

Per 1936
Aug 20 1937

RECEIVED
AUG 7 1938
Department of Reclamation

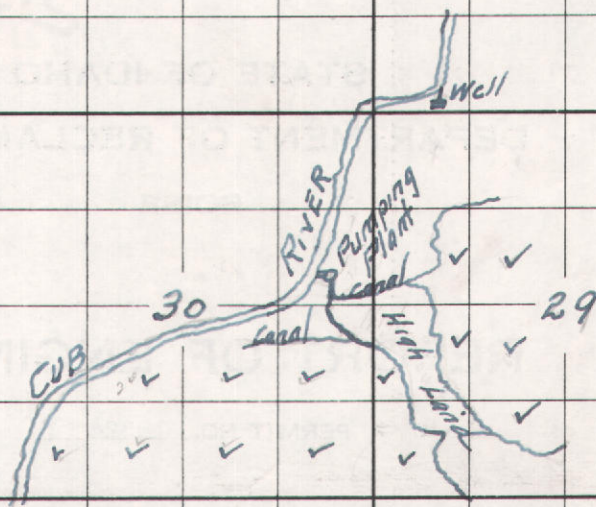
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18324

REPORT ON PROOF OF Beneficial Use

OK. .75 cfs.
No fee. Supp. Supply.



TWP 16 S, R 40, E.B.M.

Permit
18324

February 5, 1938

Mr. J. J. Sanford
Preston, Idaho

Dear Mr. Sanford:

I am in receipt of a letter from the Franklin Cub River Pumping Company in which they request that this department make an inspection within the next ten days for beneficial use proof on a certain permit.

If it is possible for you to make this inspection, will you let us know immediately at what time you can make the inspection and what your fees would be.

If we decide to have you do the work, we will forward the necessary inspection blanks to you immediately.

Very truly yours,

Deputy Commissioner of Reclamation

PHB:jl

18324

AFFIDAVIT OF PUBLICATION

I, Louise Monson, Foreman
(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 Sept. 22, 1937... and ending with the issue dated,

Oct. 13, 1937...

Louise Monson

Subscribed and sworn to before me

this 15 day of Oct

1937

A. K. Baum
Notary Public.

18324

NOTICE FOR PUBLICATION

Notice of Proof of Application of
Water to Beneficial Use

Notice is hereby given that at 10:00 A. M. on the 15th day of October, 1937, 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 0.75 cubic feet per second of the waters of flowing well in accordance with the terms and conditions of Permit No. 18324 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Franklin Cub River Pumping Company, Franklin, Idaho.

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

The amount applied to beneficial use is 0.75 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) W $\frac{1}{2}$ of Section 28, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 29; S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 30, Township 16 South Range 40 East, B.M.

The name of the canal or other works by which said water is conducted to said place of use is the Franklin Cub River Pumping Company's canal.

The right to take water from such works is based upon Permit No. 18324.

The source of supply from such water diverted is flowing well.

The date of priority which said user is prepared to establish is July 23, 1936

R. W. Faris,

Commissioner of Reclamation

S.22 O13 4t.

18324

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

Notice is hereby given that at 10:00 A. M. on the 15th day of October, 1937,
 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 0.75 cubic feet per second of the waters of
flowing well in accordance with the terms and conditions of Permit No. 18324
 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

Franklin Cub River Pumping Company, Franklin, Idaho.

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

The amount applied to beneficial use is 0.75 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) W $\frac{1}{2}$ of Section 28; NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of Section 29;
S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 30, Township 16 South, Range 40 East, 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 Franklin Cub River Pumping Company's canal.

The right to take water from such works is based upon Permit No. 18324.

The source of supply from which such water is diverted is flowing well.

The date of priority which said user is prepared to establish is July 23, 1936.

R. W. FARIS

Commissioner of Reclamation.

18324

State of Idaho
DEPARTMENT OF RECLAMATION

BOISE

DEC 5 - 1936

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

FRANK OLSEN, President
Franklin-Gub River Pumping Co.
Franklin, Idaho
Dear Sir:—

Boise, Idaho,

Under the terms of your permit No. 18324 you are required to complete your diversion works on or before Feb. 20, 1937. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided, the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00 a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

R. W. FARIS

Commissioner of Reclamation.

18324

State of Idaho
License and Certificate of Water Right

Water License No. 18324 Amount 0.75 Sec. Ft.
Water District No. Priority 7-23-1936

THIS IS TO CERTIFY that THE FRANKLIN-CUB RIVER PUMPING COMPANY of Preston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 28, 1936; that Permit No. 18324 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.75 second feet, was issued thereunder on April 14th, 1937, showing that said works were completed on the 7th day of April, 1937; and that on the 15th day of October, 1937,

THE FRANKLIN-CUB RIVER PUMPING COMPANY of Preston, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of an artesian well, ~~a tributary of~~, for the purpose of irrigation, under Use Permit No. 18324 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3899, on the 6th day of June, 1938; The right hereby confirmed dates from July 23, 1936;

The Point of Diversion is located in the SW 1/4 SW 1/4, Sec. 20, Tp. 16 S., R. 40 E., B. M., Franklin County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.75 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S.	40 E.	28	W 1/2	320	0
			NE 1/4	160	0
		29	S 1/2 NW 1/4	80	80
			N 1/2 SW 1/4	0	80
			S 1/2 SW 1/4	80	80
			SE 1/4	160	0
		30	NE 1/4 SW 1/4	0	20
			S 1/2 SW 1/4	80	80
			SE 1/4	160	160
				1040	500

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 6th day of June, 1938.

R. W. FARIS
Commissioner of Reclamation

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 18132Amount 1.5 Sec. Ft.

Water District No. _____

Priority April 24, 1935

THIS IS TO CERTIFY that **IDAHO POWER COMPANY,**
of **Boise, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **April 24**, 1935; that Permit No. **18132**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.5 second feet, was issued thereunder on **June 13th**, 1936, showing that said works
were completed on the **10th** day of **June**, 1936; and that on the **29th**
day of **November**, 1937,

THE IDAHO POWER COMPANY,
of **Boise**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **certain unnamed**
springs ~~xxxxxxxxxx~~ tributary to the **Snake River**, for the purpose of **domestic, irrigation**
and power/station purposes, under Use Permit No. **18132** of the **Commissioner of Reclamation**
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume **7**
of Licenses, at page **3900**, on the **17th** day of **September**, 1938;

The right hereby confirmed dates from **April 24**, 1935;

The Point of Diversion is located
in the **SE ¼ NW ¼**, Sec. **4**, Tp. **10 S.**, R. **18 E.**, B. M., **Twin Falls County**.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **1.5**
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	18 E.	4	Lot 3 Lot 5 SE ¼ NW ¼	15.10 29.88 40.00	7½ altogether

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this **17th** day of **September**, 1938

R. W. FARIS

Commissioner of Reclamation

(SEAL)

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

Application No. 25581

Permit No. 18324

District No.

