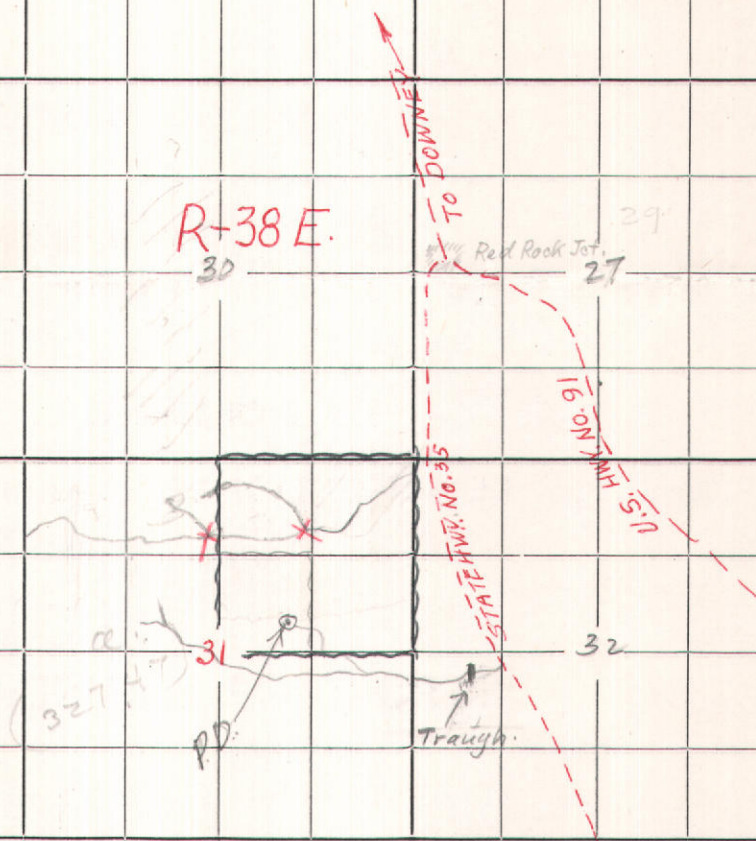


T.
12
S.



x Small spring water
flows of about 1 gpm

Water Users

Quantity of Water.

Estimated at time of
examination to be
30 gpm -

The stock of J. V. Kay
are watered from this
spring both on NE 1/4 Sec.
31 and on adjoining
land.

$$Q = .02 \text{ cfs.}$$

20 | 29
19 | 30

Hwy 91

Hwy 35

29 | 32
30 | 31

Key Ranch
Headquarters

Upland
Dry-Farm wheat
Field.

Copied from
aerial map
in County Assessor's
Office

←N

19 | 30
24 | 25

30 | 31
31 | 30

25878

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: June 12, 1957

25878

Alemeda Enterprise
Pocatello,
Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to ~~July 30, 1957~~ ^{Oct 30} the date set for proof, the expense of the publication to be paid by the applicant, State Board of Land Commissioners Arthur Wilson of Rm. 120 Statehouse Boise, 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, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:lw
Encl.

25878

IDAHO

DEPARTMENT OF PUBLIC LANDS
BOISE, IDAHO



ARTHUR WILSON
COMMISSIONER

June 11, 1957

STATE BOARD OF LAND COMMISSIONERS

ROBERT E. SMYLIE
GOVERNOR AND CHAIRMAN
JAS. H. YOUNG
SECRETARY OF STATE
GRAYDON W. SMITH
ATTORNEY GENERAL
N. P. NIELSON
STATE AUDITOR
ALTON B. JONES
SUP'T OF PUBLIC INSTRUCTION

RECEIVED
JUN 12 1957

Department of Reclamation

Mr. Mark Kulp
State Reclamation Engineer
Statehouse, Boise, Idaho

Dear Mr. Kulp:

Thank you for your letter of June 1, 1957 with respect to permit No. 25878.

Enclosed herewith is NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE, in duplicate; as well as authorization to you to have said notice published at the expense of this department.

Will you please supply us with proper forms for making such proof.

Sincerely,

A handwritten signature in cursive script that reads "Arthur Wilson".

