

**NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 11:00 A.M. on the 27th day of March 1957, at Paris, County of Bear Lake, State of Idaho, before W. G. Wright, Notary Public, proof will be submitted of the application to beneficial use of 2 cubic feet per second of the waters of Pine Gap Canyon - Sweet Water Creek in accordance with the terms and conditions of Permit No. 22674 heretofore issued by the State Reclamation Department of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are C. R. Nate, 2336 E. 3400 S., Salt Lake City, Utah, and Leslie Nate, Dingle, Idaho.

The use to which said water has been applied is: Irrigation.

The amount applied to beneficial use is: 2 cubic feet.

The place where said water is used: S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11, and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, Twp. 15 S., Rge. 45 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: Small laterals or ditches (un-named) and dikes across Pine Gap Canyon.

The right to take water from such works is based upon Permit No. 22674.

The source of supply from which such water is diverted is: Pine Gap Canyon (Sweet-Water Creek) in NE $\frac{1}{4}$, Sec. 14, Twp. 15 S., Rge. 45 E.

The date of priority which said user is prepared to establish is: March 19, 1932.

MARK R. KULP,
State Reclamation Engineer.

The Paris Post
AFFIDAVIT OF PUBLICATION

RECEIVED
APR 29 1957
Department of Reclamation

STATE OF IDAHO, }
County of Bear Lake } ss.

I, Keith F. Varner, publisher and manager of THE PARIS POST, a weekly newspaper, published weekly at Paris, Bear Lake County, State of Idaho, do solemnly swear that a copy of the attached notice, (as per clipping), was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated, February 7, 1957, and ending with the issue dated February 28, 1957.

Keith F. Varner
Publisher.

Subscribed and sworn to and before me this 17th day of April, 1957

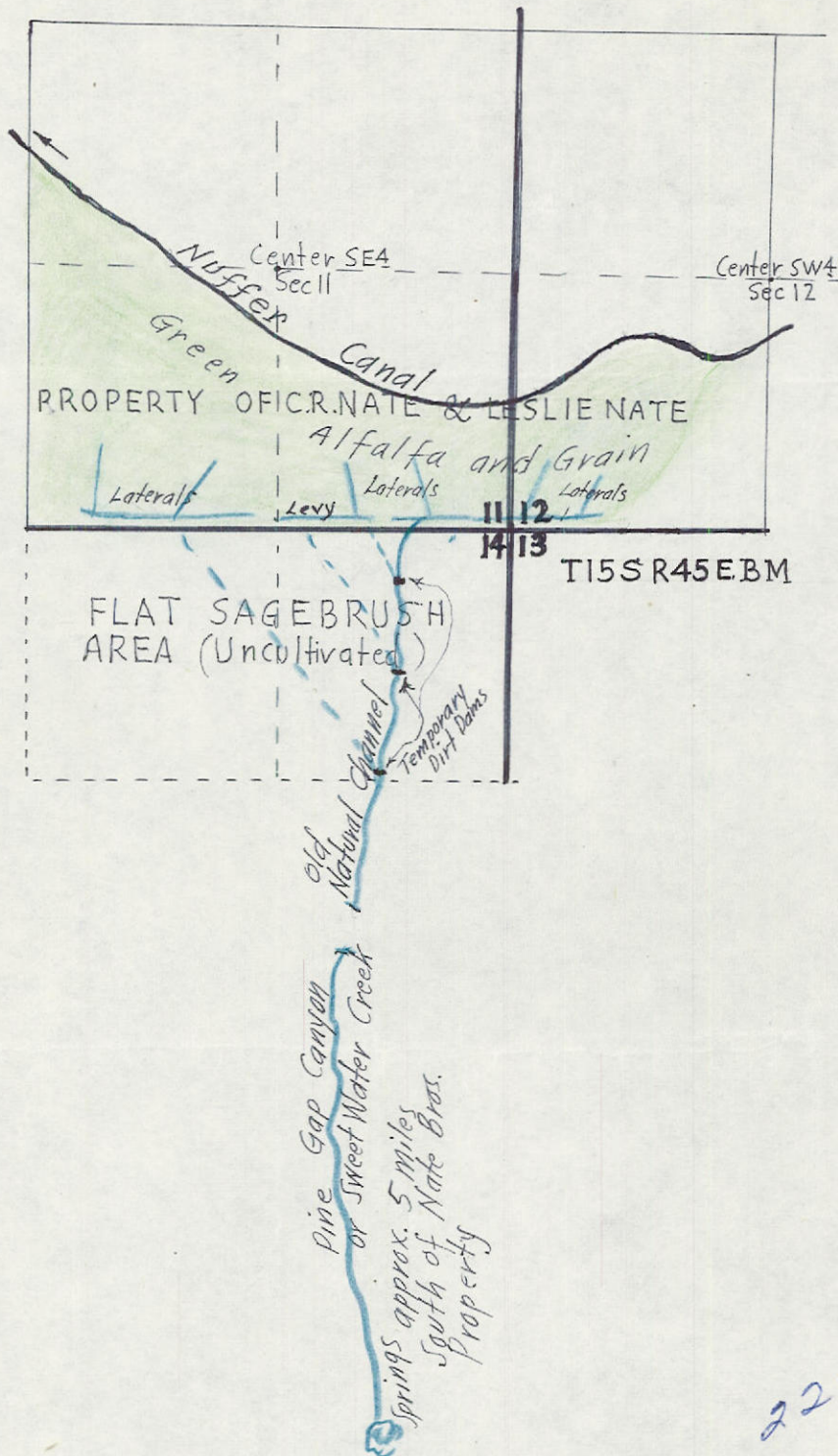
(Seal)

John B. Hoge
Notary Public.

