

State of Idaho

License and Certificate of Water Right

Water License No. 10883/13-2066

Amount 100 sec. ft.

Water District No. 5-I

Priority 12-11-1914

THIS IS TO CERTIFY that Cub River Irrigation Company of Fairview, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 11, 1914; that Permit No. 10883 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 100 second feet, was issued thereunder on November 17, 1920, showing that said works were completed on the 9th day of December, 1919; and that on the 12th day of December, 1924,

Cub River Irrigation Company

of Fairview, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Bear River, a tributary of, for the purpose of irrigation and domestic use, under Use Permit No. 10883 of the State Engineer and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3287, on the 30th day of July, 1925;

The right hereby confirmed dates from December 11, 1914;

The Point of Diversion is located N. 80° 51' W., 691.5 ft. from the SE corner of in the 1/4 1/4 Sec. 20, Tp. 16 S., R. 39 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 100 cubic feet per second.

Description and location of use:

Lands Irrigated directly

SE 1/4 of SW 1/4	Sec. 23, T. 16 S., R. 39 E.	40 acres
W 1/2 of NW 1/4 of SW 1/4	" 25	20 "
All	" 26	640 "
All	" 27	640 "
E 3/4 and W 1/2 of SW 1/4	" 28	560 "
	TOTAL	1900 "

Land irrigated indirectly, or by exchange

S 1/2	Sec. 1, T. 16 S., R. 39 E.	320 acres
SW 1/4	" 2	160 "
SE 1/4 of SE 1/4	" 3	40 "
E 1/2	" 10	320 "
All	" 11	640 "
S 1/2 and E 1/2 of NE 1/4 and W 1/2 of NW 1/4	" 12	480 "
N 1/2	" 13	320 "
N 1/4 of NE 1/4 and SE 1/4 of NE 1/4 and W 1/2	" 14	440 "
S 1/2 of NE 1/4 and SE 1/4	" 15	240 "
SE 1/4	" 21	160 "
All	" 22	640 "
NW 1/4 and N 1/2 of SW 1/4 and SW 1/4 of SW 1/4 and S 1/2 of SE 1/4	" 23	360 "
W 1/2 of NW 1/4, and S 1/2 of SW 1/4 and NE 1/4 of SW 1/4 and E 1/2 of NW 1/4 of SW 1/4 and SW 1/4 of SE 1/4	" 25	260 "
	TOTAL	4380

13 2066

Affidavit of Publication

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial use.

Notice is hereby given that at 1:30 p. m. on the 12th day of December, 1924, at Preston, County of Franklin, State of Idaho, before P. M. Condie, notary public, proof will be submitted of the application to beneficial use of 100 cubic feet per second of the waters of Bear River in accordance with the terms and conditions of Permit No. 10883 heretofore issued by the State Engineer of the State of Idaho.

The name and post office address of the person or corporation holding said permit are Cub River Irrigation Company, Fairview, Idaho.

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

The amount applied to beneficial use is 100 cubic feet per second.

The place where said water is used is directly and by exchange, on lands in Twp. 16 S., R. 39 E., described as follows: S $\frac{1}{2}$ Sec. 1; SW $\frac{1}{4}$

Sec. 2; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3; S $\frac{1}{2}$ Sec. 10; all Sec. 11; S $\frac{1}{2}$, E $\frac{1}{4}$ NE $\frac{1}{4}$ & W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 12; N $\frac{1}{2}$ Sec. 13; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ & W $\frac{1}{2}$ Sec. 13; N $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 15; SE $\frac{1}{4}$ Sec. 21; all Sec. 22; NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 23; W $\frac{1}{2}$ NW $\frac{1}{4}$ S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25; SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23; W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25; all Sec. 26; all Sec. 27; E 3-4 & W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28, Twp. 16 N. R. 39 E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Cub River Irrigation Company's Canal.

The right to take water from such works is based upon Permit No 10883.

The source of supply from which such water is diverted is Bear River

The date of the priority which said user is prepared to establish is December 11, 1914.

W. G. Swendson
Commissioner of Reclamation.

STATE OF IDAHO

COUNTY OF FRANKLIN—ss.

I J. T. Roe do solemnly swear that I am one of the publishers of the FRANKLIN COUNTY CITIZEN, a weekly newspaper of general circulation published each week at Preston, Idaho; that the notice attached hereto and which is a part of this affidavit, and a part of the proof of publication, was published for Six consecutive weeks, the first publication having been made on the 5 day of Nov 1924 and the last publication on Dec 10 1924 that said notice was published in the regular issue of every number of the paper during the periods and times of publication, and that the said notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me this

12 day of Dec 19 24

P. M. Condie

Notary Public.

I, J. T. Roe register, do hereby certify that a notice, a printed copy of which is hereto attached, was by me pasted in a conspicuous place in my office for a period of thirty days, I having pasted said notice on the 5 day of Nov 191 1924

10883

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

PERMIT No. 10883

Proof of Application of Water to Beneficial Use**Deposition of Holder**

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

Ans. G. A. Hogan, 53 years, Lewiston, Utah, farmer, Lewiston, Utah.

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. Cub River Irrigation Company, Place of business, Fairview, Franklin County, Idaho.

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

Ans. No. 10883, priority and date of permit Dec. 11, 1914.

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

Ans. Bear River. North $80^{\circ} 51'$ West, 691.5 feet from the SE. corner of Section 20, Township 16 South, Range 39 E. B. M. Franklin County, Idaho.

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. Supply canal, pump house, electric and hydraulic equipment, discharge pipe, diversion canal. Capable of conveying 100 second feet of water, name of canal: Cub River Irrigation Canal.

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 cultivate or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Directly and by exchange upon lands in Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho, particularly described as follows:

$S\frac{1}{2}$ Section 1, $SW\frac{1}{4}$ Section 2, $SE\frac{1}{4}$ of $SE\frac{1}{4}$ Section 3, $E\frac{1}{2}$ section 10, All Section 11, $S\frac{1}{2}$ and $E\frac{1}{2}$ of $NE\frac{1}{4}$, and $W\frac{1}{2}$ of $NW\frac{1}{4}$ Section 12, $N\frac{1}{2}$ Section 13, $N\frac{1}{2}$ of $NE\frac{1}{4}$, and $SE\frac{1}{4}$ of $NE\frac{1}{4}$, and $W\frac{1}{2}$ Section 14, $S\frac{1}{2}$ of $NE\frac{1}{4}$, and $SE\frac{1}{4}$ Section 15, $SE\frac{1}{4}$ Section 21, all Section 22, $NW\frac{1}{4}$ and $E\frac{1}{2}$ of $SW\frac{1}{4}$, $S\frac{1}{2}$ of $SE\frac{1}{4}$ of Section 23, $W\frac{1}{2}$ of $NW\frac{1}{4}$ and $S\frac{1}{2}$ of $SW\frac{1}{4}$, and $NE\frac{1}{4}$ of $SW\frac{1}{4}$, and $E\frac{1}{2}$ of $NW\frac{1}{4}$ of $SW\frac{1}{4}$, and $SW\frac{1}{4}$ of $SE\frac{1}{4}$ Section 25. $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of Section 23, $W\frac{1}{2}$ of $NW\frac{1}{4}$ of $SW\frac{1}{4}$ Section 25, all section 26, all section 27, East three-fourths and $W\frac{1}{2}$ of $SW\frac{1}{4}$ of Section 28.

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11.30 ^{P.}~~A.~~ m. on the 12th day of December, 1924,
at Preston, County of Franklin, State of Idaho,
before P.M. Condie, Notary Public, proof will be submitted
of the application to beneficial use of one hundred cubic feet per second of the
waters of Bear River in accordance with the terms and conditions of
Permit No. 10883 heretofore issued by the State Engineer
of the State of Idaho.

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

The use to which said water has been applied is irrigation

The amount applied to beneficial use is one hundred cubic feet per second
directly and by exchange is on lands in Township 16

The place where said water is used/(if for irrigation, give full and accurate description of the
South, Range 39 E.B.M., described as follows:

lands irrigated) SE 1/4 S. 1, SW 1/4 S. 2, SE 1/4 of SE 1/4 Sec. 3, E 1/2 S. 10, All S. 11, S 1/2, and E 1/2
of NE 1/4, and W 1/2 of NW 1/4 S. 12, N 1/2 S. 13, N 1/2 of NE 1/4, & SE 1/4 of NE 1/4, & W 1/2 S. 14, S 1/2 of
NE 1/4, and SE 1/4 S. 15, SE 1/4 S. 21, All S. 22, NW 1/4, & N 1/2 of SW 1/4, & SW 1/4, S 1/2 of SE 1/4 S. 23,
W 1/2 of NW 1/4, & S 1/2 of SW 1/4, & NE 1/4 of SW 1/4, & E 1/2 of NW 1/4 of SW 1/4, & SW 1/4 of SE 1/4 S. 25,
SE 1/4 of SW 1/4 S. 23, W 1/2 of NW 1/4 of SW 1/4 S. 25, All Sec. 26, All Sec. 27, E-3/4 & W 1/2 of
SW 1/4 Sec. 28.

The name of the canal or ditch or other works by which said water is conducted to such place of use
is Cub River Irrigation Company's canal

The right to take water from such works is based upon Permit No. 10883

The source of supply from which such water is diverted is Bear River

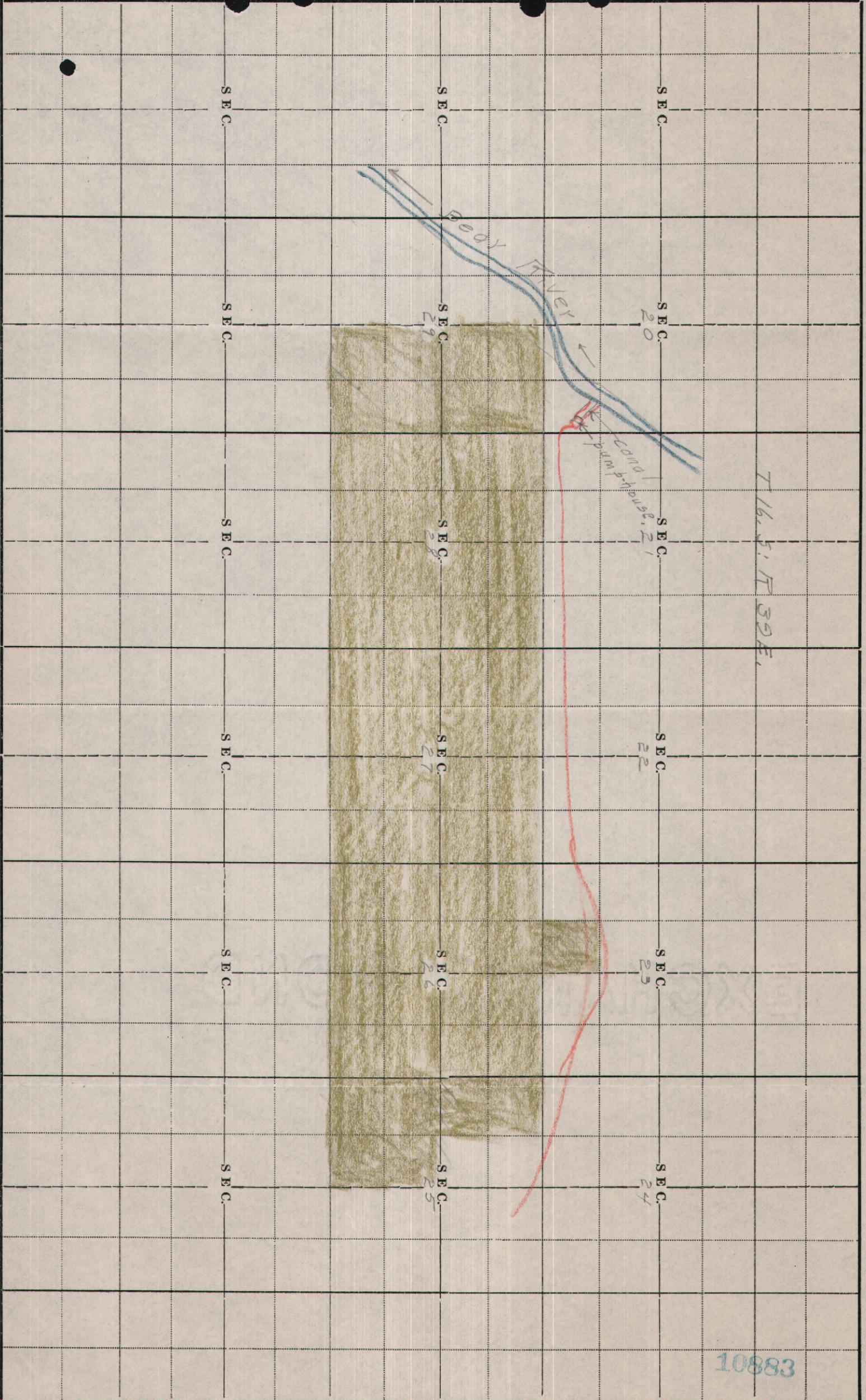
The date of the priority which said user is prepared to establish is December 11, 1914.