ARTHUR WILSON
State Land Commissioner

AW:mh

25878

LEGAL NOTICES

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 30 day of October, 1957, at Boise, County of Ada, State of Idaho, before M. C. Hamblin, Notary Public, Room 120, State House, proof will be submitted of the application to beneficial use of 0.02 cubic feet per second of the waters of a spring-tributary to Bear River in accordance with the terms and conditions of Permit No. 25878 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit are State of Idaho, State Board of Land Commissioners, Rm. 120, Statehouse, Boise, Idaho.

The use to which said water has been applied is livestock watering.

The amount applied to beneficial use is 0.02 cu. ft. per second.

The place where said water is used is NE $\frac{1}{4}$ Sec. 31, Twp. 12 S., Rge. 38 E.B.M.

The right to take water from such works is based upon Permit No. 25878.

The source of supply from which such water is diverted is a spring-SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31., Twp. 12 S., Rge. 38 E.B.M.

The date of priority which said user is prepared to establish is June 13, 1955.

MARK R. KULP

State Reclamation Engineer

10-11-4x

Sept 20, 57

State of Idaho
License and Certificate of Water Right

Water License No. 25878

Amount .02 c.f.s.

Water District No.

Priority August 27, 1955

THIS IS TO CERTIFY that STATE OF IDAHO, STATE BOARD OF LAND COMMISSIONERS
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 13, 1955; that Permit No. 25878
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.02 second feet, was issued thereunder on May 14, 1956, showing that said works
were completed on the 9th day of May, 1956; and that on the 30th
day of October, 1957, STATE BOARD OF LAND COMMISSIONERS
By: Arthur Wilson, State Land Comm.

of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a Spring
, a tributary of Bear River, for the purpose of Stock Water
, under Use Permit No. 25878 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
10 of Licenses at page 6451, on the 13th day of October, 1958;
The right hereby confirmed dates from August 27, 1955;

The Point of Diversion is located

in the SW 1/4 NE 1/4, Sec. 31, Tp. 12 S., R. 38 E., B. M. County Bannock

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 .02 cubic feet per second.

Description and location of use: STOCK WATER

Twp.	Range	Sec.	Forty-acre Tract	Ch. Loc. Sec. 31, Tp. 12 S., R. 38 E., B. M.	Ch. Loc. Sec. 31, Tp. 12 S., R. 38 E., B. M.
12 S.	38 E.	31	NE 1/4		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
13th day of October, 1958.

/s/ Geo. N. Carter
State Reclamation Engineer.

(SEAL)

13 2190

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho 13-2190

APPLICATION No. 33747
 PERMIT No. 25878
 DISTRICT No.

1. Name of Applicant: State of Idaho, State Board of Land Commissioners

Postoffice address: State House, Boise, County: of Ada State: of Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

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

2. Quantity of water claimed: One (1) inch or 0.02 cubic feet per second.

3. Source of water supply: Spring which is a tributary of Bear River

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 31 , T. 12 S , R. 38 E , B.M., County of Bannock

5. Water is to be used for livestock

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
 of Section , T. , R. , B.M.

7. Estimated cost of works: \$ none

8. Kind of works:

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

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

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

State of Idaho, *Applicant.*
State Board of Land Commissioners

By ARTHUR WILSON
State Land Commissioner

Agent.

Date of first receipt at Department of Reclamation: Aug. 5, 1955

Returned to applicant for correction: Priority - 12:00 M. June 13, 1955

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 25878
Recorded in Book 91 Page 25878 Approved August 16, 1955

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 October 16, 1955 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 August 16, 1956

The whole of said work to be completed on or before August 16, 1957

Beneficial use of water appropriated in accordance herewith, to be made on or before August 16, 1957

WITNESS My hand this 16th day of August, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho,

and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 16th

day of August, 19 55.

STATE OF IDAHO

Countersigned:

(SEAL)

By ROBERT E. SMYLIE

Governor.

By IRA H. MASTERS

Secretary of State.

