby certify that the proof and testimony offered in the above entitled matter, was presented to me and before me on the 4th day of November 1949, but was not subscribed until the 7th of November, 1949, when it was typed (as blanks were not available). That the hearing on the proof was continued from the 4th day of November 1949 until the 7th of November 1949 when it was completed. That no one has appeared as a protestant.

Witness my signature and my notary seal this 7th day of Nov. 1949.

[Signature]

Notary Public
Preston, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO.

County of Franklin

ss.

Alan E. Smith

, being duly sworn,

deposes and says:

That he is the

Publisher

of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for four consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

October 1319 49, and ending

with the issue of

November 319 49Alan E. SmithFees, \$ 11.25Subscribed and sworn to before me this 4 day

of

Nov - 2 19 49J. E. Johnson

Notary Public, Residing at Preston, Idaho

My Commission Expires

9-1-19 52

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 4th day of November, 1949, at Preston, County of Franklin, State of Idaho, before J. N. Larsen, Notary Public, proof will be submitted of the application to beneficial use of 984.24 cubic feet per second of the waters of Battle Creek in accordance with the terms and conditions of Permit No. R-76 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Strong Arm Reservoir Irrigation District, Preston, Idaho.

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

The amount applied to beneficial use is 984.24 acre feet per annum.

The place where said water is used, all the lands under the Strong Arm Reservoir Irrigation District system, located in Twp. 14 S., Range 38 E., B.M., and Twp. 14 S., Range 39 E., B.M.

The right to take water from

such works is based upon Permit No. R-76.

The source of supply from which such water is diverted is Battle Creek.

The date of priority which said user is prepared to establish is August 14, 1940

MARK R. KULP

State Reclamation Engineer

41- 44c

R-76

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

Notice is hereby given that at 10:00 A. M. on the 4th day of November, 1949,
at Preston, County of Franklin, State of Idaho, before
J. N. Larsen, Notary Public,
proof will be submitted of the
application to beneficial use of 984.24 cubic feet per second of the waters of Battle Creek
in accordance with the terms and conditions of Permit No. R-76
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Strong Arm Reservoir Irrigation District, Preston, Idaho

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

The amount applied to beneficial use is 984.24 acre feet per annum.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) All the lands under the Strong Arm Reservoir Irrigation District
system, located in Twp. 14 S., Range 38 E., B.M., and Twp. 14 S., Range 39 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. R-76

The source of supply from which such water is diverted is Battle Creek

The date of priority which said user is prepared to establish is August 14, 1940

MARK R. KULP

State Reclamation Engineer.

R-76

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: **October 10, 1949**

Re: **Permits Nos. R-689 and R-76**

The Preston Citizen

Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **November 4, 1949** the date set for proof, the expense of the publication to be paid by the applicant, **Irrigation District, C/o Jos. C. Sedin,** **Strong Arm Reservoir** of **Preston, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK B. RUTP

State Reclamation Engineer

By

Chief Clerk

R-76

August 23, 1951

Re: Permit Nos. R-76 and R-688

Strongarms Reservoir Irrigation District
Preston
Idaho

ATT: Joseph Hedlin, President

Dear Mr. Hedlin:

Before Permits R-76 and R-688 can be brought to license, each dam will have to be completed in a satisfactory manner with due regard to built in safety features, so that they can pass inspection and be approved.

The large dam must have a large ditch or canal to carry the water away from the spillway so as to protect the dam. It need not be too elaborate, but must have capacity to afford protection.

The lower reservoir must have a spillway, should have the willows removed, and then more earth added onto the upper side to provide a thicker, heavier dam.

Both dams need rock riprap to protect against wave action.

As soon as this office receives notification that these dams have been put in order, another inspection will be made as soon thereafter as possible, and all requirements checked so that they may be brought to license as soon as possible.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
BY

E. H. Humphrey
Deputy State Reclamation Engineer

H:fg

cc: Ben Johnson

R-76

~~13747~~

February 15, 1930

PERMIT No. 15149
Re: PERMIT No. R-76✓
PERMIT No. R-388

HONORABLE ARTHUR W. HART
Prosecuting Attorney
Franklin County
Preston-Idaho

Dear Sir:

This is to acknowledge receipt of your letter of February 15, requesting permission to make additional proof for 300 acre feet capacity of the above mentioned reservoir.