*n. 80° 51' w. 691.5 ft from S. E. cor.
Mc 20-16S-39E
Franklin
-5-T,*

W. G. Swendsen,
Commissioner of Reclamation.

10883

NAME OF APPLICANT *Lexington, Bear Lake Irr. Co. # 10883.*



ROY D. THATCHER

ALBERT E. BOWEN

Law Offices
Thatcher & Bowen
Logan, Utah

October 14th, 1919.

Hon. W. G. Swenson,
COMMISSIONER OF RECLAMATION,
Boise, Idaho.

Dear Sir:

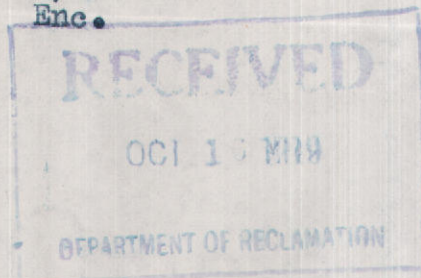
We enclose our check for \$1.50 to pay for
copy of permit No. 10883.

Thanking you, we are,

Yours truly,

THATCHER & BOWEN.

T/S
Enc.



By *Roy D. Thatcher*

10883

October 11, 1919.

In re: Permit 10883.

Thatcher & Bowen,
Attorneys at Law,
Logan, Utah.

Gentlemen:

This will advise you that notice of publication of proof of completion of works, under the above numbered, Lewiston-Bear Lake Irrigation Company, holder, will be published in the Franklin County Citizen at the expense of permit holder, setting date of final proof as of December 9, 1919. Blanks for use in taking this proof will be forwarded to Mr. Rich.

Yours very truly,

W. G. Swendsen,
Commissioner of Reclamation,

By

Chief Clerk.

L/B.

10883

Law Offices
Thatcher & Bowen
Logan, Utah

October 6th, 1919.

Hon. W. G. Swenson,
COMMISSIONER OF RECLAMATION,
Boise, Idaho.

Dear Sir:

Will you kindly have the kindness to send us a copy of permit #10883 issued to Mr. Corry, and by him assigned to Lewiston-Bear Lake Irrigation Company? Apparently our client's copy has been misplaced.

We are having some difficulty in obtaining the description of the lands to be irrigated. We should like to obtain an extension of time so that accurate descriptions may be obtained. Can you grant us such an extension for say thirty or sixty days? As we do not have the permit we are unable to say whether five years has elapsed since the original application.

Thanking you in advance, we are,

Yours truly,

THATCHER & BOWEN.

T/S

BY *Roy D. Thatcher*

RECEIVED

OCT -7 1919

DEPARTMENT OF RECLAMATION

10883

December 13, 1916.

Re Permit No. 10883. - Lewiston-Bear Lake Irr. Co.

Nebeker, Thatcher & Bowen,
Attorneys at law,
Logan, Utah.

Gentlemen:--

Am returning herewith assignment of above
numbered permit, the same having been placed on record
in this office. Am also returning the original permit.

Please to remit fifty cents recording fee.

Very truly yours,

J. H. SMITH,

State Engineer.

D-10883-

By _____

10883

December 1, 1916.

Re Permit 10883.

Messrs. Nebeker, Thatcher & Bowen,
Attorneys at law,
Logan, Utah.

Gentlemen:--

Replying to your letter of the 29th ult. would say that the assignment to the Lewiston-Bear Lake Irrigation Company should be sent to this office for record, after which the same will be returned for the holder's files.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

10883

State of Idaho
License and Certificate of Water Right

Water License No. 10883/13-2066
Water District No. 5-I

Amount 100 sec. ft.
Priority 12-11-1914

THIS IS TO CERTIFY that Cub River Irrigation Company of Fairview, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 11, 1914; that Permit No. 10883 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 100 second feet, was issued thereunder on November 17, 1920, showing that said works were completed on the 9th day of December, 1919; and that on the 12th day of December, 1924,

Cub River Irrigation Company

of Fairview, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Bear River, a tributary of, for the purpose of irrigation and domestic use, under Use Permit No. 10883 of the State Engineer and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3287, on the 30th day of July, 1925;

The right hereby confirmed dates from December 11, 1914;

The Point of Diversion is located N. 80° 51' W., 691.5 ft. from the SE corner of in the $\frac{1}{4}$ $\frac{1}{4}$ Sec. 20, Tp. 16 S., R. 39 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 100 cubic feet per second.

Description and location of use:

Land Irrigated directly

SE $\frac{1}{4}$ of SW $\frac{1}{4}$	Sec. 23, T. 16 S., R. 39 E.	40 acres
W $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$	" 25	20 "
All	" 26	640 "
All	" 27	640 "
E $\frac{3}{4}$ and W $\frac{1}{2}$ of SW $\frac{1}{4}$	" 28	560 "
	TOTAL	1900 "

Land irrigated indirectly, or by exchange

S $\frac{1}{2}$	Sec. 1, T. 16 S., R. 39 E.	320 acres
SW $\frac{1}{4}$	" 2	160 "
SE $\frac{1}{4}$ of SE $\frac{1}{4}$	" 3	40 "
E $\frac{1}{2}$	" 10	320 "
All	" 11	640 "
S $\frac{1}{2}$ and E $\frac{1}{2}$ of NE $\frac{1}{4}$ and W $\frac{1}{2}$ of NW $\frac{1}{4}$	" 12	480 "
N $\frac{1}{2}$	" 13	320 "
N $\frac{1}{2}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and W $\frac{1}{2}$	" 14	440 "
S $\frac{1}{2}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$	" 15	240 "
SE $\frac{1}{4}$	" 21	160 "
All	" 22	640 "
NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and S $\frac{1}{2}$ of SE $\frac{1}{4}$	" 23	360 "
W $\frac{1}{2}$ of NW $\frac{1}{4}$ and S $\frac{1}{2}$ of SW $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and E $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$	" 25	260 "
	TOTAL	4800 "

13-2066

No. 15943.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: George R. Corey.

Postoffice address: Preston

County: Franklin

State: Idaho.

I. If applicant is a corporation, give

(a) Date and place of incorporation:

(b) The amount of capital stock:

(c) The amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. The quantity of water claimed is one hundred cubic feet per second.

3. Source of water supply: Bear river.

4. Location of point of diversion: North 80°51' West, 691.5 feet from the southeast corner of section Twenty, Township 16 South, Range 39 East B. B. M.

County of Franklin.

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

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 8520 acres.

(b) In the following legal subdivisions: S $\frac{1}{2}$ Sec. 1, S $\frac{1}{2}$ Sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, E $\frac{1}{2}$ Sec. 10, all Secs. 11, 12, 13, 14, E $\frac{1}{2}$ Sec. 15, SE $\frac{1}{4}$ Sec. 21, all Secs. 22, 23, 24, 25, 26, 27, 28, all in Township 16 South, Range 39 East B.B. & M.

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

(b) Amount of power to be generated:

H. P. under

ft. head

(c) Is water to be returned to any stream? return:

(d) If so, name stream and locate point of

6. Estimated cost of works: \$100,000.00

7. Description of works for diversion:

I. Kind of works: Pumping station, pipe line and ditches.

II. Dimensions of works: (See remarks "A")

(a) Height of dam feet, length of dam at top feet,

length of dam at bottom feet. Material used in construction:

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

Height feet. (d) Conduit Canal (main) width at bottom 15 feet,

width at water line 31 feet, depth of water 4 feet; diameter of pipe

inches; average grade per mile is 2.11 feet. Length of conduit is 6.5 miles, and it crosses the following quarter sections: (See remarks "B")

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

9. Time required for the complete application of the water to the proposed use is Six additional years.

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

George R. Corey,

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9.00 a.m. December 11, 1914.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 10883.

Recorded in Book 36 Page 10883 Approved December 11, 1914.

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 \$1,000.00 to be filed on or before February 9, 1915.

Work to begin on or before 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 June 11, 1917.

The whole of said work to be completed on or before December 11, 1919.

Beneficial use of water appropriated in accordance herewith, to be made on or before December 11, 1925.

Witness my hand this 11th day of December, 1914.

Herbert Wing,
Acting State Engineer.

Remarks: "A" Works will be as follows:

1. Four gates to sump, each gate with 4 x 4 feet opening.
2. Concrete sump, 12 feet by 40 feet by 12 feet deep.
3. Four electric motor driven centrifugal pumps, each with capacity for delivering 25 second feet with static lift 86 feet.
4. 1500 feet, 54 inch diameter, wood stave pipe.
5. Concrete outlet basin, 16 feet by 12 feet, by 4.5 feet deep.

"B"

1. South Canal will be five feet wide on bottom, nine feet wide at the water line and two feet deep.
2. Pump station will be located in southeast quarter of Sec. 20, T. 16 S. R. 39 E.B.B. M.
3. Pipe line crosses SE $\frac{1}{4}$ Sec. 20, NE $\frac{1}{4}$ Sec. 29, NW $\frac{1}{4}$ Sec. 28, T. 16 S. R. 39 E. B.B. & M.
4. Main or Northeast Canal crosses NW $\frac{1}{4}$ Sec. 28, S $\frac{1}{2}$ and NE $\frac{1}{4}$ Sec. 21, NW $\frac{1}{4}$ Sec. 22, S $\frac{1}{2}$ and NE $\frac{1}{4}$ Sec. 15, S $\frac{1}{2}$ and NW $\frac{1}{4}$ Sec. 10, E $\frac{1}{2}$ Sec. 3, N $\frac{1}{2}$ Sec. 2, N $\frac{1}{2}$ Sec. 1, Township 16 South, Range 39 East B. B. & M.
5. South Canal crosses W $\frac{1}{2}$ Sec. 28, Township 16 South, Range 39 East B. B. & M.

THIS INDENTURE, made this 7th day of April, A. D. 1916, between GEORGE R. COREY of the City of Preston, County of Franklin, State of Idaho, party of the first part, and Lewiston-Bear Lake Irrigation Company, a corporation of Utah, with principal place of business at Lewiston, Cache County, Utah, party of the second part,

WITNESSETH: that the said party of the first part, for and in consideration of Ten (\$10.00) Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, does by these presents remise, release, convey and forever quitclaim unto the said party of the second part, and to its successors and assigns, all right in and to the use of the waters of Bear river by said first party acquired under Application for Permit, No. 15943, made to the State Engineer of the State of Idaho on December 11, 1914, and by such State Engineer on such last mentioned date approved as Permit No. 10883, which said permit is recorded in the official records on file in the office of said State Engineer at Boise, Idaho, in Book 36 of Permits at page 10883 thereof, to which records reference is hereby had for a more particular description of the rights in and to the use of Bear River waters by this Indenture assigned and conveyed.

Together with all and singular the appurtenances thereunto belonging to in any wise appertaining, and the rents, issues and profits thereof.

ASSIGNMENT

THIS INDENTURE, made this 5th day of December, 1923, between Lewiston-Bear Lake Irrigation Company, a corporation, party of the first part, and Cub River Irrigation Company, a corporation, of Idaho, with its principal place of business at Fairview, Idaho, party of the second part, WITNESSETH:

That the said party of the first part for and in consideration of \$10 and other good and valuable considerations, the receipt whereof is hereby acknowledged, does, by these presents, remise, release, convey and forever quit claim unto the said party of the second part, and to its successors and assigns all right in and to the use of the waters of Bear River by said first party acquired under application for Permit No. 15943 made to the State Engineer of the State of Idaho, on December 11, 1914, and by such State Engineer on such last mentioned date approved as Permit No. 10883, which said permit is recorded in the official records on file in the office of said State Engineer at Boise, Idaho, in Book 36 of Permits at page 10883 thereof, to which records reference is hereby made for a more particular description of the rights in and to the use of Bear River water by this indenture assigned and conveyed.

Together with all and singular the appurtenances thereunto belonging or in any wise appertaining, and the rents, issues, and profits thereof.

TO HAVE AND TO HOLD all and singular the said rights, together with their appurtenances unto the said second party, its successors and assigns forever.

IN WITNESS WHEREOF, the said first party has caused this instrument to be signed and its corporate seal to be hereto attached the day and year in this indenture first above written.

LEWISTON BEAR LAKE IRRIGATION COMPANY

By G. A. Hogan
President

(SEAL)

STATE OF UTAH)
: ss.
COUNTY OF CACHE)

On this 5th day of December in the year 1923, before me Langton Barber, a Notary Public, personally appeared G. A. Hogan, known to me to be the President of the Lewiston Bear Lake Irrigation Company, the corporation that executed the foregoing instrument, and acknowledged to me that the said corporation executed the same.

G. A. HOGAN

Subscribed and sworn to before me this
5th day of December, 1923.

LANGTON BARBER
Notary Public
Residing at Lewiston, Utah

(SEAL)

My Commission Expires March 23, 1928.

Received and filed for record in the Department of Reclamation at Boise, Idaho,
at 9:00 A.M., November 8, 1924.

