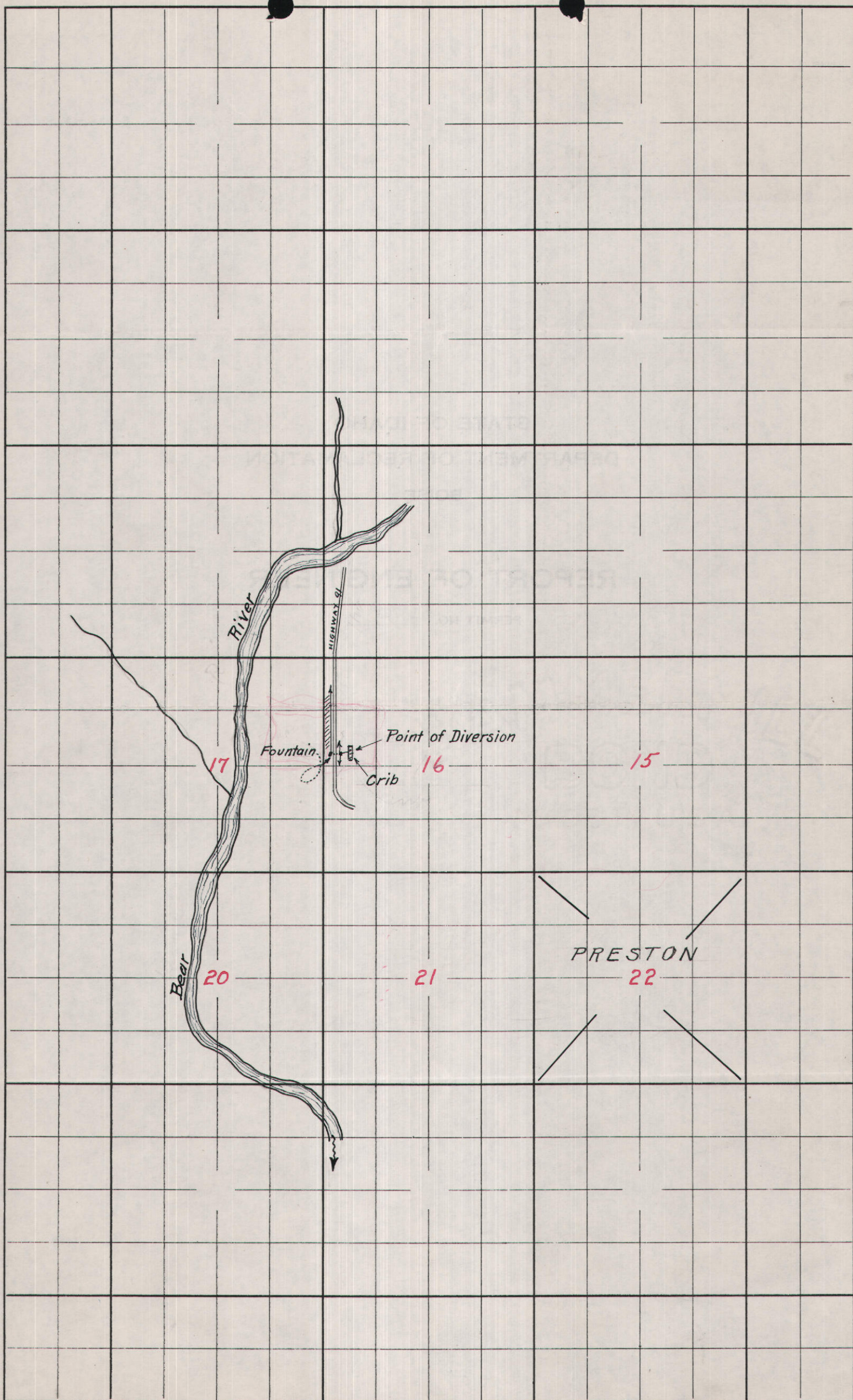




AFFIDAVIT PUBLICATION

I, Dale E. Roe
(~~Foreman~~ or Publisher)

of the Franklin County Citizen, a newspaper published weekly at Preston, Idaho, do solemnly swear that the notice as per clipping attached was published in the regular and entire issue of said newspaper, and not in any supplement

thereof, for four

(4) consecutive weeks, commencing with the issue dated,

April 10, 1941, 193

and ending with the issue dated,

May 1, 1941, 193

Dale E. Roe

Subscribed and sworn to before me

this 9 day of May

1934

W. B. Brodhead

Notary Public.