REMARKS: This water is desired for stock water on SW¹/₄NE¹/₄ Sec. 31, Twp. 12 S., Rge. 38 E. by lessees or purchasers of said lands and/or other adjoining lands.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			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 $\frac{1}{4}$	
			Permit No. 25878 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that STATE OF IDAHO, STATE BOARD OF LAND COMMISSIONERS of Boise, County of Ada, and State of Idaho, the holder of Permit No. 25878, issued upon Application No. 33747 bearing date of priority of June 13, 1955, authorizing the diversion of 0.02 second foot of the waters of a Spring, Tributary of Bear River, County of Bannock, State of Idaho, for livestock 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 0.02 second foot of the waters of Said Spring; that the point of diversion of said waters is in the SW$\frac{1}{4}$NE$\frac{1}{4}$, Section 31, Township 12 S., Range 38 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: to be used for livestock watering in the NE$\frac{1}{4}$ Section 31, Township 12 S., Range 38 East, B. M. Witness my hand this 14th day of May, A. D. 1956. MARK R. KULP State Reclamation Engineer Proof of Completion of Works made May 9, 1956 Certificate of Completion of "orks issued May 14, 1956. INCREASE FROM 0.02 SEC. FL. 2.6451																



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 6, 1995

MARY HODGES
IDAHO DEPARTMENT OF LANDS
PO BOX 83720
BOISE ID 83720-5000

RE: Water Right No. 13-02190

Dear Ms. Hodges:

I recently received correspondence indicating change of ownership on the above referenced licensed water right.

In Idaho, decreed, licensed, and claimed water rights are considered real property; therefore, proof of owning the land is proof of owning the water right unless extenuating circumstances exist. Water right statute does not provide a means for changing owner of record for licensed water rights; although, I have placed your correspondence in the water right file.

If you have any questions, please feel free to contact me directly at 327-7944.

Sincerely,

Cindy Zimmerman
Cindy Zimmerman
Water Resource Agent

RECEIVED
FEB 16 1995

IDAHO DEPARTMENT OF LANDS

1215 W. State, 2nd Flr., PO Box 83720
Boise, Idaho 83720-0050
Phone (208) 334-0200 Fax (208) 334-2339

STANLEY F. HAMILTON - DIRECTOR

January 13, 1995

RECEIVED
JAN 17 1995
Department of Water Resources

BOARD OF LAND
COMMISSIONERS

PHIL BATT
Governor

PETE T. CENARRUSA
Secretary of State

ALAN G. LANCE
Attorney General

J.D. WILLIAMS
State Controller

ANNE C. FOX
Sup't of Public
Instruction

State of Idaho
Dept. of Water Resources
1301 N. Orchard
STATEHOUSE MAIL

Attention: Sharla

Subject: State of Idaho License and Certificate of Water Right No. 13-02190

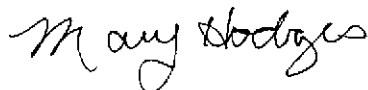
Dear Sharla:

As per our telephone conversation this date, the land involved in the above water right has been deeded (Deed No. 12975) to Mr. Vern Kay, c/o Max Kay, Box 44, Swan Lake, Idaho 83281.

The legal description and location of use of the stock water is the NE¼ of Section 31, Township 12 South, Range 38 East, B.M.

Please change your records accordingly. Thank you.

Sincerely,



Mary Hodges, Technical Specialist
Bureau of Real Estate

c: Vern Kay

KEEP IDAHO GREEN
PREVENT WILDFIRE

EQUAL OPPORTUNITY EMPLOYER

October 13, 1958

Re: Permit No. 25878
State of Idaho - State Board of Land Commissioners

Mr. Arthur Wilson
State Land Commissioner
BUILDING

Dear Mr. Wilson:

Enclosed is the License and Certificate of Water Right issued under Permit No. 25878 confirming the right with priority of August 27, 1955, to the use of .02 second foot of water from a spring, with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, for stock water, with place of use in the NE $\frac{1}{4}$ of Section 31, Township 12 South, Range 38 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

25878

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 25878

REPORT ON PROOF OF Beneficial Use

Arthur Wilson
State Land Commissioner for
State of Idaho
Rm. 120, Statehouse
Boise, Idaho

Permit No. 25878

Examination for Beneficial Use Proof

County Bannock

31-125-38E

D = 0.02 a.f.s.