In this connection you are informed that certificate of proof of completion of works was issued under this permit on reservoirs Nos. 1 and 2 for a combined capacity of 984.84 acre feet, this amount being the identical amount set up in depositions of the holder of the permit and depositions of witnesses, all of whom swore that they were familiar with the works and capacity. I do not think that this case could be opened up for proof for additional capacity under the circumstances. In any event, the company has undoubtedly acquired a right to store up to the capacity of the works as they existed at the time proof was submitted, even though such capacity be in excess of the amount for which certificate was issued; such additional capacity above that upon which proof was made could be claimed by right of use.

It should, however, be noted that on November 12, 1925, the STRONGARM RESERVOIR DISTRICT made application for permit No. R-388 to enlarge reservoir No. 1 to store an additional 1800 acre feet. Proof upon this permit is due February 1, 1931. If this additional 300 acre feet is claimed in reservoir No. 1 by the Strongarm Reservoir Irrigation District, proof could be submitted under the terms of the later permit.

Very truly yours,

Assistant Commissioner
of Reclamation

MS/tip

R-76

Permit No. R-76

November 16, 1929

J. H. PETERSON, Esquire
Attorney-at-Law
Pocatello-Idaho

Dear Joseph:

In reply to your letter of November 14 relative to the STRONG ARM RESERVOIR IRRIGATION DISTRICT filings, you are informed that our records show the followings:

On July 21, 1917 the Strong Arm Reservoir Company made an application for Permits No. R-76 for 1772 acre feet and Permit No. 18149 for 70 second feet of the waters of Battle Creek. These filings contemplated the construction of three reservoirs in Sections 2, 8 and 15, respectively, in Township 14 North, Range 39 East. Proof of completion of works was made under this permit for 984.24 acre feet and represented the completion of Reservoir No. 1 and No. 2 in Sections 2 and 19. Reservoir No. 3 in Section 15, apparently, has not been constructed.

On November 11, 1925, the Strong Arm Reservoir Irrigation District made application for the construction of an enlargement of Reservoir No. 1, above referred to, to store an additional 1800 acre feet. Proof upon this permit is due February 1, 1931.

Under date of August 30, 1924 the WINDER RESERVOIR COMPANY filed Permit No. R-344 for 750 acre feet and Permit No. 15101 for 10 cubic feet per second on Battle Creek, contemplating the construction of reservoir coincident with No. 3 in Section 15, above referred to. Time for proof of completion of works has passed on both of these filings and cancellation is pending. Application for extension of time within which to make proof was made but received in this office too late for consideration. Arthur Hart of Preston-Idaho is legal adviser.

No other permits are pending and the Strong Arm District may proceed to build its reservoir as an enlargement to No. 1, above referred to, to the extent of 1800 acre feet. If it desires to make additional filings please give the sites it desires to file on and the amounts and I shall prepare an application accordingly.

With kindest regards, I am,

Cordially yours,

MS/tip

R-76

LAW OFFICES
PETERSON, BAUM & CLARK
POCATELLO, IDAHO

JOSEPH H. PETERSON
O. R. BAUM
D. WORTH CLARK

November 14, 1929.

Hon. Myron Swendsen,
Office of Reclamation Commissioner,
Boise, Idaho.

My dear Swendsen:

I wrote you some time ago in respect to the status of filings on Battle Creek in Franklin County and you were kind enough to advise me.

I find, however, that I was in error in my assumption that the Winter Reservoir Company was the party involved. My concern is with the Strong Arm Reservoir Irrigation District.

What I would like to have is the last filing of the said Irrigation District duplicated and re-filed. If you will be good enough to do this for me and advise me of the costs, I shall at once remit. You can make this filing in my name as attorney for said Irrigation District.

I imagine there are no intervening filings between the old Strong Arm Reservoir Company or the Strong Arm Reservoir Irrigation District filings and the one I am here suggesting.

Yours very truly,


J. H. PETERSON

JHP:S

September 24, 1924.

Permit No. R-76 -13149

Mr. William S. Shulberg,
Preston, Idaho.

Dear Sir:

We are enclosing herewith Certificates of
Completion of Works, issued under the above numbered
Permits, together with receipts for fees.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

E.
Encls.

R-76

June 26, 1924.

Re: Permits Nos. R-76-25149
Strong Arm Res. Co.

Mr. Arthur W. Hart,
Attorney at law,
Preston, Idaho.

Dear Sir:-

Referring to your letter of the 24th would say that our records show no filings on Battle creek since the above numbered permits were granted. The company will lose no material rights, therefore, by making a new filing. We are accordingly enclosing herewith application blank, with instructions.