1879 Res Boise, Ida

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

Notice is hereby given that at 10 a.m. on the 9th day of May, 1941 at Preston County of Franklin, State of Idaho, before Clerk of the District Court proof will be submitted of the application to beneficial use of one-tenth cubic feet per second of the waters of a spring in accordance with the terms and conditions of Permit No. 18791 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 State of Idaho, Department of Public Works, Boise, Idaho.

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

The amount applied to beneficial use is one-tenth second feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Roadside in Southwest Quarter Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section Sixteen (16), Township Fifteen (15) South, Range Thirty-nine (39) East, Boise Meridian.

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

The right to take water from such works is based upon Permit No. 18791.

The source of supply from which such water is diverted is unnamed spring.

The date of priority which said user is prepared to establish is May 10, 1939.

E. V. Berg by M. L.

Commissioner of Reclamation

AFFIDAVIT OF PUBLICATION

I, Dale E. Roe
(Foreman or Publisher)

of the Franklin County Citizen, a newspaper published weekly at Preston, Idaho, do solemnly swear that the notice as per clipping attached was published in the regular and entire issue of said newspaper, and not in any supplement

thereof, for four

4 consecutive weeks, commencing with the issue dated,

April 10, 1934

and ending with the issue dated,

May 1, 1934

Subscribed and sworn to before me

this 6 day of May

1934

J. M. Condie

Notary Public.

18791

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

Notice is hereby given that at 10 a.m. on the 9th day of May, 1941 at Preston County of Franklin, State of Idaho, before Clerk of the District Court proof will be submitted of the application to beneficial use of one-tenth cubic feet per second of the waters of a spring in accordance with the terms and conditions of Permit No. 18791 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 State of Idaho, Department of Public Works, Boise, Idaho.

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

The amount applied to beneficial use is one-tenth second feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Roadside in Southwest Quarter Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section Sixteen (16), Township Fifteen (15) South, Range Thirty-nine (39) East, Boise Meridian.

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

The right to take water from such works is based upon Permit No. 18791.

The source of supply from which such water is diverted is unnamed spring.

The date of priority which said user is prepared to establish is May 10, 1939.

E. V. Berg by M. L.

Commissioner of Reclamation

T. 15. S. R. 39. E. B. M.

SEC.

Permit Map No. 18791

As Approved

MAY 12 1939

JAMES SPOFFORD
Confessioner of Redemption

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

11

Amount 2.1 c.f.s.
Priority May 10, 1939

STATE OF IDAHO, DEPT. OF PUBLIC WORKS

The right hereby confirmed dates from **May 10, 1939**, 19 ;

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 27th day of March , 19 42

(SEAL)

13-2143

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

Application No. 26164
Permit No. 18791
District No.

E. H. Brunner, Right of Way Engineer
Dept. Public Works, Boise, Idaho

1. Name of Applicant: STATE OF IDAHO, DEPARTMENT OF PUBLIC WORKS

Postoffice address Boise County: Ada State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

2. Quantity of water claimed: One-tenth cubic feet per second.

3. Source of water supply: Spring on right of way of State / which is a tributary of
Highway

4. Location of point of diversion: About 625 feet North / feet distant from the Quarter
between and 430 feet East
corner of Section 16 & T. 15 S., R. 39 E., B. M., and is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$
of Section 16 , T. 15 S., R. 39 E., B. M., County of Franklin

5. Water is to be used for: Drinking fountain for public use, & irrigation of roadsides

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: \$ 1,000.00

8. Kind of works: Catch basin and pipe line. Fountain

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

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

11. Ditch: Width at bottom 1 feet; width at water line 18" feet; depth of water 6"
feet; dimensions of flume: 8" soldered pipe
Diameter of pipe 4" inches; length of conduit 130 ft. 4" pipe
Average grade per mile 1 feet. 900 ft. ditch & flume miles.