W. G. SWENDSEN
Commissioner of Reclamation

License issued for 10.0 second feet

Page 3287

To HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said second party, its successors and assigns, to its and their own proper use, benefit and behoof, forever.

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

WITNESSES:

Bismark Snyder,
W. R. Putman.

Geo. R. Corey.....(SEAL)

STATE OF UTAH,)
) SS.
County of Salt Lake.)

On this 7th day of April, in the year 1916, before me, Bismark Snyder, a duly appointed, sworn, commissioned, qualified and acting Notary Public in and for the County of Salt Lake, in the State of Utah, personally appeared George R. Corey, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Bismark Snyder,

(NOTARIAL SEAL)

Notary Public.

My commission expires _____

(Revenue stamp for 50 cents attached and cancelled.)

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 9:00 A.M. Dec. 6, 1916.

J. H. Smith,

State Engineer.

Permit No. 10883,

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

Lake

This is to certify that Lewiston-Bear Irrigation Company, of Lewiston, County of _____ and State of Utah, the holder of Permit No. 10883, issued upon Application No. 15943, bearing date of priority of December 11, 1914, authorizing the diversion of 100 second feet of the waters of Bear River, County of Franklin, State of Idaho, for Irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of 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 100 second feet of the waters of Bear River; that the point of diversion of said waters is N. 80° 51' E. 691.5 ft. from the S.E. Cor. of Sec. 20. T. 16 S., R. 39 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23; W $\frac{1}{2}$ NW $\frac{1}{4}$ & SW $\frac{1}{4}$ Sec. 25, all of Secs. 26, 27, & 28, and the E $\frac{1}{2}$ of Sec. 29 T. 16 S., R. 39 E., B. M.

Witness my hand this 17th day of November, A. D. 1920.

W. G. SWENDSEN.
Commissioner of Reclamation

By S. T. Baer,
Deputy,

Proof of Completion of Works made December 9, 1919.
Certificate of Completion of Works issued November 17, 1920.



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

January 23, 1979

Mr. Angus Condie
Secretary
Preston-Whitney Irrigation Company
Preston, ID 83263

Dear Mr. Condie:

Re: Preston-Whitney Irrigation Co. Water Rights

In researching our records for water rights in the names of Preston-Whitney Irrigation Co., Preston-Riverdale and Mink Creek Canal Co., and Cub River Irrigation Co., I located the following:

Licensed Rights

10883/13-2066 ✓
15929/13-2103
15933/13-2104
16174/13-2108 and R-364/13-2288
R-793/13-2291
R-1009/13-2298

Decreed Rights

13-0001 and 13-0026
11-0840
13-0034
13-0143

Beneficial Use Rights - Worm Creek Drainage

13-0222
13-0271
13-0223--included in 13-0222

Mr. Condie

2

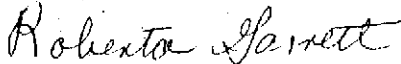
January 23, 1979

Along with copies of the licensed and decreed rights, I have enclosed copies of those pages in the Proposed Finding of Water Rights - Worm Creek Drainage which describe your rights as presented to the court. Rights 13-2103, 13-2108 and 13-2288, and 13-0143 show the same place of use as 13-0271.

Decreed right 13-0001 in the case of Cub River Irrigation Co. vs. Cub River Middle Ditch Co., et al. is included in 13-0026 in a later decree, McEwan vs. Franklin County Sugar Co., et al.

If you have any questions or feel there is a need for further research for additional rights, please let me know.

Sincerely,



Roberta Garrett
Records Supervisor

Enclosures

cc John Hammond

February 1, 1936

Re: Permit No. 10683

Mr. COLLINS T. GANESON
State Engineer's Office
Salt Lake City, Utah

Dear Sir:

Reference is made to your letter of January 25.

Upon examining the record of the above permit, I find that it was issued to GEORGE R. COREY, of Preston, Idaho. It authorized the appropriation of one hundred (100) second feet of the waters of Bear River. A certificate of Completion of Works for this amount was issued to the Lewiston Bear Lake Irrigation Company, to whom the permit had been assigned. This company, in turn, conveyed its interests to the Cub River Irrigation Company of Fairview, Idaho. Final Proof was offered and a license issued July 30, 1925, for one hundred second feet, bearing priority as of December 11, 1914.

Yours very truly,

Paul L. Henry,
Chief Clerk & Office Engineer

PLH/ci

10683



THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

T. H. HUMPHERYS
STATE ENGINEER

Jan. 25, 1936.

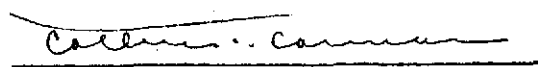
Commissioner of Reclamation of Idaho,
Boise, Idaho.

Dear Sir:

RE: Permit 10883, Issued by the State
Engineer of Idaho to the Lewiston
Bear Lake Irrigation Co. See Page 11
of the Final Decree of Judge James N.
Kimball in the First District Court of
Utah, filed Feb. 21, 1922.

Kindly advise me if the final certificate
has been issued to the Lewiston Bear Lake Irriga-
tion Company, fixing the priority of the said Co.
to the use of the waters of Bear river and oblige.

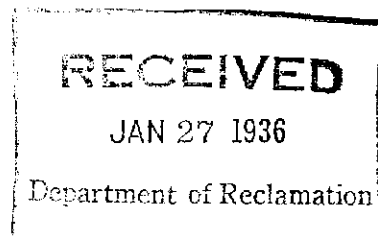
Yours very truly,


Collins T. Cannon.

WATER COMMISSIONER FOR LOWER BEAR RIVER.

CTC/9

10883



June 10, 1935

Re: WATER LICENSE No. 10883

CUB RIVER IRRIGATION COMPANY
Lewiston,
Idaho

Attention Mr. Geo. F. Rawlins, Secretary

Gentlemen:

In response to your letter dated June 1, 1935, we are enclosing herewith copy of the License and Certificate of Water Right issued under the above permit. We are also enclosing our office receipt in the amount of \$3.50, which is the amount you remitted for this license and a copy of the permit that was furnished to you some time ago.

Very truly yours,

R. W. FARIS,
Commissioner of Reclamation

By Chief Clerk and Office Engineer

PLH/mt
Enc.

10883

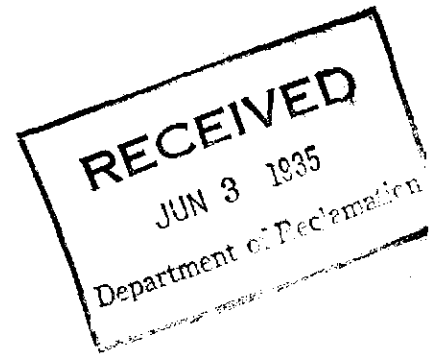
OFFICE OF
CUB RIVER IRRIGATION COMPANY

LEWISTON, UTAH

June 1, 1935

10883

State of Idaho
Department of Reclamation
R. W. Faris, Commissioner
Boise, Idaho.



Dear Sir:

We are enclosing herewith our check for \$3.50. Two dollars fifty cents (\$2.50) is for the copy of the permit assigned to the Cub River Irrigation company sent to Mr. Saul E. Hyer with your letter of May 17, and for the \$1.00 we are asking for a copy of the license as your letter states this would be the extra cost.

Thanking you very kindly, we remain,

Yours very truly,

CUB RIVER IRRIGATION CO.

Geo. F. Rawlins
Secretary.

10883

May 17, 1935

Re: Permit No. 10883

MR. SAUL E. HYER
Lewiston,
Utah

Dear Sir:

We are enclosing herewith a copy of the above permit which was assigned to the Cub River Irrigation Company. This company holds a licensed right under this permit for 100 cubic feet per second from Bear River, and since the filing date was in 1914, it is very likely it represents the right you have in mind.

This company, however, has nothing on record showing any right to appropriate 10,000 acre feet of water per annum from Bear Lake or any part of that amount.

Will you kindly remit \$2.50 for the enclosed copy. If you desire a copy of the license you should make your check for \$3.50 since a copy of the license would be \$1.00 extra.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

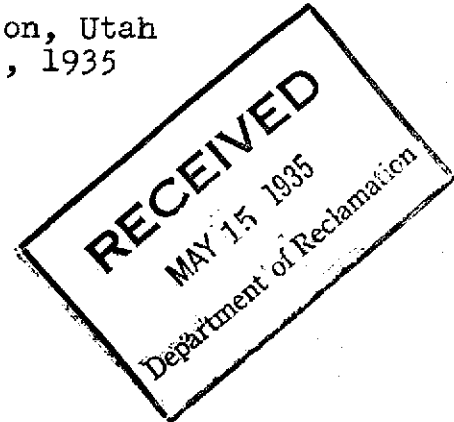
By _____
Chief Clerk & Office Engr.

PLR/rg
Encl.

10883

10883

Lewiston, Utah
May 13, 1935



State Engineer of Idaho
Boise,
Idaho

Dear Sir:-

It is my understanding that the Cub
River Irrigation Company filed on some 10,000 acre
feet of water on Bear Lake, about the year 1914.

I shall appreciate very much having
a copy of the bona fide record of such filings in
case you have them at your state office.

Yours very truly,

Saul E. Hyer
Saul E. Hyer
Representative of the Cub-River
Irrigation Company

10883

July 29, 1925

Re: Permit No. 10883
Cub River Irrigation Co.

Clark, Richards & Bowen
Boston Building
Salt Lake City, Utah

Gentlemen:

We enclose herewith Water License
issued under the above numbered permit,
together with receipt for fees paid.

Very truly yours,

W. C. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

Encl.

10883

LAW OFFICES
CLARK, RICHARDS & BOWEN
BOSTON BUILDING
SALT LAKE CITY, UTAH

July 28th, 1925.

Honorable Warren G. Swenson,
Commissioner of Reclamation,
Boise, Idaho.

Dear Mr. Swenson:

I have just returned to the office after a short period away, and find your letter of July 16th advising that upon remittance of \$158.00 in fees, license will be issued to the Cub River Irrigation Company on Permit No. 10883.

We herewith forward you our check in the sum stated and desire to express our appreciation to you personally for your handling of this matter. Will you be good enough to send the certificate to our office when it issues?

With kind personal regards, we are

Very truly yours,
CLARK RICHARDS & BOWEN

BY

A. E. Bowen

AEB*AA
INC.

10883

July 16, 1925

Re: Permit No. 10883
Cub River Irrigation Company

Messrs. Clark, Richards & Bowen,
Boston Building,
Salt Lake City, Utah.

Gentlemen:

The report of our examining engineer on proof of beneficial use of water under the above numbered permit has just been filed in this office. Upon receipt of fees in the sum of \$158.00 license will be issued.

These fees are based upon the number of legal subdivisions irrigated, allowing \$1.00 for each 40 acre tract or fraction thereof. The report shows 48 legal subdivisions directly irrigated and 110 indirectly irrigated.

Very truly yours,

H. C. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

R. L. SUTCLIFFE,
ARCO, IDAHO
0

State of Idaho

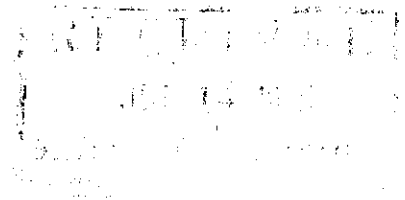
SENATE CHAMBER

BOISE Arco 7/13/25

Hon. W. G. Swendsen
Boise, Idaho.

Dear Sir, Inclosed date on Cut River Injection Co.
You advised me you wished personally to see this.

Yours truly
R. L. Sutcliffe.



10883

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

Permit No. 10883This proof is for Beneficial UseIn Water District No. 5-1

1. Name of applicant: Cub River Irrigation Co.
2. Source of water supply: Bear River
3. Location of point of diversion: Is in the 80°51' W. 691.5 ft. from S.E. ^{cor.} of Section 20,
T. 16 S., R. 39 E. County of Franklin
4. Describe works as they exist, giving dimensions and capacities of same:
see letter + map attached
Letter describes observations made.
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): 3 1/2 Sec. 1, 3 1/2 Sec. 2, SE 1/4 Sec. 3, E 1/2 Sec. 10, all Secs. 11, 12, 13, 14, E 1/2 Sec. 15, SE 1/4 Sec. 21, all Secs. 22, 23, 24, 25, 26, 27, 28, all in Tp. 16 S., R. 39 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? This is Bear River water.

Remarks: Note in letter attached the remark about exchange of water
This letter and maps confirm observations made by me.