My commission expires 25 June, 1957

22674

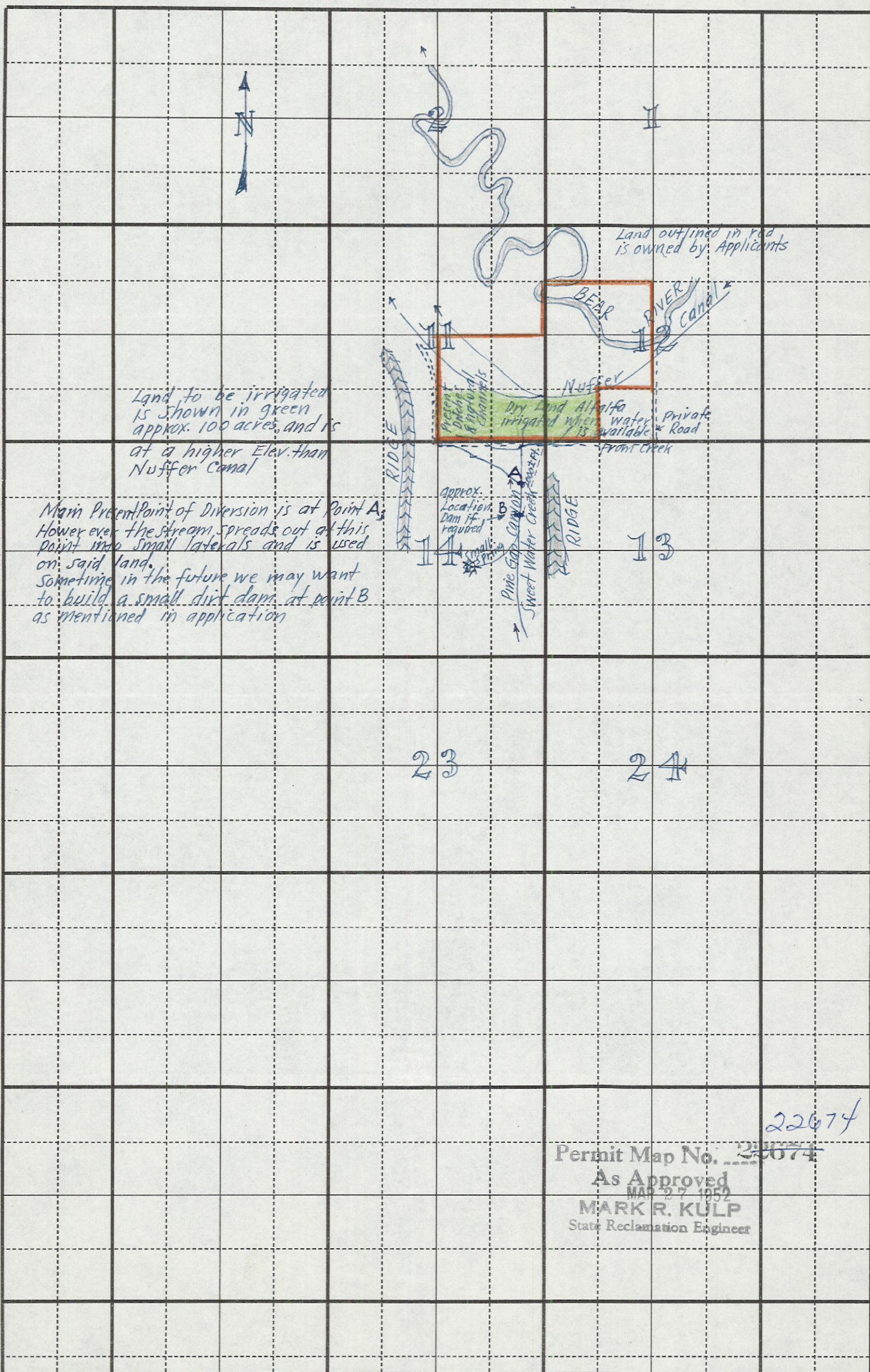
PROOF OF COMPLETION OF WORKS



Scale:
approx. 1" = 1000'

22674

EXHIBIT A



RECEIVED
OCT 26 1951
Department of Reclamation

2336 East 3400 South
Salt Lake City, Utah
October 25, 1951

Mr. Filings

Mr. Mark R. Culp
State Reclamation Engineer
Boise, Idaho.

Dear Mr. Culp:

My brother, Leslie Nate, and I are the owners land in Bear Lake County, Idaho, namely the SE $\frac{1}{4}$ of Sec. 11 and part of the SW $\frac{1}{4}$ Sec. 12 T. 15S R 45 E.B.M. We have owned this property since July 1945.

Our property at present is growing alfalfa hay which is irrigated from a small stream of water flowing from Pine Gap Canyon across sections 13, 14, 23, 24 T 15S R45 E.B.M. This stream heads about 5 miles South of our property. Our property has been irrigated from this stream since it was first brought under cultivation many years ago-- about 1885.

We have no recorded water right covering the above usage other than that of direct appropriation and beneficial use. We desire to have this right recognized by due process of law. Please inform us as to how this can be done.

I have checked the county records at Paris and can find no record of any filings on this water. Please check your records and inform me as to whether there are any applications, recordings water rights etc. on file in your office for any water in Sections 13, 14, 23, 24, 25, 26, 35, 36 T 15S R45 E.B.M. or the immediate vicinity. If there are any, please give me the names of the applicants and detailed information concerning same.

Yours sincerely

C. R. Nate
C. R. Nate

22674

State of Idaho
License and Certificate of Water Right

Water License No. 22674 Amount 2.0 c.f.s.
Water District No. Priority March 19, 1952

THIS IS TO CERTIFY that C. R. NATE and LESLIE NATE
of Salt Lake City, Utah, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 19, 19 52 ; that Permit No. 22674
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.0 second feet, was issued thereunder on March 14, 19 55, showing that said works
were completed on the 8th day of March, 19 55 ; and that on the 27th
day of March, 19 57, C. R. NATE, LESLIE NATE

of Salt Lake City, State of Utah, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Pine Gap Canyon
stream, a tributary of Sweet Water Creek, for the purpose of Irrigation from Apr 15 to
Sept. 1, under Use Permit No. 22674 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6154, on the 23rd day of October, 19 57 ;

The right hereby confirmed dates from March 19, 19 52 ;

The Point of Diversion is located

in the SE 1/4 NE 1/4, Sec. 14, Tp. 15 S., R. 45 E., B. M. County Bear Lake

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 2.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S.	45 E.	12	SW 1/4 SW 1/4	20	40
			SE 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			Total number of acres irrigated -	- - -	120

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
23rd day of October, 19 57.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. G-22604Amount 1.87 c.f.s.