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

13. The time required for the complete application of the water to the proposed use is No additional years.

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

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

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

STATE OF IDAHO DEPARTMENT OF PUBLIC WORKS

Applicant.

By H. R. Flint

Agent.

Acting Commissioner of Public Works

Date of first receipt at Department of Reclamation: 10:50 A.M. May 10, 1939

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18791

Recorded in Book 68 Page 18791 Approved May 12, 1939

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before July 11, 1939

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before May 12, 1940

The whole of said work to be completed on or before May 12, 1941

Beneficial use of water appropriated in accordance herewith, to be made on or before May 12, 1941

Witness my hand this 12th day of May, 1939

JAMES SPOFFORD

Commissioner of Reclamation.

Remarks:

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 $\frac{1}{4}$	
15 S	39 E	16					2	3											5
Total Number of Acres to be Irrigated - - - -																			5

IN TESTIMONY WHEREOF, We, C. A. BOTTOLFSSEN, Governor of the State of Idaho, and GEO. H. CURTIS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 12th day of May, A. D. 1939.

(SEAL)

Countersigned:
By GEO. H. CURTIS
Secretary of State

Permit No. 18791

STATE OF IDAHO
By C. A. BOTTOLFSSEN
Governor

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that the STATE OF IDAHO, DEPARTMENT OF PUBLIC WORKS, OF Boise, County of Ada, and State of Idaho, the holder of Permit No. 18791, issued upon Application No. 26164 bearing date of priority of May 10, 1939, authorizing the diversion of one-tenth second feet of the waters of a spring on the R/W of State Highway County of Franklin, State of Idaho, for drinking fountain for public use and irrigation of roadside 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 0.1 second feet of the waters of an unnamed spring, that the point of diversion of said waters is about 625 feet north and 430 feet east from the quarter corner between sections 16 & 17, Twp. 15 S., Rge. 39 E., and is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, 15 S., 39 E., B. M., County of Franklin, and that the lands proposed to be irrigated by the use of said water are described as follows, to wit: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, 15 S., 39 E.

WITNESS my Hand this 23rd day of May, A. D., 1941.

E. V. BERG.
Commissioner of Reclamation.

Completion of Works made : May 9, 1941

Certificate of Completion of Works, issued: May 23, 1941.

oooooooooooooooooooooooooooo

LICENSE ISSUED FOR 0.1 SEC. FT.
MAR 27 1942 # 4110

April 1, 1942

Re: 18791

Department of Public Works
Building

Gentlemen:

We are enclosing a License and Certificate of Water Right on the above numbered permit for the use of 0.1 cubic feet per second of an unnamed spring for a public drinking fountain located on the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 16, Twp. 15 S., Rge 39 E. in Franklin County.

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

ml
encl.

BY: Chief Clerk.