S = Spring

P.D. = SW.N.E., Sec. 31, T. 12 S. - R. 38 E.

Note = Livestock & water

Filed = June 13, 1955

Shue = Aug. 16, 1957

W = 5-14-56

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.

RECEIVED
SEP 30 1958
Department of Agriculture

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 25878

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

1. Name of applicant Arthur Wilson, State Land Commissioner for State of Idaho
2. Source of water supply: A spring
3. Location of point of diversion: Is in the SW 1/4 NE 1/4 of Section 31
T. 12 South R. 38 East County of Bannock
4. Describe works as they exist, giving dimensions and capacities of same: Water flows naturally from wet area towards J.V. Kay ranch headquarters at which place it is piped into a trough for stock watering. The water is also used for stock before it reaches the storage point. All of the water is confined within the J.V. Kay properties including NE 1/4 Sec. 31 which is being purchased from the state.
5. Water is used for: Stock water
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): _____

Appl. → SW 1/4 NE 1/4 Section 31, Township 12 South, Range 38 East, B. M.
C/O for NE 1/4

Filed 8/5/55
Due 8/16/57
C/O 5/19/56

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

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

Remarks: The area was traversed via horse and all sources of spring water were examined. The location of P.P. as shown on sketch appears to be correct.

This examination was made on the 21 day of August, 1958

(Signed) James Wilson

Examiner.

25878

28 | 29
19 | 30

May 21

May 25

29 | 32
30 | 31

Key Ranch
Headquarters

Upland
Dry-Farm Wheat
Field.

Copied from
aerial map
in County Assessor's
Office

←N

29 | 30
24 | 25

30 | 31
26

25878

November 27, 1957

Re: Permit No. 25878

Mr. Arthur Wilson
State Land Commissioner
Room 120, Statehouse
Boise, Idaho

Dear Mr. Wilson:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Intermountain and Alameda Enterprise, Inc., all submitted in Proof of Application of Water to Beneficial Use on Permit No. 25878.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw

25878

IDAHO

DEPARTMENT OF PUBLIC LANDS
BOISE, IDAHO



ARTHUR WILSON
COMMISSIONER

STATE BOARD OF LAND COMMISSIONERS

ROBERT E. SMYLLIE
GOVERNOR AND CHAIRMAN

JAS. H. YOUNG
SECRETARY OF STATE

GRAYDON W. SMITH
ATTORNEY GENERAL

RULON SWENSEN
STATE AUDITOR

ALTON B. JONES
SUP'T. OF PUBLIC INSTRUCTION

November 26, 1957

RECEIVED
NOV 27 1957
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Statehouse

Dear Mr. Kulp:

Re: Permit No. 25878

Enclosed are the following items:

Proof of Application of Water to Beneficial Use - Deposition of
Witness - by Earl Templeton.

Proof of Application of Water to Beneficial Use - Deposition of
Witness - by D. Ray Crystal.

Proof of Application of Water to Beneficial Use - Deposition of
Holder - by Arthur Wilson.

Proof of Publication - by Intermountain and Alameda Enterprise.

If anything further is needed in this connection, please advise us.

Yours very truly,

A handwritten signature in cursive script that reads "Arthur Wilson".

ARTHUR WILSON
State Land Commissioner

WHA

encl 4

25878

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 27 1957
Department of Reclamation

Permit No. 25878

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Arthur Wilson, State Land Commissioner, *for State of 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. State Board of Land Commissioners, Rm. 120, Statehouse, Boise, Idaho
I am by Idaho statute the executive secretary of the said board.

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

Ans. Permit No. 25878, dated August 16, 1955; priority June 13, 1955

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

Ans. a spring located on SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31, T. 12 S., R. 38 E., B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. concrete box and watering trough.

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. stock water in NE $\frac{1}{4}$ Sec. 31, T. 12 S., R. 38 E. B.M.

25878

11/27

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

Ans. _____

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

Ans. 0.02 cubic feet per second

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

Ans. _____

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

Ans. Water is used continually for watering livestock.