1. Name of Applicant: Franklin-Cub River Pumping Co.

Postoffice address: Franklin County: Franklin State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: June 30, 1919, Franklin County, Idaho
 (b) Amount of capital stock: \$25,000.00
 (c) Amount paid in: \$10,000.00
 (d) Names and addresses of directors: Frank Olsen, Chairman; Wm. Durrant; Wilford Hatch; Harry Shrives; George Butterworth; F. E. Woodward; Alvin Atkinson; all of Franklin, Franklin County, Idaho

II. The financial resources of the applicant are:

- (a) Cash on hand:
 (b) Treasury stock: Approx. \$300.00 (c) Bonds to be issued: No bonds issued
 (d) Other resources: Water system. 5.1 cu. ft. decreed water right

2. Quantity of water claimed: .75 cubic feet per second.

3. Source of water supply:
- Artesian Well
- which is a tributary of

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

corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
 of Section 20 , T. 16 S. , R. 40 E., B. M., County of Franklin

5. Water is to be used for: Irrigation

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

- (a) Point of use of water: feet distant from corner of Section
 T. , R. , B. M., in the of Section , T. , R. , B. M.
 (b) Amount of power generated: H. P., under feet head.
 (c) Water is to be returned to at a point feet
 distant from the corner of Section , T. , R. , B. M., in the
 of Section , T. , R. , B. M.

7. Estimated cost of works: \$ Approximately \$1500.00. Work now completed.

8. Kind of works: Digging well, casing, etc.

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

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

11. Ditch: Width at bottom 1 feet; width at water line 1 $\frac{1}{2}$ feet; depth of water $\frac{1}{2}$
 feet; dimensions of flume:

Diameter of pipe inches; length of conduit (Well to Cub River) 140 ft. ~~miles~~

Average grade per mile 5 feet.

12. The time required for the completion of such work is 6 months
- ~~years~~

13. The time required for the complete application of the water to the proposed use is 6 months additional
- ~~years~~

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

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

Franklin-Cub River Pumping Co.

Applicant.

By Frank Olsen, President

~~SECRET~~

Date of first receipt at Department of Reclamation: 9:00 A. M., May 28, 1936

Returned to applicant for correction: June 18, 1936

Corrected application received: July 1, 1936

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18324

Recorded in Book 66 Page 18324 Approved August 20, 1936

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 19, 1936** 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 **November 20, 1936**

The whole of said work to be completed on or before **February 20, 1937**

Beneficial use of water appropriated in accordance herewith, to be made on or before August 20, 1937

Witness my hand this 20th day of August, 1936.

R. W. FARIS

Commissioner of Reclamation.

Remarks: The water from this well is to be turned into Cub River at the site of the well, run approximately 3/4 mile downstream, in a southwesterly direction, and pumped out of Cub River into Franklin-Cub River Pumping Company's canal for distribution to irrigated lands.

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 $\frac{1}{4}$	
16 S.	40 E.	28					40	40	40	40	40	40	40	40					320
		29	40	40	40	40			40	40			40	40	40	40	40	40	480
		30											40	40	40	40	40	40	240

Total Number of Acres to be Irrigated

1040

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement
of Permit No. 18324 Under the
Provisions of Section 41-311, I.C.A.

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 18324 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: February 20, 1937; and,

WHEREAS, On the 10th day of March, 1937, notice to show cause why said permit should not be canceled, under the provisions of Section 41-311, I.C.A. was duly served on the holder of said permit; and,

WHEREAS, On the 30th day of March, 1937, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 10th day of April, 1937, depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the Commissioner of Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 18324, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 18324 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department,
at Boise, Idaho, this 14th day of April, 1937.

(SEAL)

R. W. FARIS
Commissioner of Reclamation

Permit No. 18324

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that FRANKLIN-CUB RIVER PUMPING CO. of Franklin, County of Franklin, and State of Idaho, the holder of Permit No. 18324, issued upon Application No. 25561 bearing date of priority of May 28, 1936, authorizing the diversion of 0.75 second feet of the waters of an artesian well, County of Franklin, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.75 second feet of the waters of an artesian well; that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 16 S., R. 40 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: W $\frac{1}{2}$ of Sec. 28; NE $\frac{1}{4}$, S $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 29; S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 30, T. 16 S., R. 40 E., B. M.

Witness my hand this 14th day of April, A. D. 1937.

R. W. FARIS
Commissioner of Reclamation

Proof of Completion of Works made April 7, 1937
Certificate of Completion of Works issued April 14, 1937

LICENSE ISSUED FOR 0.75 SEC. FT.

V. T. P. 3877
Priority 7-23-1936

18324 Franklin but River Pumping Co.
0.75 c.f.s. from artesian well.

Priority 7-23-36

P.D. SW., SW., Sec. 20, T. 16 S. - R. 40 E.
Flow est. 0.75 c.f.s.

18322 Franklin but River Pumping Co.
0.16 c.f.s. from artesian well.

Priority 6-8-54

P.D. in SE. SW., Sec 20, T. 16 S. - R. 40 E.
Flow est. 8"

18324

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 3743

INSURED PARCEL

No. _____

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

POSTMARK OF DELIVERING
OFFICE

AND DATE OF DELIVERY

FRANKLIN
MAR 21
530
1937 MAR 23 1937

Return to _____
COMMISSIONER OF RECLAMATION
(NAME OF SENDER)

Street and Number, }
or Post Office Box, } _____

BOISE,

IDAHO.

RETURN RECEIPT

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

Frank Olsen

(Signature or name of addressee)

(Signature of addressee's agent)

Date of delivery, -----

March 20, 1937

Form 3811

U. S. GOVERNMENT PRINTING OFFICE

18324

April 30, 1957

Re: Filings California Packing Co.
Lot 3, Blk 13, Village of Franklin,
County of Franklin, State of Idaho.

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

Your letter states that there are two wells on the above described property being operated by the California Packing Company and you wish to be advised of the amount of water that the certificate of completion shows this company is entitled to use.