18791

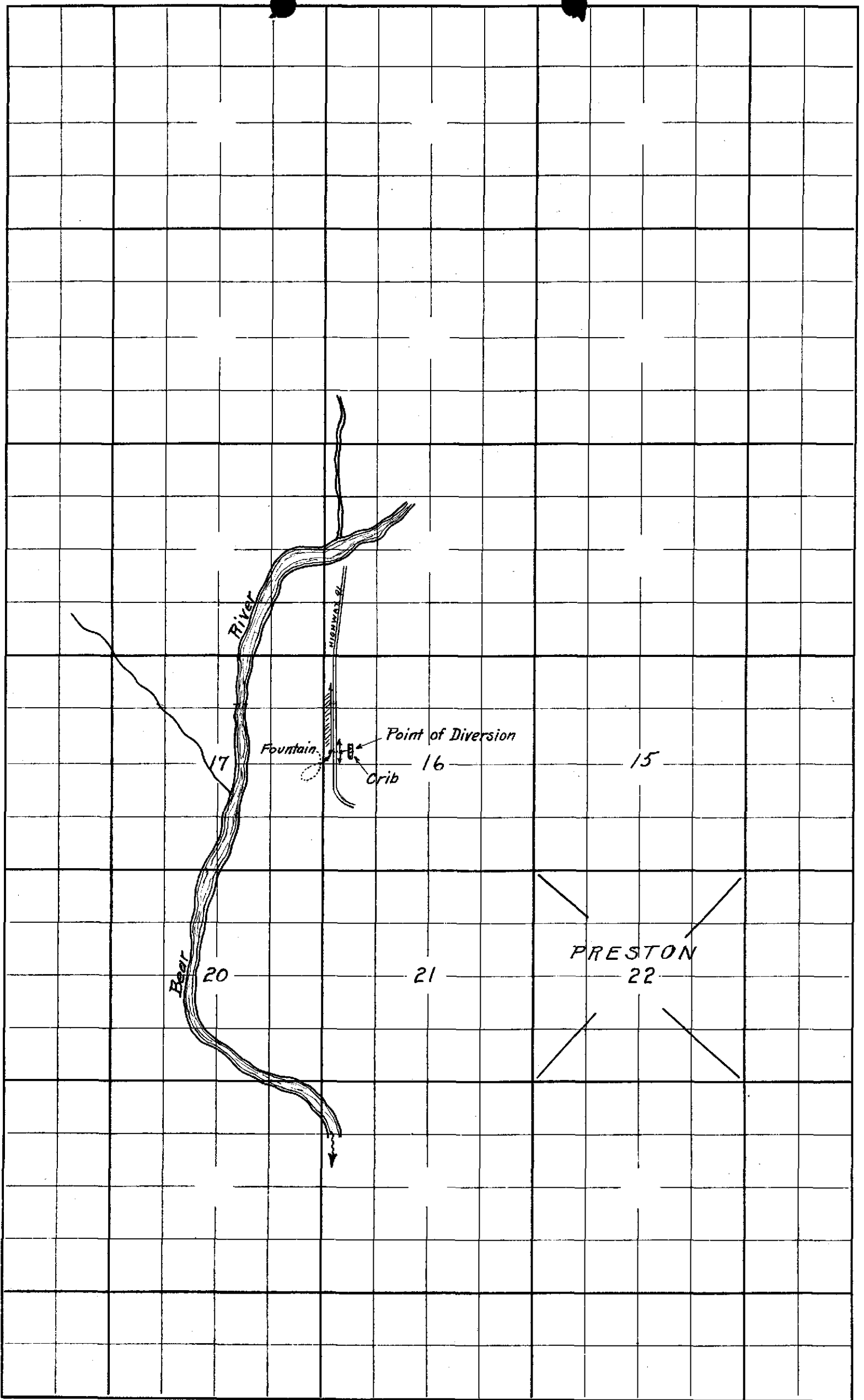
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18791

REPORT ON PROOF OF Beneficial Use

*O.H. for 0.1 c.f.s.
For fees to pay
R.R.T.*



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18791

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Dept. of Public Works
2. Source of water supply: Spring on right of way of State Highway
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16
T. 15 S R. 39 E County of Franklin
4. Describe works as they exist, giving dimensions and capacities of same: Spring in hillside is developed and covered by "Armo" fabricated cribbing 36ft. long and 10ft. high, a concrete header box 3.5' X 3.5' square; thence a 40ft. concrete trough for overflow, and also a 90ft. length of pipe which crosses the highway to a drinking fountain and piping for irrigating purposes.
5. Water is used for:
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
15 S 39 E 16 NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$
2 3 5 acres.

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

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

Remarks:

This examination was made on the 20th day of June, 1941

18791

(Signed)

Fred L. Dolman

Examiner.

Permit No. 18791

Examination for Beneficial Use

County Franklin

INSTRUCTIONS TO EXAMINERS

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

May 24, 1941

Re: 18791

Department of Public Works
c/o R. S. Hunter
Building

Dear Mr. Hunter:

We are enclosing Certificate of Completion of Works issued on the above numbered permit to appropriate 0.1 second feet of the water from an unnamed spring on your Highway R/W for a drinking fountain and roadside irrigation purposes in Franklin County.