Water District No. _____

Priority February 11, 1952

THIS IS TO CERTIFY that HERSCHEL BEDKE
 of Oakley, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated February 11, 1952; that Permit No. G-22604
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.87 second feet, was issued thereunder on October 23, 1957, showing that said works
 were completed on the 13th day of February, 1957; and that on the 13th
 day of February, 1957, HERSCHEL BEDKE

of Oakley, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean, for the purpose of Irrigation and domestic
use, under Use Permit No. G-22604 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6153, on the 23rd day of October, 1957;
 The right hereby confirmed dates from February 11, 1952;

The Point of Diversion is located
 in the NW 1/4 SE 1/4, Sec. 3, Tp. 14 S, R. 23 E, B. M. County Cassia
 That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 1.87 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S.	23 E.	28	NW 1/4 SW 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 SE 1/4	40	40
			Total number of acres irrigated -	- - - -	120

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
23rd day of October, 1957.

/s/ Mark R. Kulp
 State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

11-2104

APPLICATION No. 30419
 PERMIT No. 22674
 DISTRICT No.

2336 E. 3400 S.
 Salt Lake City, Utah

1. Name of Applicant: C. R. NATE and LESLIE NATE
 Postoffice address: Salt Lake City County: Salt Lake State: Utah
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation:
 (b) Amount of capital stock:
 (c) Amount paid in:
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are:
 (a) Cash on hand:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: Two (2) cubic feet per second.
3. Source of water supply: ~~Pine Gap Canyon stream (local name) which is tributary of~~ Sweet Water Creek
4. Location of point of diversion: Approx. 2000 feet distant from the Southeast corner of Section 11, T. 15 S., R. 45 E., B.M., and is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T. 15 S., R. 45 E., B.M., County of Bear Lake
5. Water is to be used for Irrigation from April 15 to Sept. 1
6. If for mining, milling, power or manufacturing purposes, give:
 (a) Point of use of water: feet distant from corner of Section
 T. , R. , B.M., in the of Section , T. , R. , B.M.
 (b) Amount of power generated: H.P., under feet head.
 (c) Water is to be returned to at a point feet
 distant from the corner of Section , T. , R. , B.M., in the
 of Section , T. , R. , B.M.
7. Estimated cost of works: \$ 300 (maximum cost)
8. Kind of works: Dam- ditches
9. Height of dam 5 feet; length of dam at top 20 feet; length of dam at bottom 30
 feet; material used in dam: Dirt
10. Size of headgate: Width 3 feet; height 2 feet.
 Note: Small ditches and natural channels are in present use and are adequate to carry 2 c.f.s. during irrigation season. During the spring run-off the water spreads out over its natural channel a distance
 11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
 of sometimes as much as 100 feet. A small dam as indicated above may be required in the future.
 dimensions of flume:
 Diameter of pipe inches; length of conduit miles.
 Average grade per mile feet.
12. The time required for the completion of such work is Three (3) years. If small dam is constructed.
13. The time required for the complete application of the water to the proposed use is Two (2) additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: At least 2 c.f.s. of water has been used on the above described land by the applicants since July, 1945, and by our predecessors in title since about 1885. When the water has been available. During dry seasons the stream dries up. The stream has as its source some springs about five miles south of our property.

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

C. R. NATE
LESLIE NATE Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. March 19, 1952

Returned to applicant for correction: March 19, 1952

Corrected application received: March 26, 1952

Approval of State Reclamation Engineer

The number of this permit is 22674

Recorded in Book 81 Page 22674 Approved March 27, 1952

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

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

Work to begin on or before May 27, 1952 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 September 27, 1953

The whole of said work to be completed on or before March 27, 1955

Beneficial use of water appropriated in accordance herewith, to be made on or before March 27, 1957

WITNESS My hand this 27th day of March, 1952

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN, Governor of the State of Idaho,

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

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 27th

day of March, 1952.

STATE OF IDAHO

Countersigned:

(SEAL)

By LEN JORDAN

Governor.

By IRA H. MASTERS

Secretary of State.

REMARKS: Since July, 1945, we have been irrigating about 100 acres of alfalfa from the small intermittent stream from which we desire to establish a water right. Prior to this date our predecessors in title used water from this stream for irrigation of the tract of land described herein. According to your letter of Oct. 26, 1951, there are no decreed water rights for use in Secs. 13, 14, 23, 25, 26, 35, 36, T. 15 S. R. 45 E., B.M., nor any filings on the water which flows in the small intermittent stream across these sections.

14. Reference is made to letter of C.R. Nate dated Oct. 25, 1951 and Dec. 6, 1951, and letters from Idaho Dept. Reclamation dated Oct. 1951 and Mar 11, 1952.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15 S.	45 E.	11																	80
		12																	20
																			100

Total Number of Acres to be Irrigated - 100

Permit No. 22674
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that C. R. NATE & LESLIE NATE of Salt Lake City, County of Salt Lake, and State of Utah, the holders of Permit No. 22674, issued upon Application No. 30419 bearing date of priority of March 19, 1952, authorizing the diversion of Two (2) second feet of the waters of Pine Gap Canyon (local name Sweetwater Creek County of Bear Lake, State of Idaho, for irrigation purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Two (2) second feet of the waters of Pine Gap Canyon (Sweetwater Creek) that the points of diversion of said waters are in the NE 1/4 Section 14, Township 15 South, Range 45 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S 1/2 SE 1/4 Section 11, and SW 1/4 SW 1/4 Section 12; Township 15 South, Range 45 East, B.M.