We wish to state that the records of this Department do not show any filing in the name of the California Packing Company or in any other name which it might be filed under in Lot 3 of Blk 13, Village of Franklin.

You also wish to be advised as to the capacity of Well No. 2 of the Cub River Pumping Co., of which we understand inspection was made last week and that we have this information available. We assume by Well No. 2 you mean the last well that was filed on by the Franklin Cub River Pumping Co. which is Permit No. G-24972. Amount of water filed on .16 cubic feet per second from an artesian well located in the SE of the SW¹/₄ Sec. 20, Twp. 16. We wish to state that this well has been proved up on by the Franklin Cub River Pumping Co. and inspection has been made, however, the records do not show that license has been issued yet but the priority of same will be June 8, 1954 and the well is located in the SE, SW¹/₄ Sec. 20, Twp. 16, S. 40 E. According to the engineer's report, said water was not measured at said well, however, it was estimated that there was 8 inches or 0.16 cubic feet per second of water available there and the license will state 0.16 cubic feet per second.

We have another filing on a well by the Franklin Cub River Co., and license issued for same, License No. 18324, amount 0.75 cubic feet per second from an artesian well with priority of July 23, 1936 with well located in the SW¹/₄, SW¹/₄, Sec. 20, Twp. 16 S., R 40 E.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy H. Thompson
Office Manager

RMH:d

RECEIVED
APR 16 1957
Department of Reclamation

April 15, 1957

Hon. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Re: Filings California Packing Co. *Wells*
Lot 3, Block 13, Village of *J- 16 B*
Franklin, County of Franklin, *P. 40 E*
State of Idaho. *Sec. 20 Franklin*
Sec 21

Dear Sir:

There are two wells upon the above described property being operated by the California Packing Company. *No record.*
Will you advise the amount of water that the certificate of completion shows that this company is entitled to use.

Also please advise capacity of Well No. 2 of the *18324*
Cub River Pumping Co., of which we understand inspection *24972*
was made last week and that you will have this information available. *4-10-57*
8 inches

Thanks.

Very truly yours,

O. R. Baum
O. R. BAUM

ORB:EA

LAW
OFFICES
O. R. BAUM
POCATELLO
IDAHO

RUBY Y. BROWN
ASSOCIATE

18324

18324

December 22, 1953

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

Dear Mr. Johnson:

In reply to your letter of December 21st, inquiring as to
a filing of the Franklin - Cub River Pumping Company on wells:

Our records show License No. 18324 with priority of July 23, 1936,
to the Franklin - Cub River Pumping Company for .75 second foot of
water from an artesian well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, Township 16 South,
Range 40 East, B.M., for the irrigation of land in the S $\frac{1}{2}$ NW $\frac{1}{4}$ and
SW $\frac{1}{4}$ Section 29; NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 30, Township 16 South,
Range 40 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re

18324

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

December 21, 1953

RECEIVED
DEC 22 1953
Department of Reclamation

State Reclamation Engineer
State Capitol Bldg.
Boise, Idaho

Att: Mrs. Anderson

Dear Mrs. Anderson:

Would you kindly advise if the Franklin - Cub River
Pumping Company has any filings for wells shown on your books
during the past 20 years.

Their address is at Franklin, Idaho.

Sincerely yours,


Ben B. Johnson

BBJ:nf

18 324

June 6, 1938

Re: Permit No. 18324,
Franklin Cub River Pumping Co.

Mr. J. J. Sanford
Preston, Idaho

Dear Sir:

We are herewith enclosing License and Certificate of Water Right issued to The Franklin Cub River Pumping Company under their above-numbered permit to appropriate 0.75 second feet of water from an artesian well for irrigation purposes. Inasmuch as you made the field examination upon which this license was based, will you please deliver this license to Mr. Frank Olsen, President of the company.

The Department again wishes to express its appreciation to you for making the examination in connection with this permit.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

j1
Encl.

18324

OFFICE OF
TWIN LAKES CANAL CO.
PRESTON, IDAHO

RECEIVED May 17, 1938
MAY 18 1938
Department of Reclamation

Mr. R. W. Faris,
Boise, Ida.

Dear Mr. Faris:-

Some time ago I made an examination of the Franklin Cut River pump plant, and mailed the papers to you.

About a week ago the Pres of the Company asked if I had heard anything from you as to the standing of the final proof of beneficial use; and I promised to write to you about it.

We are having a very wet & cloudy spell of weather. Have had the reservoirs full and have been spilling water into Bear River for some time. All of the day has been watered.

I never get up Boise way; but

18324

OFFICE OF
TWIN LAKES CANAL CO.
PRESTON, IDAHO

have been hoping that you might
some day get down this way. We
would all like to see you very
much.

Very truly yours,
Jack Sanford.

Page 1736
Aug 20 1937

RECEIVED
AUG 7 1938
Department of Reclamation

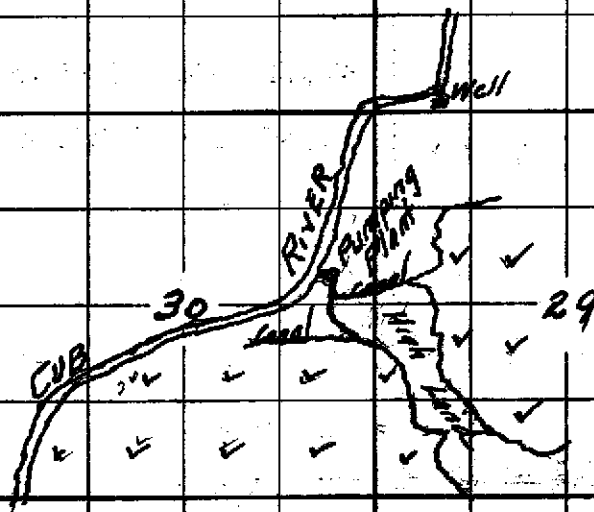
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18324

REPORT ON PROOF OF Beneficial Use

OK. .75 CFS.
No fee. SUPA SUPPLY



TWP 16 S. R. 40 E. BM

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18324

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

1. Name of applicant..... Franklin-Cub River Pumping Co.....
2. Source of water supply:..... Artesian Well.....
3. Location of point of diversion: Is in the..... SW¹/₄ SW¹/₄..... of Section..... 20.....
T. 16 S. R. 40 E., B.M. County of..... Franklin.....
4. Describe works as they exist, giving dimensions and capacities of same:..... Artesian Well..... 12 inch casing.
Flow approximately .7 C. F. S. Ditch 100 feet in length from Well to Cub River.
Water from the Well flows into the Cub River and down the river channel to the
SE¹/₄ NE¹/₄ Sec. 30, T. 16 S., R. 40 E. B. M. where together with other waters of the
Franklin Cub River Pumping Co. it is raised approximately 55 feet by two pumps
of 4 C. F. S. capacity each.
5. Water is used for:..... Irrigation.....
6. State whether or not water has been turned into works of diversion:..... Yes.....
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
W¹/₂ of Sec. 29; NE¹/₄, S¹/₂NW¹/₄, S¹/₂SW¹/₄, & SE¹/₄ of Sec. 29; S¹/₂SW¹/₄ & SE¹/₄ of Sec. 30, all in T. 16 S., R. 40 E., B. M.