Very truly yours,

E. V. BERG.
Commissioner of Reclamation

BY: Chief Clerk

ml.
encl.

18791

May 22, 1941

Re: 18791

Mr. W. A. Broadhead
State House

Dear Mr. Broadhead:

Many thanks for the deposition and the affidavit of publication from the Franklin County Citizen. Before final action can be taken, the law requires that an examination be made by our field engineer, Fred Tolman. When his report is filed, a license will be issued.

Very truly yours,

E. V. BERO.
Commissioner of Reclamation.

By: Chief Clerk.

ml.

18791

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18791

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. R. S. Hunter, Pocatello, Idaho. Civil Engineer, P.O. Care Bureau of Highways,
Pocatello, 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 of Idaho, I am the District Engineer, Bureau of Highways.

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

Ans. No. 18791 - the date of priority is May 10, 1959.

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

Ans. Unknown spring. About 625 feet North from quarter section corner, between
Sections 16 and 17, Township 15 South, Range 29 East, Boise Meridian.

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. Catch basin, pipe line and drinking fountain - 130' of 4" pipe - 900 feet of
ditch and flume.

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. To provide a roadside drinking fountain and for the irrigation of grass, trees
and shrubs planted for roadside beautification; approximately 5 acres irrigated -
2 acres in Northwest Quarter of the Northwest Quarter and 3 acres in Northwest
Quarter of the Southwest Quarter, Section 16, Township 15 South, Range 39 East, B. M.

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

Ans. For drinking purpose, through a fountain.

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

Ans. 1/10 sec. foot.

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 was diverted through the said works on April 26, 1940 and during the season of 1940, and up to this time in 1941.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None.

(Sign) R. H. Under.

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 Ruston, County of Franklin, State of Idaho, on this 7 day of May, A. D. 19 41.

E. A. Stevenson
Clerk of the District Court of the Fifth
Judicial District of the State of Idaho,
in and for the County of Franklin.

My commission expires

18791

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18791

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. H. T. EVANS, 54, 835 S. 5th Ave., Civil Engineer, Pocatello, Idaho.

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

Ans. _____

Ques. 3. Have you read or heard read said Permit No. 18791, 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. Unknown spring - about 625 feet North from quarter section corner, between Sections 16 and 17, Township 15 South, Range 29, East of the Boise Meridian.

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

Ans. 1/10 Sec. foot.

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

Ans. Used to supply drinking fountain for the benefit of the traveling public.

The overflow serves to irrigate road side, grass, shade trees and shrubs.

18791

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

Ans. Drinking fountain.

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. Uneven land on both sides of highway in Northwest Quarter of the Northwest Quarter (NW¹/₄ NW¹/₄) and the Southwest Quarter of the Northwest Quarter, Section 16, Township 15 South, Range 39 East, Boise Meridian. At least 1/10 sec. foot necessary.

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

Ans. No

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

Ans. During the irrigation seasons of 1940 and 1941, to the extent of 1/10 sec. feet.

(Signed) H. T. Evans

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 day of May 9, A. D. 1941.

My commission expires _____

E. J. Stevenson
Notary Public
Clerk of the District Court of the Fifth
Judicial District of the State of Idaho,
in and for the County of Franklin.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18791

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. H. B. Sternberg, Preston, Civil Engineer

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

Ans. _____

Ques. 3. Have you read or heard read said Permit No. 18791, 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. Unknown spring - about 625 feet North from quarter section corner, between Sections 16 and 17, Township 15 South, Range 29, East of the Boise Meridian.

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

Ans. 1/10 Sec. foot.

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

Ans. Used to supply drinking fountain for the benefit of the traveling public.

The overflow serves to irrigate road side, grass, shade trees and shrubs.

18791

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Ans. Drinking fountain.

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. Uneven land on both sides of highway in Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) and the Southwest Quarter of the Northwest Quarter, Section 16, Township 15 South, Range 39 East, Boise Meridian. At least 1/10 sec. foot necessary.