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

By _____
Chief Clerk.

Fl

R-76

ARTHUR W. HART

ATTORNEY AT LAW

PRESTON, IDAHO

June 24th, 1924

Hon. W.G. Swenåsen

Commissioner of Reclamation

Boise, Idaho

*Permits
#13149 & R-76*

Dear Sir:-

In August, 1922, I wrote you in reference to an extension of time on Reservoir No. 3, Strong Arm Reservoir Company. The permit that was granted the original Company was dated July ~~27th~~ 1917 and they were granted five years; upon my application you granted the corporation an extension of time for two years. The time will be up this Fall, and I understand that they cannot ask for an additional time or extension.

In talking with the officers yesterday, they suggested that they would be unable to do the work on account of the failure of crops and the drouth that now prevails. They would like to let this filing go and put on a new filing, provided there are no other filings on the said stream that have intervened.

Could I get your department to let me know if there has been any such filings and send your bill and I will call the Directors together and have them pay for it. I think it would be better for the company to make the new filing in order to get the full time once more.

Thanking you in advance, I am,

Very truly,

Arthur W. Hart

R-76

May 1, 1923.

Re: Permits Nos. R-76 & 13149.

Mr. Wm. A. Shuldberg,
Preston, Idaho.

Dear Sir:-

The report of our examining engineer for proof of completion of works under the above permits is now on file. This report is for completion of Reservoirs 1 & 2, and ditches conveying the water. You will remember that an extension of time was granted for completion of Reservoir No. 3. When this reservoir has been completed, the holder will be required to make proof of completion on that and a separate certificate issued.

The fees for the proof now on file amount to \$23.00. These fees are based upon a capacity of 70 second feet, being \$5.00 for the first 10 second feet and 30 cents additional for each additional second foot, or fraction. Upon receipt of said fees, the certificate of completion will be issued.

Very truly yours,

W. C. SWENDSEN,

Commissioner of Reclamation.

By
Chief Clerk.

R-76

September 1, 1922.

Re: Permits No. 13149- R76 - Strong Arm Res. Co.

Mr. Arthur W. Hart,
Attorney at law,
Preston, Idaho.

Dear Sir:-

Enclosed you will find the approval of the application
for extension of time under the above numbered permits.

Very truly yours,

W. G. SWENDESEN,

Commissioner of Reclamation.

By

Chief Clerk.

lenc.

R-76

ARTHUR W. HART
ATTORNEY AT LAW

PRESTON, IDAHO

Aug. 30th, 1922

Hon. W. B. Swendsen,

Commissioner of Reclamation, Boise, Idaho.

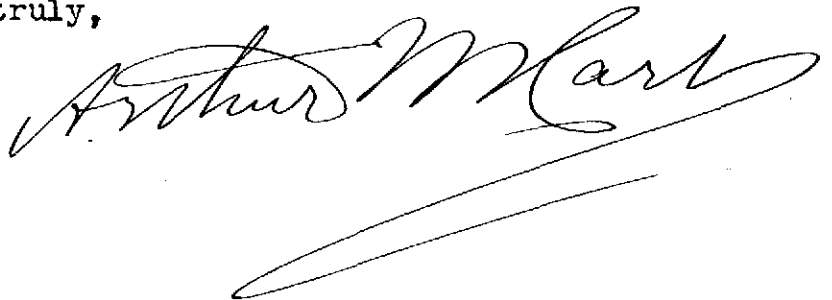
Dear Sir:-

Re: application for extension of time permit R-76

I am enclosing herewith the affidavit of the publication of the notice that you gave in the above noted application. We are presuming that no one appeared at Boise to contest this application for extension of time and that said extension will be granted.

Thanking you on behalf of the company for your promptness in the premises and hoping to hear from you in reference thereto I am,

Very truly,

A handwritten signature in cursive script, reading "Arthur W. Hart". The signature is written in dark ink and is positioned below the typed name "Very truly,". Below the signature is a long, horizontal, slightly wavy line that spans across the width of the signature.

R-76

Affidavit of Publication

NOTICE FOR PUBLICATION

Application for Extension of Time
for Completion of Works Under
Senate Bill 232, Session Laws of
1921.