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

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

Remarks..... Well capped at this time. Ditches also supply water for land in Utah.....

This examination was made on the

5th

day of

March

1938

(Signed)

J. J. Sanford

Engineer.

Frank Olsen, Pres.
Franklin Cub River Pumping Co.
Franklin, Idaho

67

Permit No. 18324

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.
-

February 25, 1938

Re: Permit Number 18324

Mr. J. J. Sanford
Preston, Idaho

Dear Mr. Sanford:

I have your letter of February 22, in which you inform me that you have made an inspection in connection with the above numbered permit.

It will not be necessary that you make an exact plat of the ditches and the number of acres in each forty acre tract. I am inclosing a plat showing the forty acre tract named under the permit. This map may be of some aid to since it will help you in making up the plat to accompany your report. The points shown in this map are those that you will show on your plat, and it is proper to show the lands in the district as I have shown them. I hope that making this inspection has not caused you too much inconvenience, and I wish to thank you for your help in this matter.

Very truly yours,

Deputy Commissioner of Reclamation

PHB:mh
Inc.

18324

Preston, Idaho.
February, 22, 1938.

Mr. Paul H. Berg,
Boise, Idaho.

Re: Permit No. 18324.

Dear Mr. Berg:

Owing to weather & road conditions, Mr. Olsen, President of the Franklin Cub River Pumping Plant thought it best that we wait a few days before inspecting their project.

Yesterday, Mr. Olsen and two of their Directors went over part of their project with me and I found the artesian well (now capped and which they claim flows .7 C. F. S.) is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 20, T. 16 S., R. 40 E. B. M. They also claim that the water from this well has been used for the past three years, being conducted from the well to the Cub River thro a ditch 100 feet in length, thence down the river channel to the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 30-16-40 where their pumping plant is located.

As their pumps and ditches have been in use since 1919, and as this well furnishes a supplementary water supply for their original project; they wanted to know if it would be necessary to go to the expense of making an exact plat ^{of the ditches} and the number of acres in each forty. As the County plats have not been corrected for twenty years, it will take considerable time to plat the ditches and acres accurately.

Very truly yours,

J. J. Sanford

18324

February 11, 1938

Re: Permit No. 18324.

Mr. J. J. Sanford
Preston, Idaho

Dear Mr. Sanford:

I have your letter of February 8th, in which you state that you will be glad to make the inspection for proof of beneficial use on the Franklin Cub River Pumping Company Permit No. 18324.

I am enclosing an engineer's report form which you may fill out upon making your inspection. Will you please show the forty-acre subdivisions irrigated in the space provided for a map, and also the number of acres irrigated in each forty-acre subdivision.

I wish to thank you in advance for making this inspection.

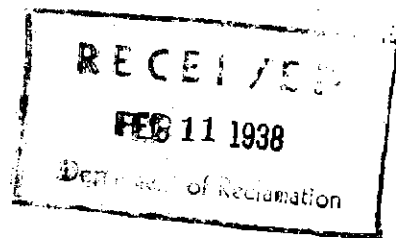
Very truly yours,

Deputy Commissioner of Reclamation

PHB:jl
Encl.

18324

Preston, Idaho.
February 8, 1938



Mr. Paul H. Berg,

Boise, Idaho.

Dear Mr. Berg:

I would be glad to make the inspection of the Franklin
Cub River Pumping Company for you, as at the present time I am
not very busy and I could do it most any time.

Asfar as the fees are concerned, just give my regards to
Mr. Faris and call it paid.

Very truly yours,

J. J. Sanford.

18324

Permit
18324

February 5, 1936

Mr. J. J. Sanford
Preston, Idaho

Dear Mr. Sanford:

I am in receipt of a letter from the Franklin Cub River Pumping Company in which they request that this department make an inspection within the next ten days for beneficial use proof on a certain permit.

If it is possible for you to make this inspection, will you let us know immediately at what time you can make the inspection and what your fees would be.

If we decide to have you do the work, we will forward the necessary inspection blanks to you immediately.

Very truly yours,

Deputy Commissioner of Reclamation

PHS:jl

18324

February 5, 1938

Re: Permit No. 18324.

Mr. Frank Olsen, President
Franklin Cub River Pumping Co.
Franklin, Idaho

Dear Mr. Olsen:

I have your letter of February 2, 1938, in which you request that this department send its field engineer, Mr. Fred Tolman, to make an inspection on the above numbered permit.

It would cost approximately \$50.00 for Mr. Tolman to make this inspection now, since he would have to make the entire trip for the one inspection. It has been our practice in the past to pool the permits in certain localities so that the field engineer might inspect them all on one trip, thus cutting the unit cost for each inspection.

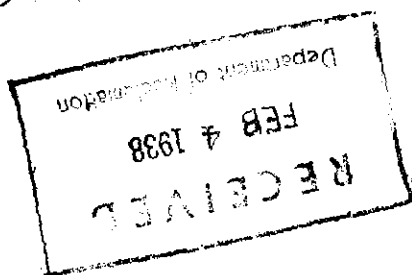
It may be possible for us to secure the services of an engineer in your locality to make this inspection. However, if we are unsuccessful, it will probably be two or three months before an inspection will be made.

Very truly yours,

Deputy Commissioner of Reclamation

PHB:jl

18324



Franklin, Idaho,
Feb. 2, 1938.

R. W. Farris

Boise, Idaho, Dept of Reclamation,

Dear Mr. Farris,

In your letter of November first you stated before final action could be made the state Engineer, Mr. Tolman would have to make a field examination and his report be placed on file in your office.

I am very anxious to finish this business up as soon as possible as it has taken us so long to complete it this far. Would it be possible for Mr. Tolman to make this examination in the next ten days, and we wish this report made in our annual meeting that this matter of business has been finished. Thanking you for the interest taken in this matter I am, Yours truly,

Frank Olsen, (Pres.)