This examination was made on the 22 day of June 19 25

(Signed)

R. L. Sutcliffe
Examiner.

10883

Cub River Irr. Co.,
Fairview, Idaho

Permit No. 10883

Examination for Beneficial Use

County Franklin

INSTRUCTIONS TO EXAMINERS

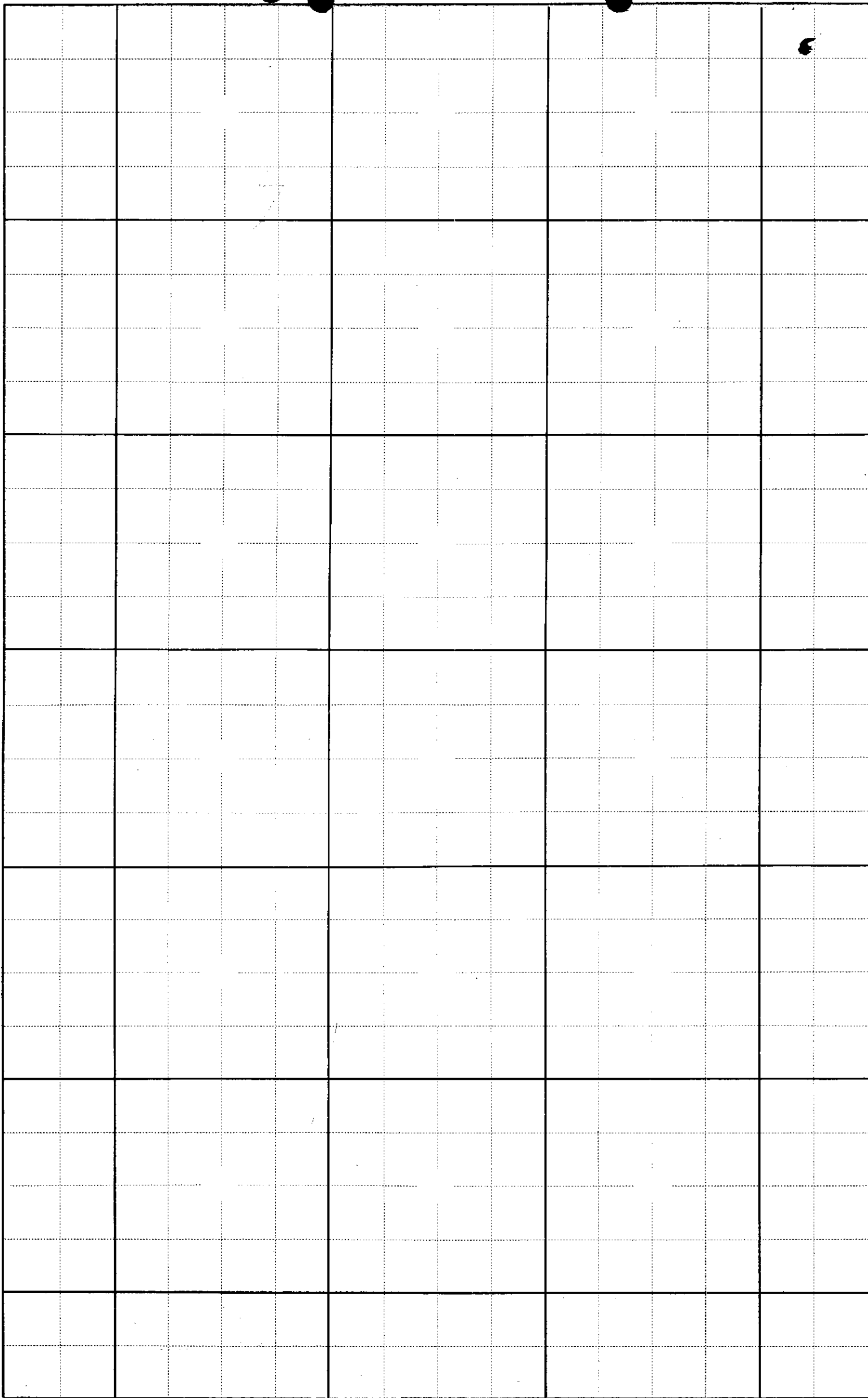
1. Always carefully note the location of the point of diversion, and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the 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.
-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

T. H. HUMPHERYS.

ROOM 15, 2ND FLOOR COUNTY COURT HOUSE

LOGAN, UTAH
June 29th. 1925.Mr. G.A.Hogan. Pres. Cub River Irrigation Co.
Lewiston, Utah.

Dear Sir:-

Complying with your verbal request of the 27th. inst. I am sending herewith information requested by the Commissioner of Reclamation of Idaho, or his Agent, for use in connection with your proof of application to beneficial use of water diverted thru your pumps;

General Statement. Water is diverted from Bear river near the S.E. cor. of sec. 20, twp. 16 S. range 39 E. B.M. into a supply canal, from which it is pumped thru a pipe into a delivery canal and thence conveyed to the Co.'s East and West Branch canals and distributed. The canal systems together with the lands served are shown on the accompanying maps.

Supply canal. The supply canal begins in Bear river and terminates in a concrete sump. It is 1300 ft. long, 11 ft. wide, side slopes 2 to 1, and at a normal depth of 4 ft. carries 100 sec. ft. of water.

Pump House, Sump, Hydraulic and Electric Equipment. The sumps are of concrete 12 ft. wide, 30 ft. long and 20 ft. deep over which are mounted 4 18 inch, double suction centf. pumps each connected to 350 HP electric induction motor supplied with energy from The Utah Power and Light Co's sub-station at Preston. The juice is purchased at the plant at 44000 volts and reduced to 440 by 3-500 k v a transformers for use by the motors. The pumps are provided with hydraulic valves, priming pump electrically operated, sump pump, crane and switch board all of the most modern type. The equipment is covered by a modern brick house 26 x 54 ft.

Discharge Pipe. The pumps are connected to a 5 ft. reinforced concrete pipe 300 ft. long by a steel manifold pipe 60 ft. in length, which terminates in the Diversion canal. The discharge pipe is provided with vacuum and relief valves, man-holes and has a capacity of 100 sec. ft.

Diversion Canal. The delivery canal is about one mile in length and has a capacity of 100 sec. ft. It takes the water from the delivery pipe and supplies the East and West Branch canals all as shown on accompanying map. This canal has a bottom width of 12 ft. side slopes of $1\frac{1}{2}$ to 1, and 3 ft. depth of water. All structures are durable and of modern type.

Cost. The structures as above set out were constructed in 1916 and cost \$125,000.

Power contract. On April 3rd. 1916, a contract was entered into with the Utah Light and Power Co. for energy to operate the pumps at 1¢ per k w h and a seasonal minimum of \$4200. The pumps have operated each and every year since and including 1917. Electric energy from 1917 to 1924 inc. has cost \$90,700.00

Area Irrigated. From the pumps there are irrigated in Idaho directly 1900 acres, - shown on accompanying map thus ~~XXX~~, and indirectly, or by exchange 4300 acres shown thus ~~////~~ making a total of 6280 acres, and described as follows to wit:

Lands irrigated directly.

SE $\frac{1}{4}$ of SW $\frac{1}{4}$ -----	Sec. 23, T, 16S, R39E.	40 acres.
W $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ -----	" 25 "	20 "
All -----	" 26 "	640 "
All -----	" 27 "	640 "
E $\frac{3}{4}$ and W $\frac{1}{2}$ of SW $\frac{1}{4}$ -----	" 28 "	560 "
	TOTAL.	1900 "

Land irrigated indirectly, or by exchange.

S $\frac{1}{2}$ -----	Sec 1, twp. 16 S.R 39E.	320 acres.
SW $\frac{1}{4}$ -----	" 2,	160 "
SE $\frac{1}{4}$ of SE $\frac{1}{4}$ -----	" 3,	40 "
E $\frac{1}{2}$ -----	" 10m	320 "
All -----	" 11	640 "
S $\frac{1}{2}$ and E $\frac{1}{2}$ of NE $\frac{1}{4}$ and W $\frac{1}{2}$ of NW $\frac{1}{4}$ -----	" 12	480 "
N $\frac{1}{2}$ -----	" 13	320 "
N $\frac{1}{2}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and W $\frac{1}{2}$ -----	" 14	440 "
S $\frac{1}{2}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$ -----	" 15	240 "
SE $\frac{1}{4}$ -----	" 21	160 "
All -----	" 22	640 "
NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and S $\frac{1}{2}$ of SE $\frac{1}{4}$ -----	" 23	360 "
W $\frac{1}{2}$ of NW $\frac{1}{4}$, and S $\frac{1}{2}$ of SW $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and E $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$. ---	" 25	260 "
	TOTAL	<u>4380</u> "

Cub River Irrigation Co's Gravity Canal. The Cub River Irrigation Co. owns and operates a gravity canal from Cub river and is supplimented by the pumping plant above described as the water recedes. There are about 7000 acres irrigated in Idaho. The canal carries a maximum of 170 sec. ft. When the water from Cub river fails and is inadequate for lands both in Idaho and Utah, the the pumps supply the Utah lands by exchange and the Cub river water is allowed to be used in Idaho.

Respectfully submitted,

V. B. Humphreys
Engineer.

December 17, 1934.

Re: Permit No. 10883
Cub River Irrigation Company.

Mr. G. A. Hogan,
Lewiston, Utah.

Dear Sir:

We are to-day in receipt of depositions of holder and two witnesses and affidavit of publication in the matter of proof of beneficial use of water under the above numbered Permit. As soon as the report of the examining engineer has been received, you will be further advised as to fees due before issuing license.

Very truly yours,

W. G. SWENDSEN

Commissioner of Reclamation

E.

By
Chief Clerk.

10883

Affidavit of Publication

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial use.

Notice is hereby given that at 1:30 p. m. on the 12th day of December, 1924, at Preston, County of Franklin, State of Idaho, before P. M. Condie, notary public, proof will be submitted of the application to beneficial use of 100 cubic feet per second of the waters of Bear River in accordance with the terms and conditions of Permit No. 10883 heretofore issued by the State Engineer of the State of Idaho.

The name and post office address of the person or corporation holding said permit are Cub River Irrigation Company, Fairview, Idaho.

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

The amount applied to beneficial use is 100 cubic feet per second.

The place where said water is used is directly and by exchange, on lands in twp. 16 S., R. 39 E. described as follows: S $\frac{1}{2}$ Sec. 1; SW $\frac{1}{4}$ Sec. 2; SE $\frac{1}{4}$ S $\frac{1}{2}$, Sec. 3; S $\frac{1}{2}$ Sec 10;

all Sec.11; S $\frac{1}{2}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ & W $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.12; N $\frac{1}{2}$ Sec. 13; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ &W $\frac{1}{4}$ Sec. 13; N $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 15; SE $\frac{1}{4}$ Sec21; all Sec. 22; NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 23; W $\frac{1}{2}$ NW $\frac{1}{4}$ S $\frac{1}{2}$ SW $\frac{1}{4}$,NE $\frac{1}{4}$ SW $\frac{1}{4}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25; SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23; W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25; all Sec. 26; all Sec. 27; E 3-4 & W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28, Twp. 16 N. R. 39 E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Cub River Irrigation Company's Canal.

The right to take water from such works is based upon Permit No 10883.

The source of supply from which such water is diverted is Bear River

The date of the priority which said user is prepared to establish is December 11, 1914.

W. G. Swendson
Commissioner of Reclamation.

STATE OF IDAHO

COUNTY OF FRANKLIN ss.

I J. T. Gae do solemnly swear that I am one of the publishers of the FRANKLIN COUNTY CITIZEN, a weekly newspaper of general circulation published each week at Preston, Idaho; that the notice attached hereto and which is a part of this affidavit, and a part of the proof of publication, was published for six consecutive weeks, the first publication having been made on the 2 day of Nov 1924 my first publication on Dec 10 1924 that said notice was published in the regular issue of every number of the paper during the periods and times of publication, and that the said notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me this

12 day of Dec 1924

P. M. Condie
Notary Public.

I, Preston Idaho register, do hereby certify

that a notice, a printed copy of which is hereto attached, was by me pasted in a conspicuous place in my office for a period of thirty days, I having pasted said notice on the _____ day of _____ 191 _____

10683

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 10883

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. G. A. Hogan, 53 years, Lewiston, Utah, farmer, Lewiston, Utah.

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. Cub River Irrigation Company, Place of business, Fairview, Franklin County, Idaho.

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

Ans. No. 10883, priority and date of permit Dec. 11, 1914.

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

Ans. Bear River. North 80° 51' West, 691.5 feet from the SE. corner of Section 20, Township 16 South, Range 39 E. B. M. Franklin County, Idaho.

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. Supply canal, pump house, electric and hydraulic equipment, discharge pipe, diversion canal. Capable of conveying 100 second feet of water, name of canal: Cub River Irrigation Canal.

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 cultivate or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Directly and by exchange upon lands in Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho, particularly described as follows:

E $\frac{1}{2}$ Section 1, SW $\frac{1}{4}$ Section 2, SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 3, E $\frac{1}{2}$ section 10, All Section 11, S $\frac{1}{2}$ and E $\frac{1}{2}$ of NE $\frac{1}{4}$, and W $\frac{1}{2}$ of NW $\frac{1}{4}$ Section 12, E $\frac{1}{2}$ Section 13, N $\frac{1}{2}$ of NE $\frac{1}{4}$, and SE $\frac{1}{4}$ of NE $\frac{1}{4}$, and W $\frac{1}{2}$ Section 14, S $\frac{1}{2}$ of NE $\frac{1}{4}$, and SE $\frac{1}{4}$ Section 15, SE $\frac{1}{4}$ Section 21, all Section 22, NW $\frac{1}{4}$ and E $\frac{1}{2}$ of SW $\frac{1}{4}$, S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 23, W $\frac{1}{2}$ of NW $\frac{1}{4}$ and S $\frac{1}{2}$ of SW $\frac{1}{4}$, and NE $\frac{1}{4}$ of SW $\frac{1}{4}$, and E $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, and S $\frac{1}{2}$ of SE $\frac{1}{4}$ Section 25. SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 23, W $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 25, all section 26, all section 27, East three-fourths and W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 28.