Witness my hand this 14th day of March, A. D. 1955.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made March 8, 1955
Certificate of Completion of Works issued March 14, 1955.

LICENSE ISSUED FOR 2.0 SEC. FF.

Page 6/54

October 23, 1957

Re: Permit No. 22674

Mr. C. R. Nate
2336 E. 3400 S.
Salt Lake City, Utah.

Dear Mr. Nate:

Enclosed is the License and Certificate of Water Right issued to you and Leslie Nate under Permit No. 22674 confirming the right with priority of March 19, 1952, to your use of 2.0 second feet of water from Sweetwater Creek, with the point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, for irrigation of 120 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 11, in Township 15 South, Range 45 East, B.M.

Enclosed also is departmental receipt #28813 for \$6.00, issued as receipt of the fee for the license.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

22674

Re: Permit No. 22674

2336 E. 3400 S.

Salt Lake City Utah

October 8 1957

RECEIVED
OCT 10 1957

Department of Reclamation

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

Dear Mr. Kulp:

With reference to your letter of September 27th
pertaining to water permit #22674; enclosed is
personal check for \$6.00 for the statutory fee, as
required.

Very truly yours,

C. R. Nate

C. R. NATE

22674

September 21, 1957

Re: Permit No. 22674

Mr. C. R. Nate
2336 E. 3400 S.
Salt Lake City, Utah

Dear Mr. Nate:

Our field engineer's report on the inspection of the application of water to beneficial use under the terms of Permit No. 22674 shows that the works are capable of conveying 100 miner's inches (2.0 c. f.s.) of water for irrigation of 120 acres. This permit is now entitled to the License and Certificate of Water Right.

Upon receipt of the statutory fee of \$6.00, we will issue, in the names of C. R. Nate and Leslie Nate, the License confirming the right with priority of March 19, 1952, to your use of 2.0 second feet of water from Sweetwater Creek, with the point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, for irrigation of 120 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 11, all in Township 15 South, Range 45 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ERR:nls

22674

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

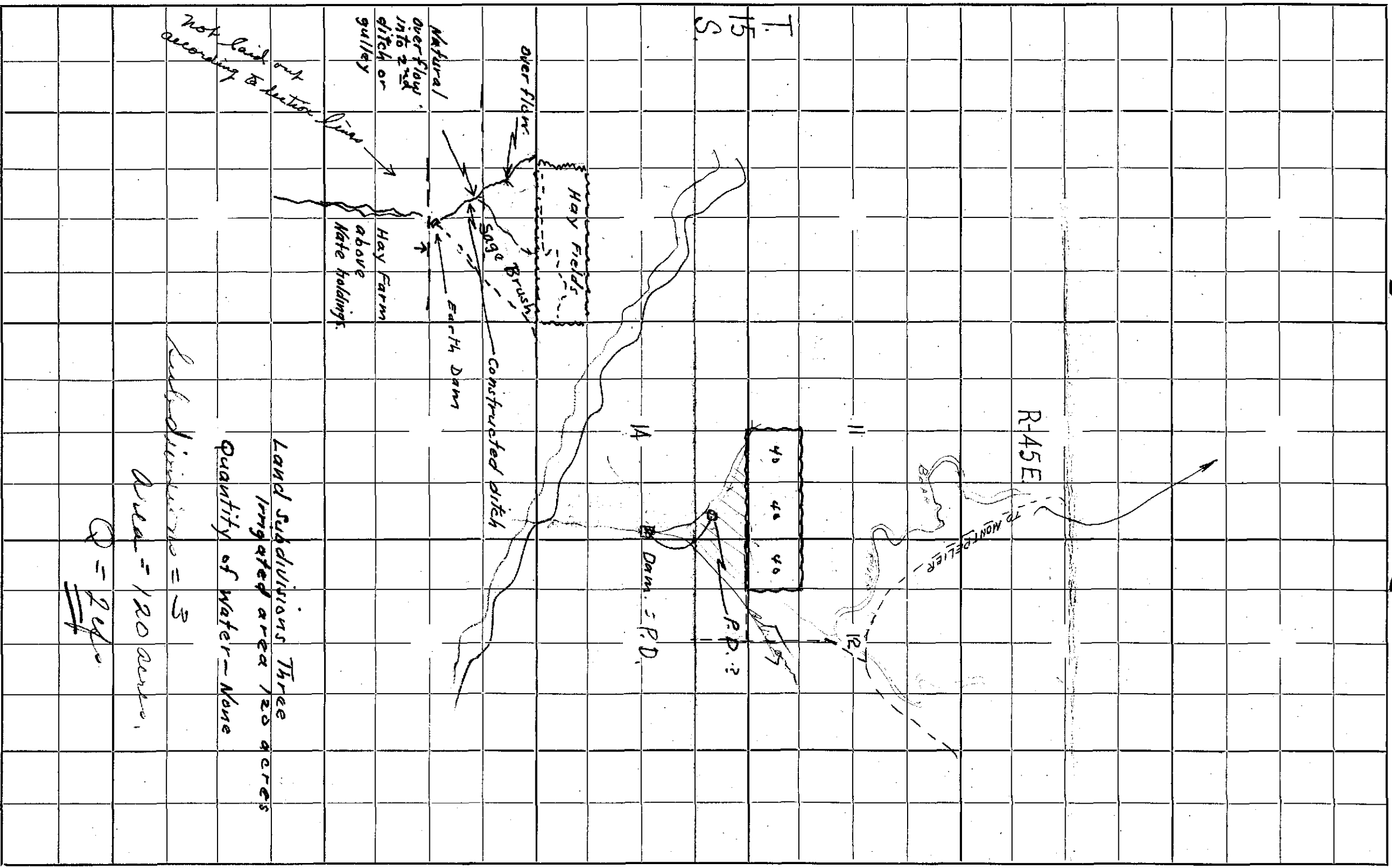
PERMIT NO. 22674

REPORT ON PROOF OF Beneficial Use

(C. R. Nate, 2336 E. 3400 S. Salt Lake City, Utah)

app.	2.0 cfs
q/n	2.0 cfs
sup	3
acru	120

2.0 cfs
max



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

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

Permit No. 22674This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant C. R. Nate2. Source of water supply: Pine Gap Canyon (local name Sweetwater Creek)3. Location of point of diversion: Is in the _____ NE $\frac{1}{4}$ of Section 14T. 15 S. R. 45 E., B.M. County of Bear Lake