Franklin Cub River Pumping Co.,
Franklin, Idaho.

about 30

November 1, 1937

Re: Permit No. 18324.

Mr. Frank Olsen, President
Franklin Cub River Pumping Co.
Franklin, Idaho

Dear Sir:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses and the affidavit of proof of publication from the newspaper, all in connection with beneficial use proof under the above permit.

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

However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his report is on file in this office you will be further notified as to fees due before the issuance of your license.

Very truly yours,

Deputy Commissioner of Reclamation

jl

18324

AFFIDAVIT OF PUBLICATION

I, Louise Hanson, Foreman
(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 Sept. 22, 1937

and ending with the issue dated,

Oct. 13, 1937

Louise Hanson

Subscribed and sworn to before me this 15 day of Oct

1937

[Signature]
Notary Public.

18324

NOTICE FOR PUBLICATION

Notice of Proof of Application of
Water to Beneficial Use

Notice is hereby given that at 10:00 A. M. on the 15th day of October, 1937, 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 0.75 cubic feet per second of the waters of flowing well in accordance with the terms and conditions of Permit No. 18324 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Franklin Cub River Pumping Company, Franklin, Idaho.

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

The amount applied to beneficial use is 0.75 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) W $\frac{1}{2}$ of Section 28, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 29; S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 30, Township 16 South Range 40 East, B.M.

The name of the canal or other works by which said water is conducted to said place of use is the Franklin Cub River Pumping Company's canal.

The right to take water from such works is based upon Permit No. 18324.

The source of supply from such water diverted is flowing well.

The date of priority which said user is prepared to establish is July 23, 1936

R. W. Faris,

Commissioner of Reclamation
S.22 O13 4t. 18324

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

18324
OCT 19 1937

Permit No. 18324

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Frank Olsen, the President of the Franklin Cub River Pumping Company, Residence and Postoffice address, Franklin, 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. Franklin Cub River Pumping Company, Franklin, Idaho, President, by order of its Board of Directors.

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

Ans. 18324, ^{Aug. 20} July 23, 1936, July 23, 1936.

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

Ans. Deep flowing well, in SW 1/4 SW 1/4, Sec. 20, T. 16 S., R. 4 E., B. M.

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

Ans. Run the water from well to river in an open ditch, and down river lift water out of river by means of pumps to lands irrigated.

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, West half of Section 28; Northeast quarter; South half of Northwest quarter; South half Southwest quarter; and Southeast quarter of Section 29; South half of Southwest quarter; and Southeast quarter of Section 30, Township 16 South, Range 40 East of the Boise Meridian. Land is cultivated land, changing dry land to irrigated lands.

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

Ans. for irrigation

18324

PERMIT TO DIVERT

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

Ans. 0.75 cubic Feet per second of time , together with other waters.

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. Am the President of the corporation mentioned.

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

Ans. July 23, 1935, used for irrigation, 0.75 Cu.Ft.Per sec. of time together with other waters, and has been used continuous ever since during irrigation season.

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. In year 1920, we had decreed waters that we had the point of diversion changed, to increase this suply we drilled the well in question and added its water to the waters we allready had acquired and lifted the said waters out of the river by means of a power pump.

(Sign) Frank Olsen

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 15th. day of Oct., A. D. 19 37

H. Kaum

Notary Public, Preston, Idaho.

My commission expires May 1, 1940.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18324

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. L.F. Sarborough, age 46 yrs. Farmer, Franklin, Idaho.

Ques. 2. Are you acquainted with Franklin Cub River Pumping Company, the holder of Permit No. 18324? How long have you known him and where does he reside?

Ans. yes, as long as they have been in existence.

Ques. 3. Have you read or heard read said Permit No. 18324, 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. Source of Suply is from deep flowing well, water is run from well to river in an open ditch, then conveyed down Cub River to where pump is located then raised out of river by means of power pump to lands in question.

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. 0.75 Cubic Feet per second of time together with other waters.

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. Irrigation, West half of Section 28; North east quarter; South half of Northwest quarter; South half of Southwest quarter and Southeast quarter of Section 29; and South half of Southwest quarter and Southeast quarter of Section 30, Township 16 South, Range 40 East of the Boise Meridian. used on cultivated lands, lands changed from dry land to irrigated lands.

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

Ans. for irrigation .

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 is black loam and suitable for irrigation, water from well together with the other waters owned sufficient for the lands in question.

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

Ans. No.

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

Ans. Have seen lands irrigated with waters in question practically every day during irrigation seasons.

(Signed)

L. F. Dearbrough

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 Oct. 15, 1937, A. D. 1937.

[Signature]
Notary Public.

My commission expires May 1, 1940.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18324

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. O.C. Hampton, Age 49 years, Franklin, Idaho, Costodian of
Franklin Schools, Franklin, Idaho.

Ques. 2. Are you acquainted with Franklin Cub River Pumping Company, the holder of Permit No. 18324? How long have you known him and where does he reside?

Ans. Place of Busines is Franklin, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18324, 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. deep well flowing water.

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

Ans. 0.75 Cubit feet per second of time.

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. Irrigation, West half of Sec. 28, Northeast quarter; South half
of Northwest quarter; South half of Southwest quarter; and Southeast
quarter of section 29, and the Southhalf of the Southwest quarter; and
the Southeast quarter of section 30, Township 16 South, Range 40 East of the
Boise Meridian. Land is cultivated land, changing land from dry farm
to irrigated lands.

18324

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

Ans. none

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. water from the well together with other waters has reclaimed about 800 acres.

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

Ans. no,

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

Ans. Have seen water used for irrigation on the above named land nearly every day during irrigation season.

(Signed)

OC Hampton

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 15th. Oct., A. D. 1937.

Raus

Notary Public.

My commission expires May 1, 1940.

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

October 4, 1937

Mr. J. N. Larsen
Notary Public
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. 18324

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 Oct. 15th, 1937, 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 J. N. Larsen, Notary Public

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

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

Yours truly.

R. W. FARIS

Commissioner of Reclamation.

18324

August 31, 1937

Re: Permit 18324.

Franklin Cub River Pumping Co.
Franklin, Idaho.

Attn: Frank Olsen, President.

Gentlemen:

Your notice in duplicate for publication in connection with final proof under the above permit, as well as your authorization to have the notice published in the Franklin County Citizen, was received in this department on August 20th.