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. _____

State Board of Land Commissioners

(Sign) Arthur Wilson
State Land Commissioner

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 Boise, County of Ada

State of Idaho, on this 30 day of October, A. D. 1957.

W. H. Hamblin
Notary Public, Boise, Idaho

My commission expires 3/5/59

25878

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**RECEIVED**
NOV 27 1957
Department of ReclamationPERMIT NO. 25878**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. Earl Templeton, State Timber Cruiser, 1611 North 17, Boise, Idaho

Ques. 2. Are you acquainted with Arthur Wilson, the holder of Permit No. 25878? How long have you known him and where does he reside?

Ans. Four years. He resides in Boise, Idaho.

Ques. 3. Have you read or heard read said Permit No. 25878, 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. Water is taken from a spring in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31, Twp. 12 S., Rge. 38 E.
where there is a concrete box and watering trough.

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. 0.02 cubic feet per second

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. Watering livestock.

25878

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

Ans. _____

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

Ans. _____

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

Ans. I have no interest.

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

Ans. Have seen this spring and development several times on routine inspections
of state land and timber.

(Signed) Earl Templator

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 Boise, Idaho,
County of Ada, State of Idaho, on this 30 day of October,
A. D. 1937.

W. L. Franklin
Notary Public.

My commission expires 3/5/39.

25878

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 27 1957

Department of Reclamation

PERMIT NO. 25878

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. D. Ray Crystal, Rigby, Idaho, State Land Agent

Ques. 2. Are you acquainted with Arthur Wilson, the holder of Permit No. 25878? How long have you known him and where does he reside?

Ans. 4 years

Boise Ida.

Ques. 3. Have you read or heard read said Permit No. 25878, 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. Spring located in SE 1/4 Sec. 31, Twp. 12 S., Rge. 38 E., B.M.

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. 0.02 cubic feet per second

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. Watering livestock.

25878

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

Ans. _____

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

Ans. _____

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 at all.

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

Ans. Have been on this land at various times, in the course of my
duties as State Land Agent, and have seen the use of the water.

(Signed) Ray Crystal

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 Boise, Idaho,
County of Ada, State of Idaho, on this 30 day of October,
A. D. 1957.

W. L. Hamblin
Notary Public.

My commission expires 3/5/59.

25878

PROOF OF PUBLICATION

STATE OF IDAHO,)
County of Bannock) ss

Department of Reclamation RALPH B. SWISHER

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 30 day of October, 1957, at Boise, County of Ada, State of Idaho, before M. C. Hamblin, Notary Public, Room 120, State House, proof will be submitted of the application to beneficial use of 0.02 cubic feet per second of the waters of a spring-tributary to Bear River in accordance with the terms and conditions of Permit No. 25878 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit are State of Idaho, State Board of Land Commissioners, Rm. 120, Statehouse, Boise, Idaho.

The use to which said water has been applied is livestock watering.

The amount applied to beneficial use is 0.02 cu. ft. per second.

The place where said water is used is NE 1/4 Sec. 31, Twp. 12 S., Rge. 38 E.B.M.

The right to take water from such works is based upon Permit No. 25878.

The source of supply from which such water is diverted is a spring-SW 1/4 NE 1/4, Sec. 31., Twp. 12 S., Rge. 38 E.B.M.

The date of priority which said user is prepared to establish is June 13, 1955.

MARK R. KULP
State Reclamation Engineer
10-11-42

being first duly sworn, on his oath, deposes and says:

That he is a citizen of the United States of America, over the age of 21 years; that he was at all times herein mentioned the principal Clerk of the Intermountain and Alameda Enterprise, Inc., a weekly newspaper published at Pocatello, County of Bannock, State of Idaho, and having a general circulation therein.

That said deponent, during all times mentioned in this affidavit, has had and still has charge of all the advertisements in said newspaper; that the NOTICE OF PROOF

_____, of which the annexed is a true printed copy, was published in the said Intermountain and Alameda Enterprise on the following dates, to wit:

September 20 & 27, October 4 & 11, 1957

That said newspaper has been consecutively, continuously and uninterruptedly published in said county for a period of 78 weeks prior to publication of said notice, and is a "newspaper" within the meaning of the laws of Idaho.