10883

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 10883

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. G. A. Hogan, 53 years, Lewiston, Utah, farmer, Lewiston, Utah.

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. Cub River Irrigation Company, Place of business, Fairview, Franklin County, Idaho.

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

Ans. No. 10883, priority and date of permit Dec. 11, 1914.

directly and by exchange

Ans. For Irrigation of the following described land in Franklin County, Idaho: S $\frac{1}{2}$ Section 1, SW $\frac{1}{4}$ Section 2, SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 3; E $\frac{1}{2}$ Sec. 10, All Section 11, S $\frac{1}{2}$ and E $\frac{1}{2}$ of NE $\frac{1}{4}$, and W $\frac{1}{2}$ of NW $\frac{1}{4}$ Sec. 12, E $\frac{1}{2}$ NW $\frac{1}{2}$ Sec. 13, N $\frac{1}{2}$ of NE $\frac{1}{4}$, and SE $\frac{1}{4}$ of NE $\frac{1}{4}$, and W $\frac{1}{2}$ Sec. 14, S $\frac{1}{2}$ of NE $\frac{1}{4}$, and SE $\frac{1}{4}$ Sec. 15, SE $\frac{1}{4}$ Sec. 21, all Sec. 22, NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$, S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 23, W $\frac{1}{2}$ of NW $\frac{1}{4}$ and S $\frac{1}{2}$ of SW $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$, and E $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 25, SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 23, W $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 25, all in Sec. 26, all Section 27, East three-fourths and W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 28

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

Ans. _____

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

Ans. One hundred second feet per second.

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

George R. Corey made application and received permit; he assigned same to
Ans. Lewiston-Bear-Bake Irrigation Company, who assigned it to Cub River Irrigation Company.

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

Ans. All of said water has been used beginning with the year 1917 and since that time, for the irrigation of the lands above described.

10883

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 right claimed thereunder.

11. The Cub River Irrigation Company appropriated certain of the waters of Cub River in 1878 for the irrigation of 30,000 acres of land. The water supply was sufficient to irrigate said land only partially. During the early spring flood water period there is available to this appropriator 160 c.f.s but this flow subsides so that a lesser supply is available during the irrigation season, and is wholly insufficient to irrigate said lands. The appropriation on the permit herein being proved upon was made to augment the earlier appropriation for said lands. To avoid the expense of higher lifts by means of the pumps installed an arrangement has been effected among those entitled to the waters so appropriated and those entitled ~~xxxxx~~ under the original appropriation from Cub River whereby the waters of Cub River are used on lands above the line to which water is elevated by the pumps, and the lands below said line formerly watered and entitled to be watered from the Cub River appropriation are now watered by means of the waters of Bear River taken under the appropriation here being proved upon. The quantity of water available under the two appropriations is still inadequate to the complete irrigation of the said land with the result that about 10,000 acres thereof is still only partially irrigated and because of insufficiency of water supply cannot be devoted to intensive cultivation of the irrigated crops common to the locality

10883

My commission expires Oct. 16, 1926.

Ans.

(Sign)

E.A. Hogan

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 12th day of December, A. D. 19 24.

G. M. Mendie

Notary Public, Preston, Idaho.

My commission expires Oct. 16, 1926.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 10883

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. R. Humpherys, age 40 years, Logan, Utah, Civil and Irrigation Engineer.

Ques. 2. Are you acquainted with Cub River Irrigation Company, the holder of Permit No. 10883? How long have you known him and where does he reside?

Ans. Yes. I have known of said company for fifteen years. Said company has its principal place of business at Fairview, Franklin Co., Idaho.

Ques. 3. Have you read or heard read said Permit No. 10883, and are you familiar with its provisions and conditions?

Ans. Yes, I have read said permit and am familiar with its provisions and conditions.

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. Bear River. Point of diversion: North 80° 51' West, 691.5 feet from the SE. corner of Section 20, Township 16 South, Range 39 E. B. M.

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

Ans. 100 cubic feet per second. I was at the works at the time the canal was operated, saw water measured, and have seen it conveying 100 second feet and the capacity of safely 100 second feet.

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

Ans. Water is used for irrigating about 6280 acres of land as described in the deposition of G. A. Hogan filed herewith.

10883

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

Ans. _____

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

Ans. The land is sandy loam, underlaid at a depth of from seven to fifty feet with clay, and requires one second foot to water 50 acres.

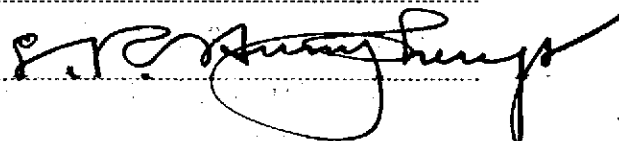
Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No interest whatever.

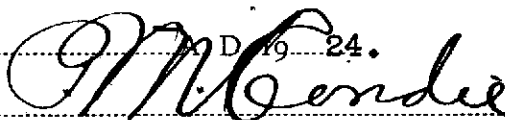
Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Business has taken me into locality the last seven years at frequent intervals during the irrigation season, and at all times during the irrigation season have found canal carrying what I estimate to have been 100 second feet of water.

(Sign) _____



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 12th day of December, A. D. 1924.



Notary Public.

Preston, Idaho.

My commission expires Oct. 16, 1926.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 10883

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. T. M. Judah, 49 years, reside in Preston, Idaho, during irrigation season, and in Logan, Utah, in winter; P. O. address: Logan, Utah.

Ques. 2. Are you acquainted with Cub River Irrigation Company, the holder of Permit No. 10883? How long have you known him and where does he reside?

Ans. Yes, I know of said company, and said company has its principal place of business in Fairview, Franklin County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 10883, and are you familiar with its provisions and conditions?

Ans. Yes, I am familiar with the provisions and conditions of said permit, having read the same.

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. Bear River. Point of diversion: North 80° 51' West, 691.5 feet from the SE. corner of Section 20, Township 16 South, Range 39 E. B. M.

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

Ans. 100 cubic feet per second.

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

Ans. Water is used for irrigating about 6280 acres of land as described in the deposition of C. A. Hogan filed herewith.

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

Ans. _____

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

Ans. The land is sandy loam in character, with clay at a depth of from seven to fifty feet. Requires one ^{cubic} ~~sevent~~ foot per second for irrigation of 50 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 interest whatever in water, lands or works of diversion.

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

Ans. I am manager of the West Cache Irrigation Co. the company that diverts the water from Bear River in Idaho and irrigates approximately 25,000 acres of land in close proximity to the lands of the Dub River Irrigation Co. I am constantly during the whole irrigation season over the section of country irrigated by the Cub River Irrigation Co. and that throughout the irrigation season since the installation of the diverting works in 1917 they have carried the full amount of their appropriation and devoted it to the purposes hereinbefore specified.

(Sign)

J. F. Judah.

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 12th day of December, A. D. 1924.

G. M. Condie
Notary Public.

Preston, Idaho.

My commission expires Oct. 16, 1926.

10883

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

~~THE PROOF OF BENEFICIAL USE OF WATER~~

~~AND~~

PROOF OF BENEFICIAL USE OF WATER

Cub River Irrigation Co.

BOISE, IDAHO, December 4, 1924.

c/o P. M. Condie,
Notary Public,
Preston, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of ~~completion of~~
~~beneficial use of water~~ under Permit No. **10883**

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 December 12, 1924, the date set for proof, the enclosed forms ~~one~~ ^{two} for permit holder and ~~one~~ ^{two} each for two disinterested witnesses) should be filled out and sworn to, at Preston before P. M. Condie, 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,

W. G. SWENDSEN,

Commissioner of Reclamation.

10883

Dec 12

November 13, 1924

Re: Permit No. 10883

Messrs. Clark, Richards & Bowen
Boston Building
Salt Lake City, Utah

Gentlemen:

The enclosed assignment has been placed of record in this office under the above numbered permit. The same is herewith returned to you with receipt for recording fees.

Notice for publication of proof of beneficial use of water was mailed to the Franklin County Citizen at Preston, November 7.

Very truly yours,

W. C. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

10883

LAW OFFICES
CLARK, RICHARDS & BOWEN
BOSTON BUILDING
SALT LAKE CITY, UTAH

RECEIVED

NOV 12 1924

November 10th, 1924.

Honorable W.G. Swendsen,
Commission of Reclamation,
Boise, Idaho.

Dear Sir:

I thank you for calling our attention to the typographical error in the date of the acknowledgement to the assignment from the Lewiston Bear Lake Irrigation Company to the Cub River Irrigation Company. We have had the notary make the proper corrections, and are returning same to you for filing.

We inclose also our check for 50¢ to cover the fees as per your letter.

Yours truly,
CLARK RICHARDS & BOWEN

BY

ACB Bowen

AEB*AA
INC.

November 8, 1924

Re: Permit No. 10883-Cub River Irrigation Company

Mr. A. E. Bowen
Attorney at Law
Boston Building
Salt Lake City, Utah

Dear Sir:

In checking the assignment of the above numbered permit from the Lewiston-Bear Lake Irrigation Company to the Cub River Irrigation Company, we find that the certificate of the notary public bears date of December 5, 1924. This, no doubt, is a typographical error, hence the transfer is herewith returned for correction. Kindly return the corrected paper at your early convenience.

The fee for recording an assignment of this length will be fifty cents.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

Rec'd 12

10883

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DATE November 7, 1924

Franklin County Citizen,
Preston, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to
December 12, 1924, the date set for proof, the expense of the publication to be paid
by the applicant, by its attorneys, Messrs. Clark, Richards & Bowen, ^{915 Boston Bldg., Salt} to whom you should ^{Lake}
furnish proof of publication on or prior to the date set for proof. ^{City}

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

Very truly yours,

W. G. Swendsen,

Commissioner of Reclamation.

LAW OFFICES
CLARK, RICHARDS & BOWEN
BOSTON BUILDING
SALT LAKE CITY, UTAH

November 6th, 1924.

Honorable W.G. Swendsen
Commission of Reclamation,
Boise, Idaho.

Dear Mr. Swendsen:

I am forwarding herewith for filing an assignment of Permit
No. 10883 from Lewiston Bear Lake Irrigation Company to Cub
River Irrigation Company. Will you kindly make the proper record
of this to transfer the rights in the appropriation to the assignee?

If you will accept this and submit a bill for the charges, we
will remit promptly to you.

Yours truly,

AEB*AA

AE Bowen

11 883

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11.50 ^{P.} m. on the 12th day of December, 1924,
at Preston, County of Franklin, State of Idaho,
before P.M. Condie, Notary Public, proof will be submitted
of the application to beneficial use of one hundred cubic feet per second of the
waters of Bear River in accordance with the terms and conditions of
Permit No. 10883 heretofore issued by the State Engineer
of the State of Idaho.

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

The use to which said water has been applied is irrigation

The amount applied to beneficial use is one hundred cubic feet per second
directly and by exchange is on lands in Township 16

The place where said water is used/(if for irrigation, give full and accurate description of the
South, Range 39 E.B.M., described as follows:
lands irrigated) S. S. 1, SW 1/4 S. 2, SE 1/4 of SW 1/4 Sec. 3, NE 1/4 S. 10, All S. 11, SE 1/4 and NW 1/4
of NW 1/4, and W 1/2 of NW 1/4 S. 12, W 1/2 S. 13, NE 1/4 of NW 1/4, & SE 1/4 of NW 1/4, & W 1/2 S. 14, SE 1/4 of
NW 1/4, and SW 1/4 S. 15, SW 1/4 S. 21, All S. 22, NW 1/4 & NE 1/4 of SW 1/4, & SW 1/4, SE 1/4 of SW 1/4 S. 23,
W 1/2 of NW 1/4, & SE 1/4 of SW 1/4, & NW 1/4 of SW 1/4, & NE 1/4 of NW 1/4 of SW 1/4, & SE 1/4 of SW 1/4 S. 25,
SW 1/4 of SW 1/4 S. 25, W 1/2 of NW 1/4 of SW 1/4 S. 25, All Sec. 26, All Sec. 27, E-3/4 & W 1/2 of
SW 1/4 Sec. 28.

The name of the canal or ditch or other works by which said water is conducted to such place of use
is Cub River Irrigation Company's canal

The right to take water from such works is based upon Permit No. 10883

The source of supply from which such water is diverted is Bear River

The date of the priority which said user is prepared to establish is December 11, 1914.