Notice is hereby given that on
the 24th day of August 1922 at 10:30
o'clock a. m., a hearing will be held
by the State Commissioner of Rec-
lamation or his Deputy at Boise,
County of Ada, State of Idaho, for
the purpose of receiving any pro-
tests, testimony and evidence re-
garding an application for an ex-
tension of time for completion of
Reservoir under Permit to Appro-
priate the Public Waters of the
State of Idaho No. R-76. The said
protests and evidences may be sub-
mitted either orally or by affidavits
by any person owning or in pos-
session of a right to the use of any
waters of a stream or source of
supply affected by the said exten-
sion.

The number of the said permit is
R-76.

The name and postoffice address
of the person or persons or cor-
poration holding the said permit or
permits are Strong Arm Reservoir
Company, Preston, Idaho.

The amount of water called for
by the said permit or permits is
787.25 acre feet from Battle Creek
which is tributary to Bear River.

Department of Reclamation,
W. G. SWENDSEN
Commissioner of Reclamation.

STATE OF IDAHO
COUNTY OF FRANKLIN

I J. L. Roe do sol-
emly swear that I am one of the publishers of the
FRANKLIN COUNTY CITIZEN, a weekly newspa-
per of general circulation published each week
at Preston, Idaho; that the notice attached hereto
and which is a part of this affidavit, and a part
of the proof of publication, was published for
2 consecutive weeks, the first publication
having been made on the 9 day of August
19 22 that said notice was published in the reg-
ular issue of every number of the paper during
the periods and times of publication, and that the
said notice was published in the newspaper and
not in a supplement.

Subscribed and sworn to before me this

30 day of Aug 19 22

Arthur M. Malt

Notary Public.

I, _____ register, do hereby certi-
fy that a notice, a printed copy of which is here-
unto attached, was by me pasted in a conspicuous
place in my office for a period of thirty days, I
having pasted said notice on the _____ day
of _____ 191 _____

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Notice for Publication

APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS UNDER SENATE BILL 232, SESSION LAWS OF 1921.

Notice is hereby given that on the 24th day of August, 1922,
at 10:30 o'clock, A. M., a hearing will be held by the State Commissioner of Reclamation or his
Deputy at Boise, County of Ada, State of Idaho,
for the purpose of receiving any protests, testimony and evidence regarding an application for an ex-
tension of time for completion of ~~works~~ Reservoir under Permit to Appropriation the Public Waters of the State of
Idaho No. R-76. The said protests and evidence may be submitted either orally or by affidavits
by any persons owning or in possession of a right to the use of any waters of a stream or source of
supply effected by the said extension.

1. The number of the said permit is R-76.
2. The name and postoffice address of the person or persons or corporation holding the said permit
or permits are:

Strong Arm Reservoir Company, Preston, Idaho.

3. The amount of water called for by the said permit or permits is 737.25 acre-feet,
from Battle Creek which is tributary to Bear River

4. This notice is to be published at the expense of the applicant or applicants above named. The
publisher is hereby authorized to deliver to the said applicant the Proof of Publication upon payment
for the said publication.

DEPARTMENT OF RECLAMATION.

W. G. Swendsen,

Commissioner of Reclamation.

R-76

Permit^s No. 13149-R-76

EXTENSION OF TIME FOR COMPLETION OF WORK UNDER SENATE BILL 232,
SESSION LAWS OF 1921.

APPROVAL OF COMMISSIONER OF RECLAMATION.

WHEREAS, Application for an extension of time for Completion of Works under Permits
No. 13149- R76, has been made by the owner thereof, which application was duly advertised in
the Franklin County Citizen of Preston, Idaho, for a
period of two consecutive weeks, and

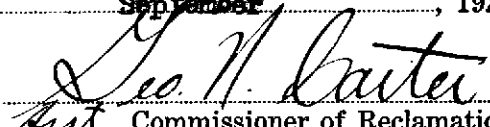
WHEREAS a hearing in regard to the said Application was then duly held at _____
Boise, Idaho, on August 24, 1922, as specified
in the said advertisement above referred to, and;

WHEREAS, after taking into consideration all evidence and testimony introduced at the said hear-
ing it appears that the owner of the said Permit is entitled to a further extension of time within which
to complete work,

NOW, THEREFORE, I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, by
virtue of the authority vested in me under Senate Bill 232, Session Laws of 1921, hereby extend the
Time for Completion of Works under Permits to Appropriate the Public Waters of the State of Idaho,

No. 13149 - R-76, to September 10, 1924.

Witness my hand this 1st day of September, 1922.



Act. Commissioner of Reclamation.