4. Describe works as they exist, giving dimensions and capacities of same: Construction consists of a small earth dam (8' long 8' wide 5' high) across Sweetwater Cr. located close to E $\frac{1}{4}$ cor. sec. 14. and a constructed ditch about 0.6 mile long across NW $\frac{1}{4}$ Sec. 14. The purpose is to use the surplus spring runoff for irrigation - Spring flows or seepage at this point on the creek during the spring months might occur.

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 other than irrigation):

S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 11 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 12., Twp. 15 S., Rge. 45 E., B.M.also irrigates add. land

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

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

Remarks: _____

Leslie Nate the brother of C. R. Nate supplied information and directions - He operates the farm and resides in Dingle

This examination was made on the 17th day of August, 1957

(Signed) _____

James S. Mann

Examiner.

22674

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
AUG 29 1957
Department of Reclamation

Leslie R. Nate
C. R. Nate
23336 E. 3400 S.
Salt Lake City, Utah
Permit No. 22674

will
also
find

Examination for Beneficial Use

County Bear Lake

14-15S.-45E.

Q = 2.0 c.f.s.

S = Pine Gap Canyon (local name)
(unnamed stream) Sweet Water Creek

P.D. = NE⁴ Sec. 14, T.15S.-R.45E.

Use = Irrigation

Filed = March 19, 1952

Due = March 27, 1957

C/W = 3-14-55

August 2, 1957

Re: Permit No. 22674
Leslie Nate

The Paris Post
Paris, Idaho

Dear Sir:

This acknowledges receipt of the affidavit of publication in regard to the legal notice which was published in the Paris Post four consecutive weeks during the month of February, 1957 with statement of costs also enclosed.

On January 21, 1957, Mr. Leslie Nate of Dingle, Idaho and Mr. C. R. Nate, 2336 E. 3400 St., So., Salt Lake City, Utah, authorized us to have this notice published in the Paris Post at their expense.

We received the affidavit of publication necessary for our files, April 29, 1957, and are therefore, returning the affidavit of publication and statement of cost, received this morning, and suggest you contact Mr. C. R. Nate and also Mr. Leslie Nate in regard to this expense.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:lw
Encls.

22674

April 29, 1957

RE: Permit No. 22674

Mr. Leslie Nate
Dingle, Idaho

Dear Mr. Nate:

We acknowledge receipt of the affidavit of publication in The Paris Post and appreciate your prompt attention in this request.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

22674

The Paris Post

AFFIDAVIT OF PUBLICATION

RECEIVED
APR 29 1957

Department of Reclamation

STATE OF IDAHO, }
County of Bear Lake } ss.

I, Keith F. Varner, publisher and manager of THE PARIS POST, a weekly newspaper, published weekly at Paris, Bear Lake County, State of Idaho, do solemnly swear that a copy of the attached notice, (as per clipping), was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated, February 7, 1957, and ending with the issue dated February 28, 1957.

Keith F. Varner
Publisher.

Subscribed and sworn to and before me this 17th day of April, 1957

(Seal)

John B. Hoge
Notary Public.

My commission expires 25 June, 1957

NOTICE OF PROPOSED APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A.M. on the 27th day of March 1957, at Paris, County of Bear Lake, State of Idaho, before W. G. Wright, Notary Public, proof will be submitted of the application to beneficial use of 2 cubic feet per second of the waters of Pine Gap Canyon - Sweet Water Creek in accordance with the terms and conditions of Permit No. 22674 heretofore issued by the State Reclamation Department of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are C. R. Nate, 2336 E. 3400 S., Salt Lake City, Utah, and Leslie Nate, Dingle, Idaho.

The use to which said water has been applied is: Irrigation.

The amount applied to beneficial use is: 2 cubic feet.

The place where said water is used: S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11, and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, Twp. 15 S., Rge. 45 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: Small laterals or ditches (unnamed) and dikes across Pine Gap Canyon.

The right to take water from such works is based upon Permit No. 22674.

The source of supply from which such water is diverted is: Pine Gap Canyon (Sweet Water Creek) in NE $\frac{1}{4}$, Sec. 14, Twp. 15 S., Rge. 45 E.

The date of priority which said user is prepared to establish is: March 13, 1952.

MARK R. KULP,
State Reclamation Engineer.

22674

April 15, 1957

RE: Permit No. 22674

Mr. Leslie Nate
Dingle, Idaho

Dear Mr. Nate:

We acknowledge receipt of the depositions of yourself and Mr. C. R. Nate, the holders of the Permit and also the two witnesses, but to date we have not received the affidavit of publication from the Paris Post. If you have not already received it will you please get it and forward to us as we need it to complete this file.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

22674

RECEIVED
APR 1 1957

Department of Reclamation

2336 E. 3400 S.
Salt Lake City, Utah
March 29, 1957.

RE: Permit N. 22674

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

Dear Sir:

I am sending you herewith final PROOF OF APPLICATION OF WATER under Permit No. 22674, along with the signed depositions of two witnesses.

The necessary oaths and depositions could not be executed before Mr. W. G. Wright as referred to in your letter of January 31 1957, for the reason that he is no longer a Notary Public.

The necessary papers and oaths were executed before Ruth Aland Notary Public Montpelier Idaho.