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

Ans. No

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

Ans. During the irrigation seasons of 1940 and 1941, to the extent of 1/10 sec. feet.

(Signed)

H. B. Stenberg

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 Lectan, County of Franklin, State of Idaho, on this day of May 9, A. D. 1941.

My commission expires

E. J. Swenson
Notary Public,
Clerk of the District Court of the Fifth
Judicial District of the State of Idaho,
in and for the County of Franklin.

18791

AFFIDAVIT PUBLICATION

I, Dale E. Roe
(Foreman or Publisher)

of the Franklin County Citizen, a newspaper published weekly at Preston, Idaho, do solemnly swear that the notice as per clipping attached was published in the regular and entire issue of said newspaper, and not in any supplement

thereof, for four

(4) consecutive weeks, commencing with the issue dated,

April 10, 1941, 193
and ending with the issue dated,

May 1, 1941, 193

Subscribed and sworn to before me
this 9 day of May

193

Dale E. Roe
Notary Public.

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

Notice is hereby given that at 10 a.m. on the 9th day of May, 1941 at Preston County of Franklin, State of Idaho, before Clerk of the District Court proof will be submitted of the application to beneficial use of one-tenth cubic feet per second of the waters of a spring in accordance with the terms and conditions of Permit No. 18791 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 State of Idaho, Department of Public Works, Boise, Idaho.

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

The amount applied to beneficial use is one-tenth second feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Roadside in Southwest Quarter Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section Sixteen (16), Township Fifteen (15) South, Range Thirty-nine (39) East, Boise Meridian.

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

The right to take water from such works is based upon Permit No. 18791.

The source of supply from which such water is diverted is unnamed spring.

The date of priority which said user is prepared to establish is May 10, 1939.

E. V. Berg by M. E.
Commissioner of Reclamation

AFFIDAVIT OF PUBLICATION

I, Dale G. Roe
(Foreman or Publisher)

of the Franklin County Citizen, a newspaper published weekly at Preston, Idaho, do solemnly swear that the notice as per clipping attached was published in the regular and entire issue of said newspaper, and not in any supplement

thereof, for four

(.....) consecutive weeks, commencing with the issue dated,

April 10, 1934
and ending with the issue dated,

May 1, 1934

Subscribed and sworn to before me

this 6 day of May

1934

D. M. Condie

Notary Public.

18791

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

Notice is hereby given that at 10 a.m. on the 9th day of May, 1941 at Preston County of Franklin, State of Idaho, before Clerk of the District Court proof will be submitted of the application to beneficial use of one-tenth cubic feet per second of the waters of a spring in accordance with the terms and conditions of Permit No. 18791 heretofore issued by the Department of Reclamation of the State of Idaho.

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The source of supply from which such water is diverted is unnamed spring.

The date of priority which said user is prepared to establish is May 10, 1939.

E. V. Berg by M. L.

Commissioner of Reclamation

Statement

FRANKLIN COUNTY CITIZEN

ROE & ROE, PUBLISHERS

PRESTON, IDAHO

— In Account With —

PHONE NO. 8

State of Idaho
Dept. of Public Works
Boise, Idaho

OUR AIM:—To Give You More Than Your Money's Worth

Notice of Proof Application of Water

to beneficial use.....Pubs. 4 times

6"\$ 12.00



18791

Permit No. 18791STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Benewah } ss.

R. S. Hunter, being first duly sworn, upon his oath deposes and says:
 First: That the State of Idaho is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho,
 No. 18791, and that his postoffice address is Boise
 State of Idaho

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

Third: That the point of diversion of said water is about 625 feet North from quarter section corner
between sections 16 and 17, Township 15 South, Range 39 East, B.M., in the SW 1/4, Sec. 16,
Township 15 South, Range 39 East, Boise Meridian.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to
 be completed by May 12, 19 41

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

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: Catch basin, pipe line and fountain
 (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 1 feet, width at water line 1 1/2
 (State whether ditch, flume or pipe.)

feet, depth of water 1/2 feet; diameter of pipe 4 inches, average grade
 per mile is 1 feet. Length of conduit is 150 ft. under 4" pipe 900' ditch & flume

Seventh: That said works are capable of conducting to the place of intended use 1/10
 second feet of water.