W. G. Swendsen,
Commissioner of Reclamation.

10883

*n. 80° 51' w 691.5 ft from S. E. cor
Mc 20-16S-39E
Franklin
-5-I.*

November 7, 1924

Re: Permit No. 10883

Mr. A. E. Bowen
Attorney at Law
Boston Building
Salt Lake City, Utah

Dear Sir:

Referring to your letter of the 5th instant, would say that December 12 has been set as the date for making proof under the above numbered permit and notice for publication will be mailed to the Franklin County Citizen at Preston, Idaho, in time for the five publications prior to the date set for making proof.

Deposition blanks, one for holder and one each for two witnesses will be mailed to Mr. C. M. Condie, the notary public before whom proof is to be made, at Preston.

This permit stands upon the records of this office in the name of the Lewiston-Bear Lake Irrigation Company, to whom the certificate of completion of works was issued. The transfer to the Cub River Irrigation Company will be placed on record under the permit, in this office as soon as the same is received and the original will be returned to you. A recording fee for this transfer will be charged at the rate of 20¢ a folio. This fee should accompany the transfer when mailed to this office.

We are enclosing herewith a copy of the notice which we are sending to the paper for publication, in order that your files may be complete.

Very truly yours,

W. C. SWENDSEN
Commissioner of Reclamation

By _____
Chief Clerk

Encl.

10883

LAW OFFICES
CLARK, RICHARDS & BOWEN
BOSTON BUILDING
SALT LAKE CITY, UTAH

November 5th, 1924.

Honorable W.G. Swensen,
Commissioner of Reclamation,
Boise, Idaho.

Dear Mr. Swensen:

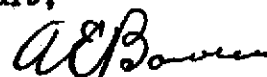
Pursuant to my conversation with you, I am handing you herewith the request of the Cub River Irrigation Company for the publication of notice of proof of application of water to beneficial use. I am accompanying the letter of request with the notice in duplicate filled out on blank forms furnished by your office.

You will observe that I have left the day and hour of the hearing at Preston blank, to be filled in by you, because I do not know just when you will get this notice to the paper. Will you kindly fill in the dates and get the notice going at the earliest possible time?

The filing was originally made by Geo. Corey and was by him assigned to the Lewiston Bear Lake Irrigation Company. The Lewiston Bear Lake Irrigation Company in turn has conveyed its right to the Cub River Irrigation Company. I know this transfer has been made, but I do not know whether the assignment has been filed with your office for record. I have written the Company to ascertain whether they have so filed their assignment, but have not received a reply from them. However, you may be sure that if the assignment is not there now, it will be immediately forthcoming, so that the Cub River Irrigation Company will be the proper party in interest.

Trusting that these matters will all be found to be in order, and with kind personal regards, I am

Very truly yours,



AEB*AA
INC.

P.S. Whatever fees are requisite, if you will go ahead with the filing and publication, we will remit upon demand.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 1st, 1924.

(P. O.) 915 Boston Building, Salt Lake City, Utah.

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 Preston, Idaho, published in the county in which the works are situated.

CUB RIVER IRRIGATION COMPANY

BY

Clark Richards & Bowen
Attorneys

(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.

D. O. Humphreys.
Engineer.

August 25, 1924

Re: Permit 10883

Mr. A. E. Bowen
Boston Building
Salt Lake City, Utah

Dear Sir:

Per your request of the 23d inst., we are
herewith enclosing Blank Notices for Proof of Beneficial
Use of Water under the above numbered Permit.

Very truly yours,

W. G. STENDESEN
Commissioner of Reclamation

By _____
Chief Clerk

CB/EO
Encl.

10883

REUBEN CLARK, JR.

PRESTON D. RICHARDS

ALBERT E. BOWEN

LAW OFFICES
CLARK, RICHARDS & BOWEN
BOSTON BUILDING
SALT LAKE CITY, UTAH

August 23rd, 1924.

Mr. W.G. Swensen
Commissioner of Reclamation
Boise, Idaho.

Dear Sir:

Permit 10883 for appropriation of 100 second feet of the waters of Bear River was issued to George R. Corey and by him assigned to the Lewiston Bear Lake Irrigation Company. As I understand it, that Company made proof of the completion of its works and has the certificate of your office therefor.

The holder of this permit now desires to make final proof of application to beneficial use, and obtain its license. As I understand it, your office furnishes forms for the notice of final proof, and I would be greatly obliged to you if you will send us such proper forms, as your office issues for the purpose indicated.

Yours truly,



AEB*AA

10883

October 14, 1921.

Re: Permit 10883.

Mr. A. E. Bowen,

Logan, Utah.

Dear Sir:-

Replying to your letter of the 12th would say that proof of completion of works was made under the above permit and certificate issued but final proof has not yet been made. This proof is not due until December 11, 1925. If you desire certified copy of the certificate of completion of works, the same will be sent you immediately upon request.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____
Chief Clerk.

P.S.- It would not be possible to issue license before the 22nd of this month as notice of proof is required to be published four full weeks prior to the date of proof.

W.G.S.

10883

Law Offices
Thatcher & Bowen
Provo, Utah

916 Boston Bldg. Salt Lake City

Oct. 12, 1921

Honorable Warren G. Swendsen
Commissioner of Reclamation
Boise, Idaho

Dear Sir:

On December 11, 1914 a permit was issued to George R. Correy by the State Engineer of the State of Idaho, no. 10,883 issued on application no. 15, 943, for 100 second feet of water of Bear River for irrigation purposes. This application and permit was assigned by Mr. Correy to the Lewiston Bear Lake Irrigation Co. The Company *diverted and applied* the water under application to the beneficial uses described in the permit. Proof of the completion *of works and beneficial use* of the water was made before the State Engineer two or more years ago as I recall it. I am under the impression that the final certificate issued but we cannot find it. If your records show that the certificate did issue will you kindly forward me a certified copy of it together with your charges. If the certificate did not issue will it be possible to have same issued before the 22, of this month? On that date we must present our proofs of water right in the Utah Power and Light case pending in the Utah courts. We have the stipulation of the plaintiff and of the defendants admitting our rights subject only to the proof of issuance of certificate.

Very truly yours,

AEB Bowen

BU. - 12-11-1920

6877-11-17-20

10883

November 27, 1920

Re: Permit 10883

Mr. G. A. Hogan,
Sec'y Bear Lake Irrigation Co.,
Lewiston, Utah.

Dear Sir:

I am herewith enclosing Certificate of
Completion of Works issued under the above numbered
permit, with receipt for fees paid.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____

Enc. GCW & R 5654

10883

July 12, 1920.

Re: Permit No. 10883.

Mr. G. A. Hogan,
Sec'y Bear Lake Irrigation Co.,
Lewiston, Utah.

Dear Sir:-

Upon receipt of statutory fees in the sum of \$32.00,
Certificate of completion of works will be issued under the
above numbered permit.

The fees are based upon a capacity of 100 second feet,
being \$5.00 for the first ten second feet and thirty cents
additional for the other ninety.

Very truly yours,

J. G. SWENDBERG,

Commissioner of Reclamation.

By _____.

10883

REPORT OF ENGINEER

This proof is for completion of works.

In Water District No. 5-H

1. State name of applicant and number of permit: Lewiston-Bear Lake Irrigation Co., #10883
2. State source of water supply: Bear River
3. Location of point of diversion: N. 80°51' W. 691.5 ft. from S.E.cor. of Sec. 20,
T. 16 S., R. 39 E. B. M.
4. Describe works as they exist, giving dimensions and capacities of same:
Canal to pumping-plant, 40' B. 4' to 6' D. 1300' long.
Concrete pit to pumps. Pump-house, concrete and brick.
4 24 in. cent. pumps. Cap. 25 sec.ft. each.
4 350 H.P. elec. motors, direct con.
90' lift 4' concrete pipe, from pumps to canal.
Canal 12' B. 4' D.- Concrete liner, first 200 ft.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location 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): SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 25; all of sections 26, 27, 28, and the
E $\frac{1}{2}$ of Sec. 29; all in T. 16 S. R. 39 E. B.M.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system?
9. Give names and amount of each right:
10. What large stream would the water here appropriated finally reach? Bear River.
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: Thru drains to Bear River.

Remarks: All land in cultivation.

This examination was made on the 13 th day of May 19 20.

(Signed) E. R. Annett.
L. R. Annett.

Examiner.

10883

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

County of.....

} ss.

....., being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this day of 19.....

My commission expires.....

Notary Public.

10883

District 5-M

Lewiston-Bear Lake Irr. Co.

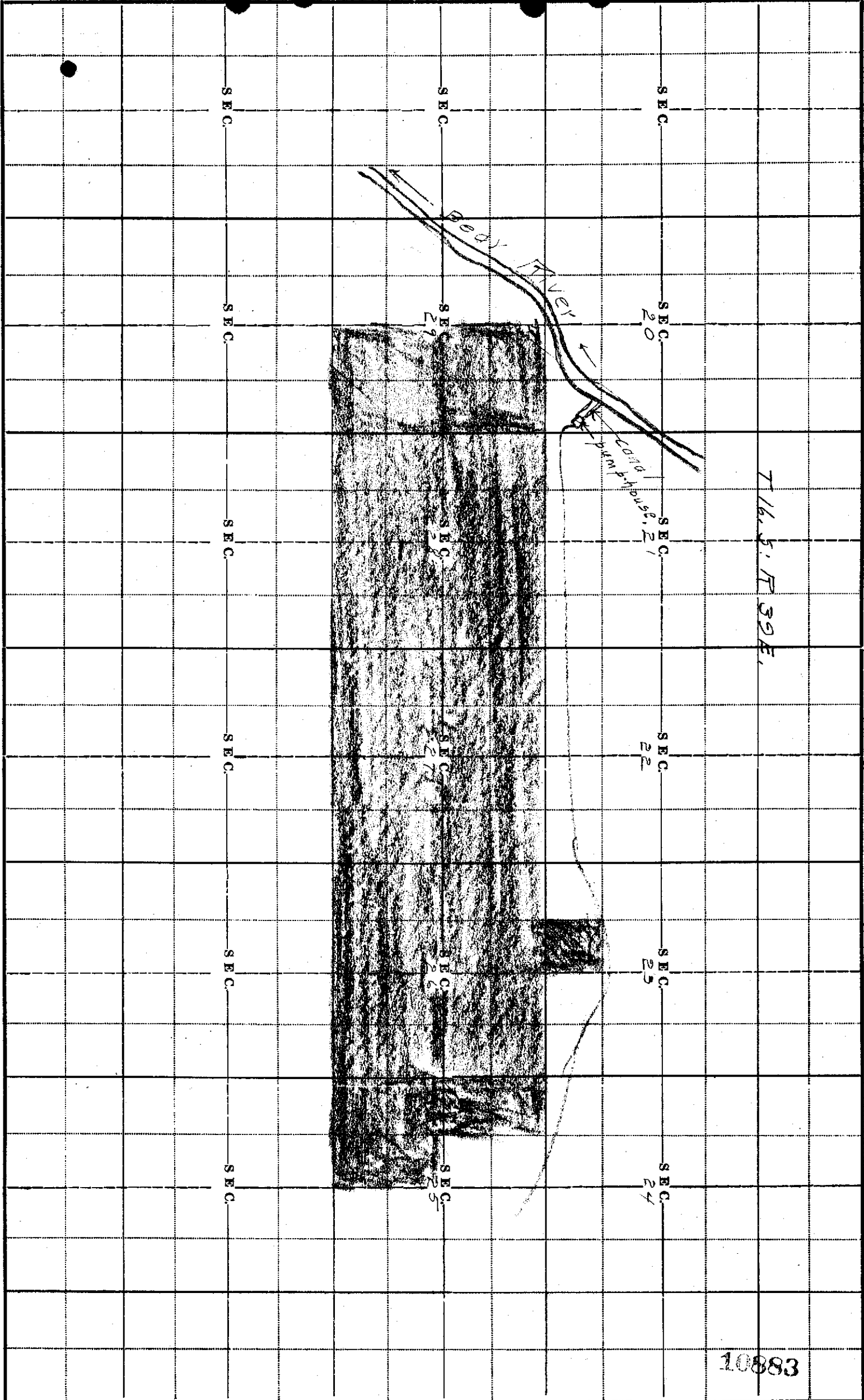
Permit 10883

20-165-392

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. 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.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. 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.

NAME OF APPLICANT Lewis & Bear Lake Irr Co. # 10883.



10883

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

December 13, 1919.

Re: Permit 10883, Lewiston-Bear Lake Irrigation Co.

Mr. Jesse P. Rich, Attorney,
Preston, Idaho.

Dear Sir:

Am in receipt of your letter of the 9th instant, enclosing depositions and affidavit of publication for proof of beneficial use of water under the above numbered permit. These will be placed on file in this office, without further action, until the examination can be made by our engineer later in the spring, at which time you will be further notified as to fees required before issuing license.

Yours very truly,

W. G. SANDS,

Commissioner of
Reclamation,

By

B/B.

10883

HART & RICH
PRESTON, IDAHO
PHONE NO. 4

December 9th, 1919.