You stated in your notice that proof would be offered before R. W. Paris on August 20th. This, of course, was impossible, since the notice itself requires four weeks publication.

If you will check through your files, you will find that we served notice about sixty days before August 20th, which was the date when proof was due, to the effect that proof would be due at that time, and also that the notice would have to be published for four consecutive weeks prior to the date set for proof. It is quite evident that you ignored the Department's instructions, but fortunately you will suffer no material loss.

As it is, you must make out a new notice in duplicate, setting the date for proof sufficiently far ahead for the publication prior to the date when proof will be offered, and so that the proof may be made at Preston before any Notary Public. We are herewith enclosing new forms for your convenience.

Very truly yours,

Deputy Commissioner of Reclamation

PLH:jl
Encl.

18324

18324

September 17, 1937

THE FRANKLIN CUB RIVER PUMPING COMPANY
Franklin, Idaho

Dear Sirs:

This will acknowledge receipt of your notice in duplicate for publication in connection with the proof of beneficial use on the water claimed under the above permit. A copy of this notice is being mailed today to the Franklin County Citizen, at Preston, with instructions to publish the same for four (4) consecutive weeks, prior to October 15, 1937.

The necessary depositions will be furnished Mr. Larsen in ample time and you should appear before him with two witnesses at the time specified in the notice for the purpose of executing the depositions. When proof has been taken, kindly mail them to this Department, together with the affidavit of publication from the newspaper.

Yours very truly,

Paul L. Henry
Deputy Commissioner

PLH/ci

cc to J. N. Larsen, Preston

18324

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date September 17, 1937

THE FRANKLIN COUNTY CITIZEN
Preston, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to October 15, 1937, the date set for proof, the expense of the publication to be paid by the applicant, The Franklin Pub River Pumping Company,
Franklin, Idaho

to whom you should furnish proof of publication on or prior to the date set for proof.

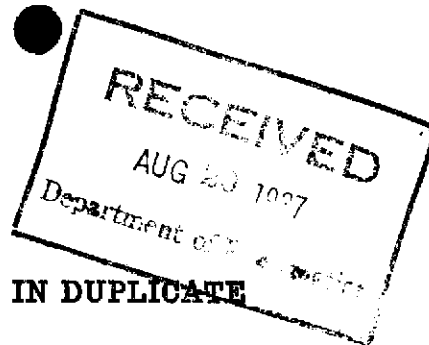
Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

R. W. FARIS

Commissioner of Reclamation

18324



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____ August 28, 1937 _____

(P. O.) _____ Franklin, Idaho _____

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Franklin County Citizen _____ of _____ newspaper _____, published in
the county in which the works are situated.

Franklin Cub River Pumping Co. _____

By

A handwritten signature in cursive script, appearing to read "Frank Ober".

President

(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.

18324

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

Notice is hereby given that at 10:00 A. M. on the 15th day of October, 1937,
 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 0.75 cubic feet per second of the waters of
flowing well in accordance with the terms and conditions of Permit No. 18324
 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

Franklin Cub River Pumping Company, Franklin, Idaho.

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

The amount applied to beneficial use is 0.75 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) E $\frac{1}{2}$ of Section 28; NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of Section 29;
S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 30, Township 16 South, Range 40 East, 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 Franklin Cub River Pumping Company's canal.

The right to take water from such works is based upon Permit No. 18324

The source of supply from which such water is diverted is flowing well.

The date of priority which said user is prepared to establish is July 23, 1936

R. W. FARIS

Commissioner of Reclamation.

18324

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE**

June 9, 1937

Frank Olsen, Agent
Franklin-Cub River Pumping Co.
Franklin, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 18324....., which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is Aug. 20, 1937....., 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,

R. W. FARIS
~~GEO. N. CARTER~~
Commissioner of Reclamation.

18324

April 14, 1937

Re: Permit No. 18324

FRANK OLSEN, President
Franklin-Cub River Pumping Co.
Franklin, Idaho

Dear Sir:

You will find enclosed herewith, Order Reinstating Permit and Certificate of Completion of Works which have today been signed by the Commissioner. We are also enclosing our office receipt No. 16172 in the amount of \$5.00 covering fee submitted by you with the special depositions for proof of completion of works which were recently received in this office.

This department will notify you about sixty days prior to the time when final proof is due, furnishing you with the proper blanks and instructions for making this proof.

Very truly yours

R. W. FARIS
Commissioner of Reclamation

by
Chief Clerk

cj
encl 3

18324

NOTICE OF APPEARANCE

To Commissioner of Reclamation

Boise, Idaho.

Dear Sir:

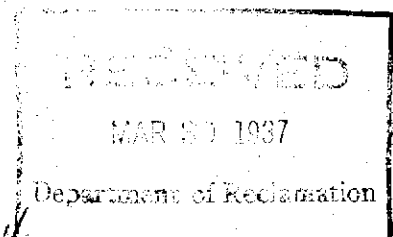
Receipt of notice that Permit No. 18324
is held for cancellation, under the provisions of Section
41-311, Idaho Code Annotated, is acknowledged.

I hereby enter an appearance and will offer proof
to show that the works required thereunder were fully com-
pleted on the date proof of completion of works was due.

Dated at Franklin, this 20
day of Feb., 1937.

Franklin-Cub River Pumping Co.
Applicant.

By Frank Olsen (Pres.)
Agent.



PERMIT NO.

RECEIVED

APR 10 1937

Proof of Completion of Works

DEPOSITION OF HOLDER

Sec. 41-311, Idaho Code Annotated
In compliance with ~~Sec. 5504, Compiled Statutes of Idaho.~~

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

Ans. Frank Olsen, Franklin Idaho, Farmer, also

President - Franklin C. River Pumping Co.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Franklin C. River Pumping Co. Franklin Idaho

President, Authorized by Board of Directors

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. 18324 Aug 20 - 1936 75 Cu Ft per second

Well water turned in to C. River SW 4 E W 4 T 16 S R 40 E

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you have reclaimed or intend to reclaim.

Ans. Irrigation, to be used in connection with other water

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Was turned in about July 1 - 1936 - and pump will begin as soon as water is needed.

Ques. 6. State whether or not the works of diversion are fully completed, if so on what date, and whether or not they comply in all respects with terms of the permit.

Ans. Yes, well is fully completed was completed July 1 - 1936

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. It complies

Ques. 8. Give description of works and state dimensions and capacity of each part as they existed on July 1 - 1936, and give cost of same.

Ans. Well, 240 ft deep cased with 12 inch steel oil casing and ditch carrying water to River.