Ralph B. Swisher
RALPH B. SWISHER

SUBSCRIBED and sworn to before me this 23rd day of October, 195 7.

W. L. Leach
Notary Public, Pocatello, Idaho

My commission expires: 11-17-60

25878

September 26, 1957

RE: Permit Nos. G-25082 & ²⁵⁸⁷⁸ 23878

Alameda Enterprise
Pocatello, Idaho

Gentlemen:

Please mail us a copy of the following Legal Notices, which are to be published in your paper prior to October 14th and 30th, 1957:

Roy B. Cowman - Permit # G-25082 - dated September 10, 1957

State Board of Land Commissioners - Permit No. 25878 -
dated - September 13, 1957.

Thank you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

vm

25878

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. 25878
State Board of Land Commissioners

Date: September 13, 1957

Alameda Enterprise
Pocatello, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **October 30, 1957** the date set for proof; the expense of the publication is to be paid by the applicant, **State Board of Land Commissioners, Room 120, State House Boise, 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 R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

KPR:vm
Encl.

25878

Sept 23

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

Notice is hereby given that at 10:00 A. M. on the 30 day of October, 1957,
at Boise, County of Ada, State of Idaho, before
M.C. Hamlin, Notary Public, Room 120, State House, proof will be submitted of the
application to beneficial use of 0.02 cubic feet per second of the waters of a spring tributary
to Bear River in accordance with the terms and conditions of Permit No. 25878
heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person ~~or corporation~~ holding said permit are
State of Idaho, State Board of Land Commissioners, Rm. 120, Statehouse, Boise, Idaho

The use to which said water has been applied is livestock watering

The amount applied to beneficial use is 0.02 cu. ft. per second

The place where said water is used ~~for irrigation of the land irrigated~~
in NE $\frac{1}{4}$ Sec. 31, Twp. 12 S., Rge. 36 E.B.M.

~~The name of the canal, 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. 25878

The source of supply from which such water is diverted is a spring SW $\frac{1}{4}$ Sec. 31,
Twp. 12 S., Rge. 36 E.B.M.

The date of priority which said user is prepared to establish is June 13, 1955

MARK R. KULP
State Reclamation Engineer.

September 13, 1957

RE: Permit No. 25878
State Board of Land Commissioners

Alameda Enterprise
Pocatello, Idaho

ATT : Mr. Ralph B. Swisher

Dear Mr. Swisher:

This acknowledges receipt of your letter of September 12, 1957.

In checking our files, we find that the publication in the name of the State of Idaho, State Board of Land Commissioners Permit No. 25878, was not published.

We heretofore, enclose another Notice, and request that it be published as per enclosed schedule. Please destroy the one previously mailed you dated June 12, 1957, to have been made by July 30th, 1957.

Thank you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:vm
Encl.

cc. State Board of Land Commissioners
Room 120, State House

25878

THE

INTERMOUNTAIN

214 FIRST SECURITY BANK BUILDING
P.O. BOX 26 PHONE 5016 POCAHELLO, IDAHO

September 12, 1957

RECEIVED
SEP 13 1957
Department of Reclamation

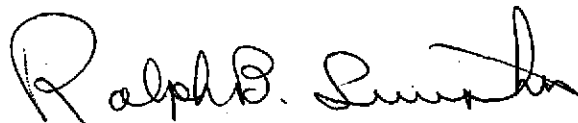
RE Permit No. G-25082
Roy B. Cowman

Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho
Attn: Edna P. Rutledge, Chief Clerk

We are in receipt of your order for notice of proof in the Roy Cowman application, Permit No. G-25082. You will receive a copy of this week's issue in the mail.

In addition, I found on the desk this morning an order for publication to have been made by July 30, regarding livestock watering in the name of the State of Idaho, State Board of Land Commissioners. This apparently arrived about June 13, when I was on two weeks active duty with the National Guard, and was misplaced at that time. It came to light in a general cleanup here yesterday. I presume that the matter has been taken care of in another newspaper, but thought I'd better mention it, and above all apologize for the oversight. The editor, Perry Swisher, was the only one here taking care of advertising and news matter while I was gone, and it must have escaped his notice. If it has not been taken care of, we would, of course, be happy to complete publication.