Mr. Warren G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho

Dear Sir:

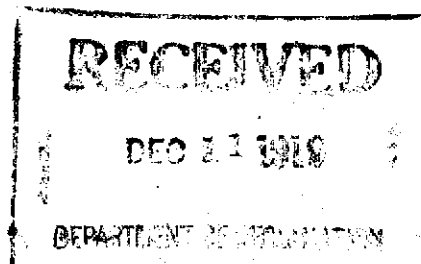
I enclose herewith deposition of holder of Permit 10883, and depositions of two witness submitted under said permit, together with affidavit of publication showing the first publication to have been made October 16th and the last Nov 21st.

Proof was taken as in said notice provided.

Yours truly,

Jesse P. Rich

JPR/VM



10883

Affidavit of Publication

NOTICE FOR PUBLICATION

Notice is hereby given that at 11 p. m. on the 9th day of December 1919, at Preston, County of Franklin, State of Idaho, before Jesse P. Rich, Notary Public, proof will be submitted of the completion of works for the diversion of 100 cubic feet per second of the waters of Bear River in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Lewiston-Bear Lake Irrigation Company.

2. The post office address of such person or principal place of business of such corporation is Lewiston County of Cache, State of Utah.

3. The number of such Permit is 10883, and the date set for the completion of such work is.

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit is 100 cubic feet per second.

6. The amount of lands for which said water is available is 2,520 acres, particularly described as follows SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 23; W $\frac{1}{2}$ of NW $\frac{1}{4}$, and SW $\frac{1}{4}$ Sec. 25; all of sections 26, 27, 28, and the E $\frac{1}{2}$ of Sec. 29; All in Township 16, South Range 39 East, Boise Base and Meridian.

W. G. Swendsen,
Commissioner of Reclamation.

•16-n21

STATE OF IDAHO

COUNTY OF FRANKLIN ss.

I Walter Roe do solemnly swear that I am one of the publishers of the FRANKLIN COUNTY CITIZEN, a weekly newspaper of general circulation published each week at Preston, Idaho; that the notice attached hereto and which is a part of this affidavit, and a part of the proof of publication, was published for

4 consecutive weeks, the first publication

having been made on the 16 day of Oct. 1919
+ the last publication on the 21st of Nov. 1919 that said notice was published in the regular issue of every number of the paper during

the periods and times of publication, and that the said notice was published in the newspaper and not in a supplement.

Walter Roe
Subscribed and sworn to before me this

9th day of Dec. 1919
Jesse P. Rich
Notary Public.

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

PERMIT NO. 10883

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. G. A. Hogan, 49 years, Lewiston, Utah, Farmer, Lewiston, Utah.

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. Lewiston-- Bear Lake Irrigation Company, Lewiston, Utah,
Secretary; Am directed to appear in this behalf by the 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. 10883, December 11th, 1914; 100 cubic feet per second; Bear
River, North 80° 51' West, 691.5 ft. from the SE Cor. of Sec. 20, T. 16 S.
R. 39 East of the Boise Meridian, County of Franklin, Idaho.

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 intend to reclaim.

Ans. Irrigation and domestic; 2520 acres; S. E. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ Sec. 23
W $\frac{1}{2}$ of N. $\frac{1}{4}$ and S. W. $\frac{1}{4}$ Sec. 25; all of Sections 26, 27, 28, and the E $\frac{1}{2}$
of Sec. 29, All in Township 16 South, Range 39 East, Boise Base and Mer.

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. yes; July 6th, 1916; full capacity of 100 sec. feet, and has
been used each year thereafter.

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

Ans. yes. Yes, except reinforced concrete pipe instead of wood stave
pipe

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. The wood stave pipe described under sub-division 4 A. was sup-
planted by a reinforced concrete pipe of the same dimensions

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. See Exhibit "A" hereto attached and hereby made a part of this
deposition.

(Sign here.)

G. A. Hogan

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 9th day of December A. D. 1919.

My Commission expires December 16th, 1919.

Notary Public.

Jesse P. Rich
Residing at Preston, Idaho.

EXHIBIT "A"

Kind of works: Pumping station, pipe line and ditches.

There is a concrete sump 12 feet by 40 feet by 12 feet deep, with four gates to the sump, each gate a 4 by 4 feet opening. There are four electric motor driven centrifugal pumps, each with capacity for delivering 25 second feet of water with a static lift of 86 feet. There are 15 hundred feet of 54 inch diameter reinforced concrete pipe, delivering the water into a concrete outlet basin 16 feet by 12 feet by 4.5 feet deep. The water is delivered from the outlet basin into the main canal which has a width at bottom of about 15 feet, a width at water line of 31 feet, and a depth of water of 4 feet. The length of the conduit is 7.5 miles. At two points the water is delivered from the canal belonging to Lewiston-Bear Lake Irrigation Company into the canals of the Cub River Irrigation Company, through which canals the water is carried to the lands where it is used for irrigation.

The pumps, when working at capacity, deliver 100 second feet of water into the canal, and the canal is of sufficient capacity to carry the whole amount and deliver it into the canals of the Cub River Irrigation Company. The total cost of the pumping station, pipe line and canals is the sum of \$98,000.00.

The water not used in Idaho is conveyed to and used in
Utah.

GA Hogan

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

Permit No. 10883

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. George Karren, 53 years, Lewiston, Utah, farmer, Lewiston, Utah.

Ques. 2. Are you acquainted with Lewiston-Bear Lake Irrigation Company, the holder of Permit No. 10883, authorizing the diversion of 100 second-feet of the waters of Bear River, at Sec. 20, T. 16 S. R. 39 E. B. M. and domestic for irrigation purposes? How long have you known him, and where does he reside?

Ans. Since its organization, about 1915, Lewiston, Utah.

Ques. 3. Have you read or heard read said Permit No. 10883, 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. Yes. SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 23; W $\frac{1}{2}$ of NW $\frac{1}{4}$, and SW $\frac{1}{4}$ of Sec. 25; all of Sections 26, 27, 28, and the E $\frac{1}{2}$ of Sec. 29; All in Township 16 south, Range 39 East, Boise Base and Meridian; sand and sandy loam; 42 cubic feet per second.

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?

Ans. yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. See Exhibit "A", hereto attached and made a part of this deposition.

(Sign here.)

George Karren

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 the City of Preston, County of Franklin, State of Idaho, on this 9th day of December, A. D. 1919.

Jose P. Rich

10883

Exhibit "A".

Kind of works: Pumping station, pipe line and ditches.

There is a concrete sump 12 feet by 40 feet by 12 feet deep, with four gates to the sump, each gate a 4 by 4 feet opening. There are four electric motor driven centrifugal pumps, each with capacity for delivering 25 second feet of water with a static lift of 86 feet. There are 15 hundred feet of 54 inch diameter reinforced concrete pipe, delivering the water into a concrete outlet basin 16 feet by 12 feet by 4.5 feet deep. The water is delivered from the outlet basin into the main canal which has a width at bottom of about 15 feet, a width at water line of 31 feet, and a depth of water of 4 feet. The length of the conduit is 1.5 miles. At two points the water is delivered from the canal belonging to Lewiston-Bear Lake Irrigation Company into the canals of the Cub River Irrigation Company, through which canals the water is carried to the lands where it is used for irrigation.

The pumps, when working at capacity, deliver 100 second feet of water into the canal, and the canal is of sufficient capacity to carry the whole amount and deliver it into the canals of the Cub River Irrigation company. The total cost of the pumping station, pipe line and canals is the sum of \$98,000.00

George Kamen

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

Permit No. 10883

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. L. B. Westover, 51 years, Lewiston, Utah, farmer, Lewiston, Utah

Ques. 2. Are you acquainted with Lewiston-Bear Lake Irrigation Company, the holder of Permit No. 10883, authorizing the diversion of 100 second-feet of the waters of Bear River, at Sec. 20, T. 16 S., R. 39 E. B. M. and domestic for irrigation purposes? How long have you known him, and where does he reside?

Ans. Since its organization, about 1915. Lewiston, Utah.

Ques. 3. Have you read or heard read said Permit No. 10883, 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. yes. S $\frac{1}{2}$ of SW $\frac{1}{4}$ Sec. 23; W $\frac{1}{2}$ of NW $\frac{1}{4}$, and S $\frac{1}{2}$ of Sec. 25; all of Sections 26, 27, 28, and the E $\frac{1}{2}$ of Sec. 29; All in township 16 south, Range 39 East, Boise Base and Meridian.; sand and sandy loam; 42 cubic feet per second

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?

Ans. yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. See Exhibit "A" hereto attached and made a part of this deposition

(Sign here.)

L. B. Westover

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 the City of Preston, County of Franklin, State of Idaho, on this 9th day of December, A. D. 1919.

Residing at Preston Idaho

Jesse P. Rich
Notary Public

10883

Exhibit "A".

Kind of works: Pumping station, pipe line and ditches.

There is a concrete sump 12 feet by 40 feet by 12 feet deep, with four gates to the sump, each gate a 4 by 4 feet opening. There are four electric motor driven centrifugal pumps, each with capacity for delivering 25 second feet of water with a static lift of 86 feet. There are 15 hundred feet of 54 inch diameter reinforced concrete pipe, delivering the water into a concrete outlet basin 16 feet by 12 feet by 4.5 feet deep. The water is delivered from the outlet basin into the main canal which has a width at bottom of about 15 feet, a width at water line of 31 feet, and a depth of water of 4 feet. The length of the conduit is 1.5 miles. At two points the water is delivered from the canal belonging to Lewiston-Bear Lake Irrigation Company into the canals of the Cub River Irrigation Company, through which canals the water is carried to the lands where it is used for irrigation.

The pumps, when working at capacity, deliver 100 second feet of water into the canal, and the canal is of sufficient capacity to carry the whole amount and deliver it into the canals of the Cub River Irrigation company. The total cost of the pumping station, pipe line and canals is the sum of \$98,000.00

L B Westover

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Jesse P. Rich,
Preston, Idaho.

BOISE, IDAHO, **November 12, 1919.**

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit No. 10883

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 the permit holder's rights:

1. On December 9, 1919, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at your office

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. G. Swendsen,
Commissioner of Reclamation.
~~State Engineer~~

10883

ROY D. THATCHER

ALBERT E. BOWEN

Law Offices
Thatcher & Bowen
Logan, Utah

October 14th, 1919.

Hon. W. G. Swenson,
COMMISSIONER OF RECLAMATION,
Boise, Idaho.

Dear Sir:

We enclose our check for \$1.50 to pay for
copy of permit No. 10883.

Thanking you, we are,

Yours truly,

THATCHER & BOWEN.

T/S
Enc.

By *[Signature]*

10883

October 11, 1919.

In re: Permit 10883.

Thatcher & Bowen,
Attorneys at Law,
Logan, Utah.

Gentlemen:

This will advise you that notice of publication of proof of completion of works, under the above numbered, Lewiston-Bear Lake Irrigation Company, holder, will be published in the Franklin County Citizen at the expense of permit holder, setting date of final proof as of December 9, 1919. Blanks for use in taking this proof will be forwarded to Mr. Rich.

Yours very truly,

W. G. Swendsen,
Commissioner of Reclamation,

By

Chief Clerk.

L/S.

10883

Notice for Publication

Notice is hereby given that at 11 A.M., on the 9th day of December 1919, at Preston County of Bannock, State of Idaho, before Jesse P. Rich, Notary Public proof will be submitted of the completion of works for the diversion of 100 cubic feet per second of the waters of Bear River

.....in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Lewiston-Bear Lake Irrigation Company
2. The postoffice address of such person or principal place of business of such corporation is Lewiston, County of Cache, State of Uta ~~Idaho~~
3. The number of such Permit is 10883, and the date set for the completion of such work is
4. Said water is to be used for irrigation purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 100 cubic feet per second.
6. The amount of lands for which said water is available is 2520 acres, particularly described as follows:
S.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ sec. 23; W $\frac{1}{2}$ of N.W. $\frac{1}{4}$, and S.W. $\frac{1}{4}$ sec. 25; all of
sections 26, 27, 28, and the E $\frac{1}{2}$ of sec. 29; All in Township 16
south, range 39 east, Boise Base and Meridian.

W. G. SWENDSEN, Commissioner of Reclamation.

I, T. H. Humphereys, do hereby certify that I am an irrigation engineer of upwards of 70 years experience; I have read the foregoing notice and know the contents thereof, and the same are true.

Dated October 7 1919.

T. H. Humphereys

10883

October 9, 1919.

Re Permit 10883.

Messrs. Thatcher & Bowen,
Attorneys at law,
Logan, Utah.

Gentlemen:--

Per your request the 6th inst.,
I am enclosing herewith certified copy of
Permit No. 10883, for which please to remit
\$1.50.

You will note, in the approval, that the
works are required to be completed by December 11,
1919, making the full five years from the date of
approval. No additional time could, therefore, be
granted for completion of the works.

Very truly yours,

W. G. SWENSON,

Commissioner of Reclamation.

By _____

CC

ROY D. THATCHER

ALBERT E. BOWEN

Law Offices
Thatcher & Bowen
Logan, Utah

October 9th, 1919.