Very truly yours


C. R. Nate

22674

Rever Lake

RECEIVED
APR 11 1957
Department of Reclamation

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. 22674

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. C. R. Nate 2336 E. 3400 S. Salt Lake City, Utah Livestock Farmer and

Leslie Nate, Dingle, Idaho Livestock Farmer

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. None

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

Ans. Permit no. 22674- Date of Priority March 19, 1952 → 3-27-52

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

Ans. Pine Gap Canyon (local name Sweetwater Creek) Point of diversion is

located in the N.E. 1/4 Section 14, T. 15 S. R. 45 East B. M. Water spreads out of the natural channel of creek.

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

Ans. When water is available in the above creek it more or less spreads out in small

laterals and flows in a northerly direction onto our property described in the application related to this proof. See Exhibit "A" Proof of Completion of Works, for details.

It has been found to be impracticable to maintain permanent-type dams (dirt dams) and ditches due to spring floods and summer cloud bursts.

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

Ans. Irrigation of land in the S.E. 1/4 Section 11 and S.W. 1/4 Section 12, Township 15 South Range 45 East B.M. Acres irrigated approximately 90-100, cultivated land. This water when available, is helpful in producing a crop of alfalfa or grain on said acreage.

More details with reference to the above question are shown on Exhibit "A" Proof of

Completion of Works dated March 14, 1955.

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

Ans. Irrigation only.

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

Ans. About two (2) second feet.

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

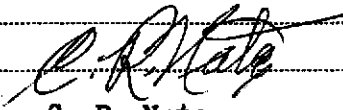
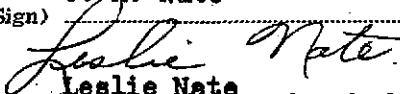
Ans. Permit issued to C.R. Nate and Leslie Nate

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

Ans. ~~Water is and has been used when available. It is mostly a spring flood-type supply, with some water available in case of a flash rainstorm flood. It is an intermittent supply. During the past three dry years very little water has been available.~~

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

Ans. None


C. R. Nate
(Sign)

Leslie Nate

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 Montpelier County of Bear Lake State of Idaho, on this 27th day of March, A. D. 1957.



My commission expires March 6, 1960
RUTH ALAND
Notary Public
Montpelier, Idaho
My Commission Expires
March 6, 1960

22674

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 11 1957
Department of Reclamation

PERMIT NO. 22674

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. Milford H. Peterson, 59, Dingle, Idaho. Farmer

Ques. 2. Are you acquainted with Leslie Nate & C. R. Nate, the holder of Permit No. 22674 yrs.? How long have you known him and where does he reside?

Ans. 20 years for Leslie Nate, lives in Dingle, Idaho. About 10 years for C. R. Nate, lives in Salt Lake City, Utah

Ques. 3. Have you read or heard read said Permit No. 22674, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Pine Gap Canyon, Out of creek bed, south of Nate Bros. property at Piquan, Ida., out of small ditch

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. Somewhere about 2 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. Irrigation, on about 90 acres, it has helped to grow crop of alfalfa and grain, cultivated land, $\frac{5}{8}$ SE $\frac{1}{4}$ - Section 11 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, Township 15, South Range 45 EBM.

22674

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

Ans. Irrigation

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

Ans. Good soil, needs about 2 second feet water

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

Ans. None

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

Ans. During past eight years or more I have seen Leslie Nate using about 2 second feet on the Nate Bros. alfalfa land referred to above. I believe the Nate Bros. have made good use of any water available, when it has been available.

(Signed) Milford H. Peterson

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 Montpelier

County of Bear Lake, State of Idaho, on this 27, day of March

A. D. 1957.

Ruth Aland

Notary Public.

My commission expires

RUTH ALAND
Notary Public
Montpelier, Idaho
My Commission Expires
March 6, 1960

22674

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 1 1957
Department of Reclamation

PERMIT NO. 22674

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. Harold Stevens, 35, Dingle, Idaho, Farmer.

Ques. 2. Are you acquainted with Leslie Nate & C. R. Nate, the holder of Permit No. 22674? How long have you known him and where does he reside?

Ans. 8 years Leslie Nate, Dingle, Ida. 5 years C. R. Nate, Salt Lake City, Utah.

Ques. 3. Have you read or heard read said Permit No. 22674, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Pine Gap Canyon or Sweet Water Creek. Out of this creek south of Nate Bros Property, by means of small laterals, dirt dikes and small dirt dams.

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. About 2 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. Irrigation, I estimate somewhere about 90 or 100 acres cultivated land used in growing grain and alfalfa. Located in S 1/2 S 1/4 - Sec 11 and SW 1/4 Sec 12 - T. 15, S. 45, E. 8 N.

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

Ans. Irrigation

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

Ans. Good sandy soil, requires about 2 second feet of water to grow a good crop of alfalfa and grain

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

Ans. No.

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

Ans. Past 6 years or so I have seen Leslie Nati irrigating alfalfa and grain, with about 2 second feet ^{or so} on about 90 acres land. When I been helping hay have seen some flash-floods come down, which was put to beneficial use on said land

(Signed) Harold Sterner

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 Montpelier

County of Bear Lake, State of Idaho, on this 27 day of March

A. D. 19 57

Ruth Aland

Notary Public.

My commission expires

RUTH ALAND
Notary Public
Montpelier, Idaho
My Commission Expires
March 6, 1960

22674

February 8, 1957

RE: Permit No. 22674
C.R. & Leslie Nete

Paris Post
Paris, Idaho

Gentlemen:

On January 31, 1957, we mailed you a Notice of proof of Application of Water to Beneficial Use on Permit No. 22674 in the name of C.R. Nete and Leslie Nete, 2336 E. 3400 S, Salt Lake City, Utah, with the request that you publish same once a week for four weeks prior to March 27, 1957, and to send us a copy of your first publication in order that we may check same.