(Sign here.)

Frank Olsen

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 Franklin County of

Franklin

State of Idaho, on this

7th

day of

April

A. D. 1937

My Commission expires May 1 - 1937

Notary Public.

Preston L. H.

18324

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. 18324

RECEIVED

APR 10 1937

Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

Sec. 41-811, Idaho Code Annotated
In compliance with ~~Sec. 41-811, Compiled Statutes of Idaho.~~

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

Ans. H. D. Lowe, Franklin, Idaho

Ques. 2. Are you acquainted with Franklin River Pumping Co., the

holder of Permit No. 18324 authorizing the diversion of 7 1/2 second-feet of the waters of one certain well, at Franklin Ida for irrigation purposes? How long have you known it, and where does it reside?

Ans. 18 years Franklin Idaho

Ques. 3. Have you read or heard read said Permit No. 18324, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. land adjoining Franklin together with other waters

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. Yes July 1-1936

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Deep well cased with 12 inch pipe, water pumped out with an electric flowing well now capped + uncapped when water is needed

(Sign here.)

H. D. Lowe

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, at my office in Franklin, County of Franklin

April, State of Idaho, on this 7th day of April, A. D. 1937

My Commission expires May 1-1937

M. H. H. H.
Notary Public.

18324

The Depositions of Witnesses, in this form, taken separately, required in each case.

RECEIVED

APR 10 1937

Department of Reclamation

PERMIT NO. 18324

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with ~~Sec. 5594, Compiled Statutes of Idaho.~~
Sec. 41-511, Idaho Code Annotated

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

Ans. Uriah Wilkinson, Franklin, Idaho

Ques. 2. Are you acquainted with... Franklin Cub-River Pumping Co., the holder of Permit No. 18324... authorizing the diversion of... 75... second-feet of the waters of one certain well..., at Franklin, Idaho for irrigation... purposes? How long have you known ^{it} ~~him~~, and where does ^{it} ~~he~~ reside?

Ans. 18 years... Franklin, Idaho

Ques. 3. Have you read or heard read said Permit No. 18324..., and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Land adjoining Franklin, together with other waters

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. Yes, July 1, 1936

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Deep well cased with 12 inch pipe, flowing well now capped... and uncapped when water is needed.

(Sign here.)

Uriah Wilkinson

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, at my office in Franklin, County of Franklin, State of Idaho, on this 7th day of April, A. D. 1937.

My Commission expires May 1, 1937

Notary Public.

18324

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

MAR 10 1937

, 192.....

Re: Permit No. 18324To: FRANK OLSEN, President
Franklin-Cub River Pumping Co.
Franklin, Idaho

It appearing to the Commissioner of Reclamation that the terms and conditions of Permit No. 18324,
to appropriate the Public Waters of the State of Idaho, have not been complied with as to.....

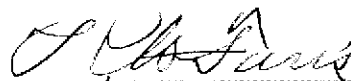
Completion of Works

you are hereby notified in compliance with Sec. 5594, Compiled Statutes of Idaho, that said Permit No. 18324
is hereby held for cancellation.

You are hereby required to show cause before the Commissioner of Reclamation on or before forty days
from date of this notice why said Permit should not be cancelled.

Said Permit No. 18324 claims the use of 0.75 cubic feet per second of the
waters of artesian well, with point of diversion located
SW₁ SW₄, Sec. 20, T. 16 S., R. 40 E., B. M., and
was approved August 20, 1936

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this
10th day of March, 1937.



Commissioner of Reclamation.

By _____
Assistant.

18324

March 30, 1937

Re: Permit No. 18324

FRANK OLSEN, President
Franklin-Cub River Pumping Co.
Franklin, Idaho

Dear Sir:

This will acknowledge receipt of your notice of appearance announcing your intention of offering proof to show that the works required under the above permit were completed within the time provided in the permit.

We are therefore enclosing herewith special depositions consisting of one for the holder and one each for two witnesses, which should be executed before a Notary Public or someone else who is empowered to administer oaths in this state, and returned to this department with a fee of \$5.00. The witnesses in this action must be people who have no financial interest in the permit or the lands for which it was issued.

Very truly yours

Deputy Commissioner of Reclamation

PLH/cj
encl

18324

March 25, 1937

Re: Permit No. 18324

FRANK OLSEN, President
Franklin-Cub River Pumping Co.
Franklin, Idaho

Dear Sir:

I am in receipt of your letter of March 23rd in which you acknowledge receipt of our notice of cancellation under the above permit.

You say that you have understood that the well which this permit covered has been approved and made a matter of record. It is quite true that your company filed an application for a permit to appropriate 0.74 of one second foot of water from a well, and as a result, Permit No. 18324 was issued to the company. However, a permit in any instance is only the right to initiate a water right.

If you will examine the permit, you will find that under the Commissioner's approval, that you were required to make proof of completion of works within a certain time. Under date of December 5th, this office mailed you notice to the effect that this proof would be due on February 20, 1937 and at that time, furnished you the proper form for offering proof. No response was made to that notice. Consequently, in order to clear the record, we were required to serve notice of cancellation.

The situation now is, if your works were fully completed to divert water from the well on or before February 20th, you can file a notice of appearance on the enclosed form to that effect, and it will then be possible to offer proof on special depositions which will be furnished by this office. If that is the case, kindly return this notice by return mail as the proof will have to be made immediately in order to have the permit reinstated.

Very truly yours

Deputy Commissioner of Reclamation

18324

PLH/cj
encl

RECEIVED
MAR 24 1937
Franklin, Idaho
Department of Reclamation
March 23 1937

Dept. of Reclamation,
Boise, Idaho.

Dear Mr. R. H. Jarvis,

I rec'd your notice stating we had failed to comply with all the requirements in order to file on the water of the artesian well.

We would like you to advise us where in we have failed as we have understood this well had been approved of and recorded on the state record.

Thanking you for the notice you sent us. Hope to receive advise from you so we can complete everything as soon as possible.

Yours truly,
Frank Olsen, (Pres.)
Franklin, Idaho

18324

State of Idaho
DEPARTMENT OF RECLAMATION

BOISE

9-1-1937

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

FRANK OLSEN, President
Franklin-Gub River Pumping Co.
Franklin, Idaho
Dear Sir:—

Boise, Idaho,

Under the terms of your permit No. 18324 you are required to complete your diversion works on or before Feb. 20, 1937. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided, the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00 a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

J. M. H. H. H.

Commissioner of Reclamation.