R-76

(P. O.)

Princeton, Idaho

(Date)

Aug 8th 1922

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of

8th inst.

enclosing notice of proof under

Permit No.

R-76

which will be published as you request, beginning with our issue of

9th

Franklin County City
J. L. Roe

~~73449~~ R-76

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

Franklin County Citizen,
Preston, Idaho.

Boise, Idaho, Aug. 8, 1922.

Dear Sirs:

Enclosed find Notice for Publication under Permit no. **R-76** which please publish
once a week for ~~four~~ ^{two} consecutive weeks in your paper. The expense of this publication will be paid by
The Strong Arm Reservoir Co., of Preston, to whom you will please
furnish proof of publication of this notice on or before date of ~~proof~~ ^{hearing}.

Please promptly acknowledge receipt of this notice, and kindly mail me your first issue contain-
ing its publication that I may compare it with my records.

Yours truly,

W. G. Swendsen,

Commissioner of Reclamation

(P. O.)

(Date)

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of enclosing notice of proof under
Permit No. which will be published as you request, beginning with our issue of

R-76

August 8, 1922.

Re: Extension Permit R76- 13149

Mr. Arthur W. Hart,
Attorney at Law,
Preston, Idaho.

Dear Sir:-

Referring to yours of the 3rd inst., in which you enclosed application for extension of time for completion of Reservoir No. 3, under the above numbered permit, would say that notice for publication has today been mailed to the Franklin County Citizen for two publications prior to August 24, the date set for the hearing. The hearing will be held at this office but the holder is not required to appear, either in person or by additional affidavits, unless a protest is filed, in which case you will be further advised.

Very truly yours,

W. G. SWENDEEN,

Commissioner of Reclamation.

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Chief Clerk.

R-76

APPLICATION TO THE HONORABLE COMMISSIONER OF RECLAMATION OF THE
STATE OF IDAHO FOR EXTENTION OF TIME IN WHICH TO MAKE PROOF OF COM
PLETION OF WORKSAS PROVIDED BY SENATE BILL NUMBER 232, 1921, PERMITS

NO 13149 and R-76

*****000000*****

RE:STRONG ARM RESERVOIR :

STATE OF IDAHO

COUNTY OF FRANKLIN.

*
*
* SS:
*

J. G. Nelson Heber Swainston and
being duly sworn, each for
himself deposes and says, that he is a stock-holder in the Strong
Arm Reservoir Company, holder of the permits designated above;
are also _____ respectively in
said corporation; that said corporation is non-profit sharing
and is operated exclusively for the benefit of the stock-holders
therein for the irrigation of their farms; that the said permits
were granted said corporation July 21st, 1921, and it was given
five years in which to complete the works of diversion; that the
work has been practically completed, excepting on what is known
as RESERVOIR NO THREE and the work on that reservoir has been
partially completed and in order to fully and completely finish
the said works of diversion it will require an extention of time
of two years, and on behalf of said corporation, the said affiants
hereby make application for such extention of time as provided
in Senate Bill 232, of 1921 as set forth in the caption hereof.

Affiants further deposing say:-That immediately after
the permits aforesaid were granted, the company began work on the
construction of the works as set forth in said permits and worked
as dilligently as possible to complete the same as required in
said permits, but owing to four years of crop failures, or partial
crop failures in the vicinity of said reservoirs and of the lands
of the stock-holders of said corporation, the said company has

R-76

(2)

been unable to finish the said Reservoir No Three, one of the reservoirs to be completed under said permits; that the said corporation has no assets excepting its holdings and excepting the resources of the individual stock-holders; that owing to the stringency of the money market in this section, the said company has been unable to borrow money or to sell its bonds; it was voted to bond the company in order to raise funds to complete the said system, and due inquiry was made to numerous bonding concerns with the view of floating its bonds and it was impossible to sell or hypothecate the same for money; that thereupon the said stock-holders met together for the purpose of putting in them said reservoir, that is raising said reservoir, to the height set out in said permits, but found that the said individual stock-holders interested in said Reservoir No Three were all financially embarrassed, so that it was impossible for them to complete the said reservoir in time as provided in said permits as aforesaid; that each of said stock-holders has suffered severely from failure of crops and otherwise during the past four years; that they have labored on said reservoir up to the present time to the full extent of their financial ability.

Affiants ask on behalf of said corporation, that the time for the completion of said works on said reservoir No Three under the permits aforesaid, be extended two years; that it will require that much time for the completion thereof; that no one will be injured by the granting of such extension of time.