To date we have not received a copy of the publication, and we would appreciate receiving a copy of your paper containing the notice in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

KPR:vem

22674

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. 22674
C.R. Nete & Leslie Nete

Date: January 31, 1957

Paris Post
Paris, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to March 27, 1957 the date set for proof, the expense of the publication to be paid by the applicant, 's C.R. Nete & Leslie Nete, 2336 E. 3400 S. of Salt Lake City Utah , to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:vem
Encl.

22674

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

Notice is hereby given that at 11:00 A. M. on the 27 day of March, 1957,
at Paris, County of Boer Lake, State of Idaho, before
W.C. Wright, Notary Public, proof will be submitted of the
application to beneficial use of 2 cubic feet per second of the waters of Pine Gap Canyon -
Sweet-Water Creek in accordance with the terms and conditions of Permit No. 22674
heretofore issued by the State Reclamation Department of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are G.R. Nete, 2336 E.
3400 S., Salt Lake City, Utah., and Lealis Nete, Dingle, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 2

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
S1SE1, Sec. 11, and SW1SW1, Sec. 12, Twp. 15 S., Rge. 45 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

Small laterals or ditches (un-named) and dikes across Pine Gap Canyon

The right to take water from such works is based upon Permit No. 22674

The source of supply from which such water is diverted is Pine Gap Canyon (Sweet-Water Creek)

in NE1, Sec. 14, Twp. 15 S., Rge. 45 E.

The date of priority which said user is prepared to establish is March 19, 1952

MARK R. KULP

State Reclamation Engineer.

22674

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January 31, 1957

RE: Permit No. 22674

Messrs C.R. Nate and Leslie Nate
2336 E. 3400 South
Salt Lake City
Utah.

Gentlemen:

We acknowledge receipt of Notice in proof of Beneficial Use on Permit No. 22674 to be made March 27, 1957, before W.G. Wright, Notary Public.

We shall send a copy of the Notice to the Paris Post with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:ven

Encl

cc. W.G. Wright - c/o C.R. Nate
Leslie Nate
Dingle, Idaho

P.S. You did not name a Notary before whom the proofs will be made, we submitted W.G. Wright, the Notary before whom you made your Completion of Works proof. Not knowing his address, would you please forward him the enclosed copy.

RECEIVED
JAN 23 1957

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Jan. 21 1957
(P. O.) 2336 E. 3400 S. Salt Lake City Utah

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Paris Post of Paris, Idaho published in

the county in which the works are situated:

C. R. Nate Leslie Nate
C. R. Nate Leslie Nate

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

22674

RECEIVED

JAN 23 1957

Department of Reclamation

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

Notice is hereby given that at 11.00 A. M. on the 27 day of March, 1957,

at Paris, Idaho, County of Bear Lake, State of Idaho, before

W. Y. Wright A Notary Public, proof will be submitted of the

application to beneficial use of Two (2) cubic feet per second of the waters of Pine Gap Canyon

(Sweet Water Creek) in accordance with the terms and conditions of Permit No. 22674

heretofore issued by the Mark R. Kulp State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are C.R. NATE 2336 E.

and Leslie NATE Dingle, Idaho

3400 S. Salt Lake
City, Utah

The use to which said water has been applied is irrigation

The amount applied to beneficial use is Two (2) Second feet

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

SE 1/4 Section 11, and SW 1/4 SW 1/4 Section 12, Township 15 South
Range 45 East B.M.

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

Small laterals or ditches (unnamed) and dikes across Pine Gap Canyon

The right to take water from such works is based upon Permit No. 22674

The source of supply from which such water is diverted is Pine Gap Canyon (local name
Sweet Water Creek) in NE 1/4 Sec. 14, T. 15 S. - R. 45 E.

The date of priority which said user is prepared to establish is March 19, 1952

Mark R. Kulp

State Reclamation Engineer.

22674

RMT

✓
March 14, 1955

RE: Permit No. 22674

Mr. C. R. Nate
2336 E. 3400 S.
Salt Lake City, Utah

Dear Mr. Nate:

We enclose Certificate of Completion of Works issued on Permit No. 22674 in the name of yourself and Leslie Nate for the diversion of 2 second feet of water from Pine Gap Canyon, otherwise known as Sweetwater Creek with points of diversion in the NE $\frac{1}{4}$ Section 14, Township 15 South, Range 45 East B.M. for irrigation of land in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 11 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, same Township and Range.

We also enclose departmental receipt No. 27237 for the \$5.00 in connection with completion of works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

22674

S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

Boise, Idaho

January 2, 1957

C.R. Nate & Leslie Nate
2336 E 3400 So.
Salt Lake City, Utah

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 22674. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than 3-27-57, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

22674

2336 E. 3400 S.
Salt Lake City, Utah
March 8, 1955.

Mr. Mark R. Kulp
State of Idaho
Department of Reclamation
Boise, Idaho.

RECEIVED
MAR 10 1955
Department of Reclamation

Dear Mr. Kulp:

Enclosed herewith is Proof of Completion of Works pertaining to
permit no. 22674, together with a fee of \$5.00, my personal check.