Eighth: That water appropriated under said permit is available for 5 acres of land
 described as follows: 2 acres in Northwest Quarter of Northwest Quarter, and 3 acres in
Southwest Quarter of Northwest Quarter, Section 16, Township 15 South, Range 39 East,
Boise Meridian, Franklin County.

Ninth: Remarks: That works constructed to supply a drinking fountain and beautifi-
cation project adjacent to the Yellowstone Park State Highway, in accordance with map
filed herewith. See map attached hereto.

Subscribed and sworn to before me this 9th day of May, 19 41

My commission expires 1942

Notary Public.

Boise, Idaho

18791

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Re: 18791
Public Works

Boise, Idaho,
April 29, 1941

Clerk of District Court
Preston, Idaho

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18 791

Deposition of Permit Holder,
Depositions of Two Witnesses.

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

1. On May 9, 1941, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Preston, Idaho before Clerk of the District Court

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

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

Yours truly,

E. V. BERG

Commissioner of Reclamation.

18791

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: 18791

Date . March 19, 1941.

Franklin County Citizen
Preston, Idaho

Dear Sir:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **May 9, 1941**, the date set for proof, the expense of the publication to be paid by the applicant, **State of Idaho, Dept. of Public Works, 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,

E. V. BERG.

Commissioner of Reclamation

18791

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

Notice is hereby given that at 10 A. M. on the 9th day of May, 1941,
 at Preston, County of Franklin, State of Idaho, before
Clerk of the District Court, proof will be submitted of the
 application to beneficial use of one-tenth cubic feet per second of the waters of a spring
 in accordance with the terms and conditions of Permit No. 18791
 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.....
State of Idaho, Department of Public Works, Boise, Idaho

The use to which said water has been applied is irrigation and drinking fountain

The amount applied to beneficial use is one-tenth second feet

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) Roadside in Southwest Quarter Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section
Sixteen (16), Township Fifteen (15) South, Range Thirty-nine (39) East, Boise
Meridian

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

The right to take water from such works is based upon Permit No. 18791

The source of supply from which such water is diverted is unnamed spring

The date of priority which said user is prepared to establish is May 10, 1939

E. V. Berg By M. D.
 Commissioner of Reclamation.

18791

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 18th 1941
(P. O.) Boise Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at ~~my~~ ^{of Dept of Public Works} expense in the
Franklin County Citizen of Poston, Idaho, published in
the county in which the works are situated.

Allen C. Merritt
Comm of Public Works,
Idaho

(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.

18791

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

March 10, 1941.

Re: Permit No. 18791

State of Idaho
Dept. of Public Works
State House

Dear Sir:-

Under the terms of your permits No. 18791 you are required to complete your diversion works and make proof of beneficial use on or before May 12, 1941. .

I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

I also enclose blank notice for proof of application of water to beneficial use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is May 12, 1941. , and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly

E. V. BERG.
Commissioner of Reclamation

18791

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18791

Boise, Idaho, June 24, 1939

Dear Sir:

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

JAMES SPOFFORD

Mr. E. H. Brunner,
C/Department of Public Works
State Capitol, Boise, Idaho
Enc. Receipt # 17028

Commissioner of Reclamation.

18791

STATE OF IDAHO
DEPARTMENT OF PUBLIC WORKS
BOISE

June 23, 1939

HON. JAMES SPOFFORD
Commissioner of Reclamation
B U I L D I N G

Dear Sir:

F.A.P.36-A(6), Roadside Improvement,
Franklin County.

Reference is made to your letter of May 10
regarding Application No. 26164.

Enclosed please find State Warrant No.7884H
in the amount of \$5.00 covering filing fee for permit.

Will you please sign the enclosed receipt
form and return it to this office.