18324

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18324

August 21, 1936

Boise, Idaho,

Dear Sir:

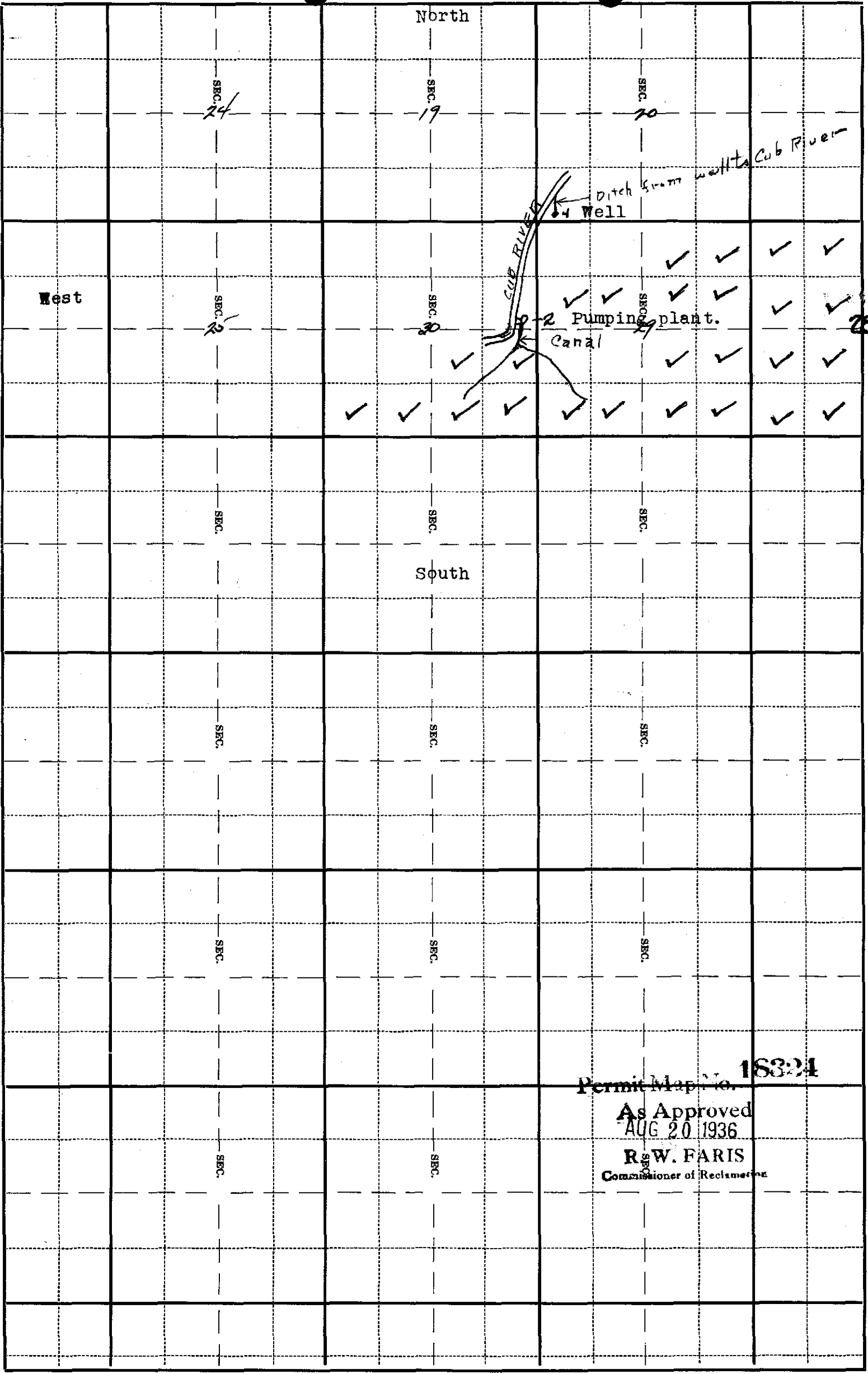
I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the third page.

Parley B. Dunkley, Agent
Franklin-Cub River Pumping Co.
Franklin, Idaho

R. W. FARIS

Commissioner of Reclamation.

18324



18324

July 8, 1936

Re: Application No. 25581
Franklin-Cub River Pumping Co.

PARLEY B. DUNKLEY, Agt.
Franklin, Idaho

Dear Sir:

We are herewith enclosing a new application, together with your plats, for your signature as agent for the company. This application has been prepared from information contained in the one which you submitted, and it is now in proper form.

Immediately upon its receipt, properly signed, a permit will be issued to the company.

Very truly yours

Chief Clerk & Office Engineer

PLH/cj
encl
Office Receipt No. 15881, \$5.00

18324

June 18, 1936

PARLEY B. DUNKLEY, Agent
Franklin-Cub River Pumping Co.
Franklin, Idaho

Dear Sir:

Your application for permit to appropriate 0.75 of one cubic foot of water per second from an artesian well, is herewith being returned for correction in a number of particulars.

Under Paragraph 11, will you kindly give the dimensions as well as the length of your ditch that will convey the water from the well to Cub River?

Under Paragraph 14, you will note that the tabulation provides for all the subdivisions contained in a section of land. Will you kindly indicate the number of acres that are to be irrigated in each 40 acre tract?

You should prepare a map in duplicate on the enclosed plate showing the location of the well, the ditch running from the well to the river, and also your ditch that takes water out of the Cub River to the lands that are to be irrigated.

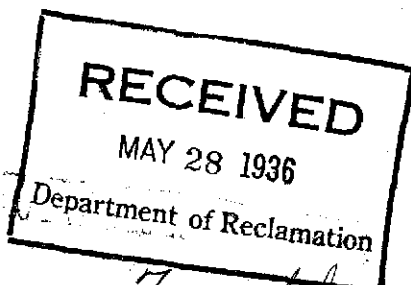
When the application and the maps have been completed, kindly return them to this department with a filing fee of \$5.00.

Very truly yours

Chief Clerk & Office Engineer

PLH/cj
encl

18324



Franklin, Idaho.
May 27, 1936.

Mr. R. W. Farrow,
Boise, Idaho.

Dear Sir,

I am returning those
papers I sent to you for
filing on artesian well.

They have been filled off
so want your approval
on them.

Will you please look after
the same in order to
make it legal with the state
and ec.

If there is any extra
expense connected with

18324

it we would be glad
to take care of it.

Yours truly,
Franklin Cub River Pumping
Frank Olsen (President)
Franklin,
Idaho.