Affiants estimate that the work they have done under the permits aforesaid, during the past five years, would be equal to \$20,000 ^{and}

Further affiants saith not.

Heber Swainston

Joe G. Nelson

Subscribed to before me this 3rd day of Aug. 1922

Arthur M. Mark, Notary Public Preston Idaho

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ARTHUR W. HART

ATTORNEY AT LAW

PRESTON, IDAHO

Aug. 3rd, 1922

Hon. W.G.Swendsen,

Commissioner of Reclamation

Boise, Idaho.

Dear Sir:-

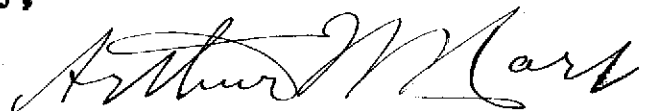
I am enclosing herewith application for extension of time for the completion of the work on Reservoir Number Three Strong Arm Reservoir Co.

The said permits were issued to this corporation. I understand that the said corporation will soon apply to you for permission to make final proof of completion of works on Reservoirs number one and two.

On the said reservoir number three, a new corporation has been formed known as the Winder Reservoir Company but the permits are still in the name of the original corporation. The company, however, will make its proof under the original name of the corporation, and then the said Armstrong Reservoir Company will transfer to the Winder Reservoir company, all its right, title and interest in and to the said Reservoir number three.

Trusting that you will be able to grant the said extension of time, I am,

Very truly,



July 31, 1922

Re: Permit 13149
R-76

Mr. T. C. Coffin
% Petersen & Coffin
Pocatello, Idaho

Dear Sir:

This morning we received a letter from Wm. A. Schulberg, copy of which is enclosed in regard to the proof of completion of works under the terms of the above mentioned permit.

It appears from this letter that the plan now is to make proof on the original date same will be due and we are therefore enclosing new blanks for this purpose.

Very truly yours,

W. G. SWENDBSEN
Commissioner of Reclamation

By

Assistant

GNC.H
Eng.

13149

R-76

July 25, 1922

Re: Permit No 13149

" No R-76 —

Mr. T. C. Coffin
% Peterson & Coffin, Lawyers
Pocatello, Idaho

Dear Sir:

Reference is made to your letter of July 21st, in connection with permits No 13149 and R-76.

In the same mail with your letter, we received letters from Mr. William A. Schuldborg, Sec'y of the Strong Arm Reservoir Co., and Joseph G. Nelson, member of the Reservoir Co., both letters containing statements to the effect that it would not, in all probability, be possible to complete the construction work required under the terms of these permits in time to make proof when due. Both of these gentlemen asked if there were any statutory provisions whereby extension of time would be claimed for making proof on these permits.

These permits are entitled to make application for extension of time under the terms of Senate Bill 232 Session Laws of 1921 and blank form is accordingly enclosed for that purpose. In connection with this application for extension, the requirement that said application must be in the hands of this department at least twenty days prior to the due date of proof, is called to your special attention. Should it appear desirable to apply for this extension of time, the matter of the Notice for Publication and other requirements in connection with the proof may be postponed until such time as proof is to be made under the extension clause.

For your handy reference in connection with these permits, we are enclosing copies of same.

In regard to other filings upon Battle Creek, you are advised that the records of this office disclose no permit under the name of James Geddes on any other streams except Swan Lake Creek and Swan Lake, which filings, I take

See correspondence re Per. 13149

R-76

- 2 -

it, would not have any bearing upon the rights of the Strong Arm Reservoir Co.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By

Assistant

GNC.H

Enc.

CC sent to Joseph G. Nelson, Preston, Idaho

" " " Wm. A. Schuldberg, " "

P. S.

In making this application for extension, it is desirable that application be made separately for each permit and therefore two blanks are enclosed for that purpose.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Strong Arm Reservoir Co.
Kreston, Idaho.

Boise, Idaho,

June 6, 1922.

DEAR SIR:

I enclose herewith blank Form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. R-76

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof **MUST** be on or before Sept. 10, 1922. Upon receipt of the blank, properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the 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.

Very truly yours,

W. G. SWENDSEN.

Commissioner of Reclamation.

R-76

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Re: Permit No. R-76.
Mr. J. H. Peterson, Atty.
Pocatello, Idaho.
Dear Sir:

Boise, Idaho, Sept. 12. 1917.

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.

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