Hon. W. G. Swenson,
COMMISSIONER OF RECLAMATION,
Boise, Idaho.

Dear Sir:

We enclose herewith in duplicate form 8,
NOTICE FOR PUBLICATION for the Lewiston Bear-Lake
Irrigation Company. We understand that the news-
paper published in Preston, Idaho, is the Franklin
County Citizen. We shall be glad to take care of
any cost of publication, and any other fees that may
be due.

Yours truly,

T/S
Encs.

THATCHER & BOWEN.

By *Roy D. Thatcher*

10883

Law Offices
Thatcher & Bowen
Logan, Utah

October 6th, 1919.

Hon. W. G. Swenson,
COMMISSIONER OF RECLAMATION,
Boise, Idaho.

Dear Sir:

Will you kindly have the kindness to send us a copy of permit #10883 issued to Mr. Cerry, and by him assigned to Lewiston-Bear Lake Irrigation Company? Apparently our client's copy has been misplaced.

We are having some difficulty in obtaining the description of the lands to be irrigated. We should like to obtain an extension of time so that accurate descriptions may be obtained. Can you grant us such an extension for say thirty or sixty days? As we do not have the permit we are unable to say whether five years has elapsed since the original application.

Thanking you in advance, we are,

Yours truly,

THATCHER & BOWEN.

T/S

BY *ay* *Thatcher*

RECEIVED

OCT -7 1919

DEPARTMENT OF RECLAMATION

10883

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,
September 8, 1919

Lewiston Bear Lake Irrigation Co.,
Lewiston, Utah.

DEAR SIR:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 10883

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before Dec. 11, 1919. Upon receipt of the blank, properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

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

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

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

10883

December 13, 1916.

Re Permit No. 10883. - Lewiston-Bear Lake Irr. Co.

Hebeker, Thatcher & Bowen,
Attorneys at law,
Logan, Utah.

Gentlemen:--

Am returning herewith assignment of above
numbered permit, the same having been placed on record
in this office. Am also returning the original permit.

Please to remit fifty cents recording fee.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

D-10883-

10883

HORACE G. NEBEKER

ROY D. THATCHER

ROBERT E. BOWEN

Nebeker, Thatcher & Bowen
Attorneys and Counselors
Togon, Utah

December 4th, 1916.

Hon. J. H. Smith,
STATE ENGINEER,
Boise, Idaho.

Dear Sir:

Re Permit No. 10883.

In response to your favor of December 1st,
we beg leave to enclose herewith the above permit issued
to Mr. George R. Corey, and also the conveyance of this
permit to the Lewiston-Bear Lake Irrigation Company.
Will you kindly make the necessary notations on your
record and return to us?

Yours truly,

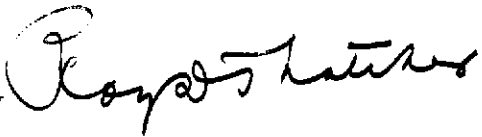
NEBEKER, THATCHER & BOWEN.

T/S

Enc.

Reg.

By



10883

December 1, 1916.

Re Permit 10883.

Messrs. Hebecker, Thatcher & Bowen,
Attorneys at law,
Logan, Utah.

Gentlemen:--

Replying to your letter of the 29th
ult. would say that the assignment to the Lewiston-
Bear Lake Irrigation Company should be sent to this
office for record, after which the same will be
returned for the holder's files.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

10883

HORACE S. NEBEKER

ROY D. THATCHER

ALBERT E. BOWEN

Nebeker, Thatcher & Bowen
Attorneys and Counselors
Logan, Utah

November 29th, 1916.

State Engineer,
Boise,
Idaho.

Dear Sir:

Under date of December 11th, 1914, your office approved the application of George R. Correy of Preston, Idaho, to appropriate certain of the waters of Bear River, the permit being numbered 10,883. Mr. Correy has conveyed his interest under this permit to our client Lewiston-Bear Lake Irrigation Company. Will you kindly advise us what if any regulations of your office exist requiring a notation of this conveyance?

Yours truly,

NEBEKER, THATCHER & BOWEN.

T/S

By



10883

BOND

KNOW ALL MEN BY THESE PRESENTS, That George R. Corey of Preston, Idaho, as principal, and George L. Swendsen of Boise, Idaho, and Warren G. Swendsen of Boise, Idaho, as sureties, are held and firmly bound unto the State of Idaho in the full and just sum of One thousand (\$1000.⁰⁰) Dollars, lawful money of the United States, to the payment of which sum, well and truly to be made, said principal and sureties bind themselves, their heirs, administrators, executors and assigns, jointly and severally, under the terms and conditions hereinafter set forth.

The terms of this obligation are such that, whereas the above named principal on the eleventh day of December, 1914, filed in the office of the State Engineer in Boise, Idaho, a certain application for permit to appropriate the public waters of the State of Idaho, the said application being thereupon numbered No. 15943, in accordance with which said application the State Engineer granted and issued to the said principal herein a certain permit numbered No. 10883, a full, true and complete copy of which application No. 15943 and permit No. 10883, is of record in the office of the State Engineer, in Book 36 of Permits, at page 10883;

Now, if the above bounden principal shall faithfully carry to completion the said works of diversion as specified in said application No. 15943 and permit No. 10883, in the manner and form prescribed therein and within the time therein allowed, then the above obligation to be void otherwise to remain in full force and effect.

IN WITNESS WHEREOF, The said principal and sureties have hereunto set their hands and seals, this fourteenth day of December, 1914.

WITNESSES:

E. G. Silverstone
Frank S. Ingmeyer

George R. Corey (SEAL)
George L. Swendsen (SEAL)
Warren G. Swendsen (SEAL)

STATE OF IDAHO,

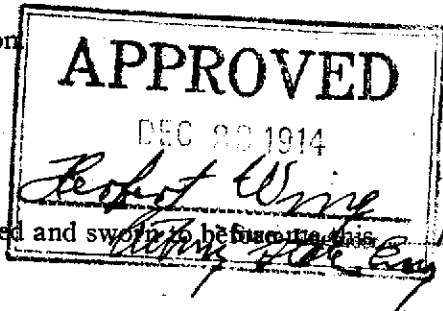
County of Ada,

ss.

Warren G. Swendsen of Boise, Idaho, and
whose names

is subscribed to the within and foregoing obligation as surety thereto, each being duly sworn, upon oath for himself deposes and says:

That he is a resident and freeholder of the State of Idaho and that he is worth the sum named in said obligation, to-wit, \$1000.⁰⁰, over and above all his debts and liabilities, exclusive of property exempt from execution.



Subscribed and sworn to before me this

17th

day of

December1914

— OVER —

Shas H. Thotts
Notary Public, 10883

State of Utah,)
County of Salt Lake,) ss.

George L. Swendsen of Boise, Idaho, whose name is subscribed to the within and foregoing obligation as surety thereto, being duly sworn, upon oath, deposes and says:

That he is a resident and freeholder of the State of Idaho and that he is worth the sum named in said obligation, to-wit: \$1000, over and above his debts and liabilities, exclusive of property exempt from execution.

George L. Swendsen

Subscribed and sworn to before me this fourteenth day of December, A.D., 1914.

My commission expires November 2, 1917.

A. E. Burdette
Notary Public.

10883

Dec 17 1914
George L. Swendsen

State of Idaho
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON
STATE ENGINEER

Permit No. 10883

NOTE

That in order to keep this permit in force a bond in the sum of \$ 1,000.00 must be filed in the office of the State Engineer on or before the 9th day of February, 1915. conditioned upon faithfully carrying to completion the works of diversion as specified in said permit and in the application therefor.

HERBERT WING,

~~A. E. ROBINSON~~

Acting State Engineer.

10883

State of Idaho
ENGINEERING DEPARTMENT
BOISE

10883

STATE ENGINEER

Permit No. 10883

Boise, Idaho, Dec. 11, 1914.

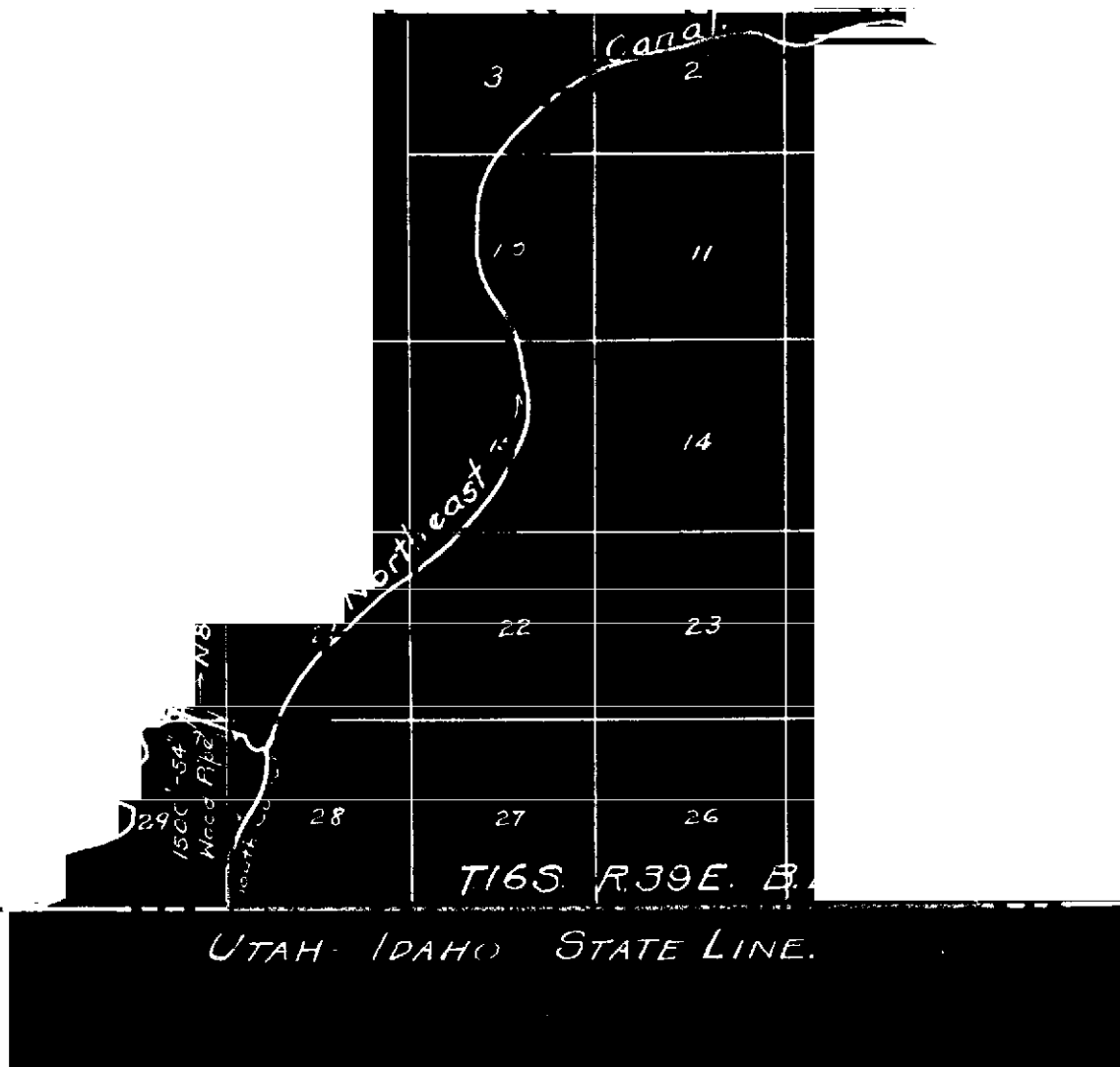
Mr. George R. Corey,
Preston, Idaho.

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

HERBERT WING,

10883

Acting State Engineer.



MAP TO ACCOMPANY APPLICATION OF GEORGE R. CORREY,
TO APPROPRIATE BEAR RIVER WATERS NEAR FAIR-
VIEW, IDAHO.

I hereby certify that this map was prepared
from an actual survey made under my direction
October first to November first, 1913, and cor-
rectly shows the position of the points indicated
thereon.

December 9, 1914.

Geo. R. Swanderson
Post office address Salt Lake, Utah.

Permit Map No. 10883

As Approved

DEC 11 1914

BY

HERBERT WING

ACTING STATE ENGINEER

10883

STORY & STEIGMEYER

ATTORNEYS AND COUNSELLORS

500-508 BOSTON BUILDING

SALT LAKE CITY

December 9, 1914.

Herbert Wing, Esquire,
State Engineer,
Boise, Idaho.

Dear Sir:

Enclosed find Application for Permit of George R. Corey of Preston, Idaho, for 100 second feet of Bear River, for irrigation of 8520 acres in Township 16 South, Range 39 East, B.B. & M.; also two copies of map of project prepared by Engineer George L. Swendsen; also our check of even date, No. 663, in your favor in the sum of \$10.90. If you find this Application complete, we ask that same pass to Permit.

Yours very truly,

4 Enc.

S3B

Sam. Steigmeier

15943

10883