Yours very truly,

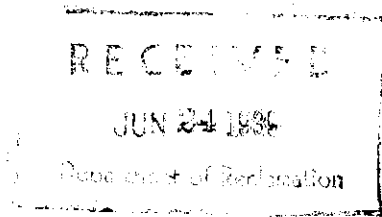
H. R. FLINT,
Director of Highways

By: *E. H. Brunner*

E. H. BRUNNER
Right of Way Engineer

EHB/hw

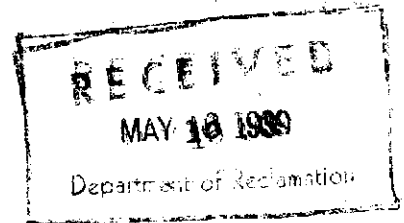
encl.



18791

STATE OF IDAHO
DEPARTMENT OF PUBLIC WORKS
BOISE

May 15, 1939



Hon. James Spofford
Commissioner of Reclamation
B u i l d i n g

Dear Sir:

F.A.P. 36-A(6), Roadside Improvement, Franklin County

We wish to thank you for your letter of May 10 re
application No. 26164.

This will advise that under new instructions only the
originals of claim vouchers are signed. This voucher was pre-
pared in quadruplicate and the other three copies were held in
our files.

Yours very truly,

H. R. FLINT
Director of Highways

By

A handwritten signature in cursive script, appearing to read "E. H. Brunner".

E. H. Brunner
Right of Way Engineer

EHB/hw

18791

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

Permit Map No. 18791
 As Approved
 MAY 12 1939
 JAMES SPOFFORD
 Commissioner of Reclamation

State of Idaho

DEPARTMENT OF RECLAMATION

No 16992

Boise, Idaho, May 10, 1939

RECEIVED FROM Dept Public Works of Boise \$ 5.00
Five 00/100 DOLLARS

FOR

Carey Act Trust Fund - - - - -	\$		
Application for Permit No. <u>26164</u> - - - - -	\$	<u>5</u>	<u>00</u>
Proofs - - - - -	\$		
Certified Copy - - - - -	\$		
Recording Deed - - - - -	\$		
Certificate - - - - -	\$		
<u>18791</u> Total - - - - -	\$	<u>5</u>	<u>00</u>

JAMES SPOFFORD
Commissioner of Reclamation

By Harry Dewey

May 10, 1939

Re: Application No. 26164

Mr. E. H. Brunner,
Right of Way Engineer,
Department Public Works,
B U I L D I N G .

Dear Sir:-

F.A.P.36-A(6) Roadside Improvement, Franklin Co.

We acknowledge receipt of your letter of May 9th, enclosing Application for Permit to Appropriate the Public Waters of the State of Idaho, covering One-tenth of one cubic foot per second of the waters from a spring on State Highway right-of-way, in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, Twp. 15 South, Range 39 East, B.M.; also voucher for the \$5.00 filing fee.

The application has been entered on our starting book as No. 26164- with priority date of May 10, 1939- and permit will be issued in due course.

Meanwhile, we return the voucher, duly signed- but call attention to the fact that only one voucher was enclosed. Should not this be executed in duplicate?

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

Chief Clerk

JLA

Enc.

18791

STATE OF IDAHO
DEPARTMENT OF PUBLIC WORKS
BOISE

May 9, 1939

Hon. James Spofford
Commissioner of Reclamation
B u i l d i n g

Dear Sir:

F.A.P.36-A(6), Roadside Improvement, Franklin County

The State proposed to construct a Roadside Improvement Project on the new highway between Preston and Red Rock and in connection therewith desires to file on a spring which is located on highway right of way in the SW¹/₄-NW¹/₄ of Section 16, Township 15 South, Range 39 East of the Boise Meridian.

The water from this spring is to be used for irrigating a proposed improvement and to provide water for a drinking fountain.

We enclose application for permit to appropriate this water and we also enclose a claim voucher in the amount of \$5 covering filing fee and would request you kindly sign this voucher and return it to this office.

May we also request that our application be filed so that we may be protected in case other parties may desire to file on this spring water.

Yours very truly,

H. R. FLINT
Director of Highways

By:

E. H. Brunner

E. H. Brunner
Right of Way Engineer

EHF/hw
encls.

18791