Sincerely,



RALPH B. SWISHER
Business Manager

25878

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: June 12, 1957

25878

Alameda Enterprise
Pocatello,
Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to ~~July 30, 1957~~ the date set for proof, the expense of the publication to be paid by the applicant, **Arthur Wilson** of **Rm. 120 Statehouse Boise, 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, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

KPR:lw
Encl.

25878

June 12, 1957

Re: Permit No. 25878
State of Idaho
Board of Land Commissioners

Mr. Arthur Wilson
State Land Commissioner
Room 120 Statehouse
Boise, Idaho

Dear Mr. Wilson:

We have your letter enclosing notice of Proof Application of Water to Beneficial Use on Permit No. 25878 to be made July 30, 1957 before M. C. Hamblin, Notary Public.

We shall send a copy of the notice to the Alameda Enterprise of Pocatello, Idaho with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before M. C. Hamblin, the Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

HPR:lw
cc: M. C. Hamblin

25878

IDAHO

DEPARTMENT OF PUBLIC LANDS
BOISE, IDAHO



ARTHUR WILSON
COMMISSIONER

June 11, 1957

STATE BOARD OF LAND COMMISSIONERS

ROBERT E. SMYLIE
GOVERNOR AND CHAIRMAN

~~FRANK J. HARRIS~~ JAS. H. YOUNG
SECRETARY OF STATE

GRAYDON W. SMITH
ATTORNEY GENERAL

N. P. NIELSON
STATE AUDITOR

ALTON B. JONES
SUP'T OF PUBLIC INSTRUCTION

RECEIVED
JUN 12 1957

Department of Reclamation

Mr. Mark Kulp
State Reclamation Engineer
Statehouse, Boise, Idaho

Dear Mr. Kulp:

Thank you for your letter of June 1, 1957 with respect to permit No. 25878.

Enclosed herewith is NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE, in duplicate; as well as authorization to you to have said notice published at the expense of this department.

Will you please supply us with proper forms for making such proof.

Sincerely,

A handwritten signature in cursive script that reads "Arthur Wilson".

ARTHUR WILSON
State Land Commissioner

AW:m

25878

RECEIVED
JUN 12 1957
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 11, 1957
Rm 120, Statehouse
Address
Boise, Idaho
City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Alameda Enterprise of Pocatello, Idaho published in the county in which the works are situated. Bannock County.

STATE BOARD OF LAND COMMISSIONERS

By Arthur Wilson
State Land Commissioner

(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

25878

RECEIVED

JUN 12 1957

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

Department of Reclamation

Notice is hereby given that at 10:00 A. M. on the 30 day of July, 1957,
at Boise, County of Ada, State of Idaho, before
M. C. Hamblin, Notary Public, proof will be submitted of the
application to beneficial use of 0.02 cubic feet per second of the waters of a spring tributary
to Bear River in accordance with the terms and conditions of Permit No. 25878
heretofore issued by the State Reclamation Engineer of the State of Idaho.

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

State of Idaho, State Board of Land Commissioners, Rm 120, Statehouse
Boise, Idaho

The use to which said water has been applied is livestock watering

The amount applied to beneficial use is 0.02 cu. ft. per sec.

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

In the NW 1/4 Sec. 31, Twp. 12 S., Rge. 38 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. 25878

The source of supply from which such water is diverted is a spring located in SW 1/4

Sec. 31, Twp. 12 S., Rge. 38 E., B.M.

The date of priority which said user is prepared to establish is June 12, 1955

25878
State Reclamation Engineer.

Reed

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

RE: Permit No. 25878

Boise, Idaho

June 12 1957

State of Idaho
State Board of Land Commissioners
State House, Boise,

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 25878. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than August 16, 1957, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

NOTE: We are also enclosing Certificate of Completion of Works on your Permit No. 25878, which has inadvertently held in this Department.

25878

Permit No. 25878

STATE OF IDAHO
Department of Reclamation

no fee required

RECEIVED
MAY 9 1956
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

SS.

County of Ada

STATE OF IDAHO, STATE BOARD OF LAND COMMISSIONERS

by Arthur Wilson

, 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. 25878, and that his postoffice address is Rm. 120, State House State of Idaho

Second: That the name of the stream from which said water is to be diverted is Un-named spring

Third: That the point of diversion of said water is a spring located about 400 feet northeast from the center of Sec. 31, Twp. 12 S., Rge. 38 E., R.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 16, 1957, 19

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

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

I. Kind of works: concrete box and watering trough
(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 width at bottom feet, width at water line
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 0.02 second feet of water.

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

Ninth: Remarks: That the NE¹ Sec. 31, Twp. 12 S., Rge. 38 E. was sold on forty-year payment contract, Sept. 13, 1955, and the purpose of this water right is to protect stock water rights on said land until such time as it is deeded.

State Board of Land Commissioners

Arthur Wilson

(Sign Here) State Land Commissioner

Subscribed and sworn to before me this 9 day of May, 1956

My commission expires 3/5/59

Boise, Idaho

Notary Public.

25878

Note on botton of Notice;

We are also enclosing Certificate of Completion of Works on your Permit No. 25878, which has inadvertently held in this Department.

RWT

25878

September 1, 1955

RE: Permit No. 25878

Mr. Arthur Wilson
State Land Commissioner
B U I L D I N G

Dear Mr. Wilson:

We enclose Permit No. 25878.

You will note that we have allowed two years within which to make proof of completion of works and beneficial use but these proofs may be made at any earlier date and we shall be glad to send the necessary forms and instruction upon request.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

Enc.

25878

31 • Location of spring

125. 38 E

Permit Map No. 25878
As Approved
AUG 16 1955
MARK R. KULP
State Reclamation Engineer

IDAHO

DEPARTMENT OF PUBLIC LANDS
BOISE, IDAHO



~~Arthur Wilson~~
COMMISSIONER
ARTHUR WILSON

August 5, 1955

STATE BOARD OF LAND COMMISSIONERS

~~Robert E. Smylie~~ ROBERT E. SMYLIE
GOVERNOR AND CHAIRMAN
IRA H. MASTERS
SECRETARY OF STATE
~~Graydon W. Smith~~ GRAYDON W. SMITH
ATTORNEY GENERAL
N. P. NIELSON
STATE AUDITOR
ALTON B. JONES
SUP'T. OF PUBLIC INSTRUCTION

Mark Kulp, Reclamation Engineer
State House, Boise, Idaho

Dear Mr. Kulp:

Herewith we submit Application For Permit to appropriate the Public Waters of the State of Idaho, pertaining to a spring located on SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31, Twp. 12 S., Rge. 33 E. which land is owned by the State of Idaho.

Also returned herewith is the Application of J. V. Kay of Swan Lake, for permit for waters from the same spring and another spring, on which I have completed Affidavit of Permission, with correspondence attached.

Yours truly,

ARTHUR WILSON
State Land Commissioner

AW:mb
encl 2

25878

LEGAL NOTICES

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 30 day of October, 1957, at Boise, County of Ada, State of Idaho, before M. C. Hamblin, Notary Public, Room 120, State House, proof will be submitted of the application to beneficial use of 0.02 cubic feet per second of the waters of a spring-tributary to Bear River in accordance with the terms and conditions of Permit No. 25878 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit are State of Idaho, State Board of Land Commissioners, Rm. 120, Statehouse, Boise, Idaho.

The use to which said water has been applied is livestock watering.

The amount applied to beneficial use is 0.02 cu. ft. per second.

The place where said water is used is NE $\frac{1}{4}$ Sec. 31, Twp. 12 S., Rge. 38 E.B.M.

The right to take water from such works is based upon Permit No. 25878.

The source of supply from which such water is diverted is a spring-SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31., Twp. 12 S., Rge. 38 E.B.M.

The date of priority which said user is prepared to establish is June 13, 1955.

MARK R. KULP
State Reclamation Engineer
10-11-4x