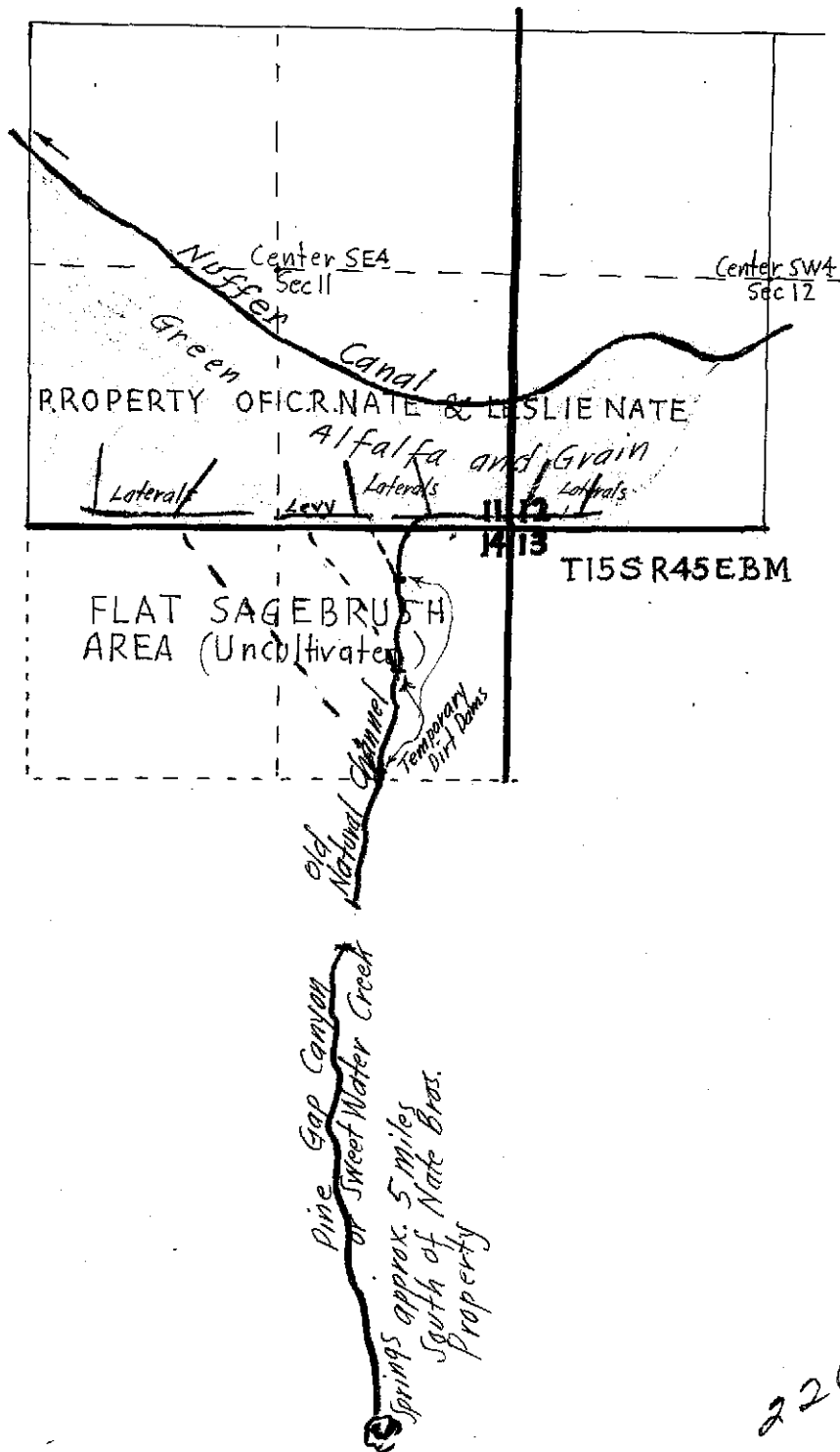
Sincerely yours

C. R. Nate
C. R. Nate

*Proof ok
mark*

22674

PROOF OF COMPLETION OF WORKS



Scale:
approx. 1"=1000'

22674

EXHIBIT A

PROOF OF COMPLETION OF WORK

During the spring run-off, the flood waters from Pine Gap Canyon or Sweetwater Creek, spread out in a fan-like pattern over the uncultivated sagebrush area adjoining the Nate Brothers Property, as well as over their property. If a heavy run-off occurs the applicants property gets well soaked and is covered with a beneficial layer of several inches of fine rich silt or sediment. In this case, or when summer flash-floods occur, it is not practical to hold the water back by means of reservoirs or dams constructed in the main gulch or stream bed. The heavy spring flood waters or flash-floods wash them out.

It has been found most practical to make small temporary dirt dams, levies, and small lateral ditches following the flood-waters in order to distribute the water over their ground. Approximately 1000-1200' of laterals about 1' X 1' are required. These have been made, or new ones are constructed after they are filled up with sediment. In addition we have cleaned out the main channel adjacent to our property for a distance of about 1000', and made small dirt levies where necessary. The cost of all this work to date is approximately \$150.00.

The water from the Sweetwater gulch is used for irrigation when available. It is more or less a supplemental supply to produce alfalfa hay and grain. There has been very little water available the past two dry years. In the case of a lot of precipitation, a late spring, and other favorable factors, we have been able to use this water to about June 15, on approximately 90 acres of land.

Our predecessors in title have used this water for irrigation beneficially when available since 1885, and we have used it when available since July 1945 when we purchased the property.

22674
EXHIBIT A

Permit No. 22674STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

SS.

County of Bear Lake
C.R. NATE & LESLIE NATE

Their

being first duly sworn, upon ~~his~~ oath deposes and says:
First: That ~~they are~~ the holders and owners of Permit to appropriate the Public Waters of the State of Idaho, No. 22674, and that ~~their~~ postoffice address is 2336 E. 3400 S. Salt Lake City Utah and Dingle Idaho
State of Idaho

Second: That the name of the stream from which said water is to be diverted is
Pine Gap Canyon or Sweetwater Creek (County of Bear Lake Idaho)

Third: That the point of diversion of said water is Temporary dirt dams in main channel or gulch of said stream in NE 1/4 Sec. 14 T15S R45E BM

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 27, 1955.

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

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

I. Kind of works: See Sketch Map & Statement attached, Exhibit A
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: -

(a) Height of dam - feet, length of dam at top - feet, length of dam at bottom - feet. Material used in construction (Earth) Temporary Dams as required following the floodwaters
(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir - acre feet.

(c) Size of headgate: Width - feet, height - feet.

(d) Conduit - width at bottom - feet, width at water line - feet, depth of water - feet; diameter of pipe - inches, average grade per mile is - feet. Length of conduit is - miles.

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

Eighth: That water appropriated under said permit is available for Intermittently approx. 9.0 acres of land described as follows: Fr. SE 1/4 Sec 11 and Fr. SW 1/4 Sec 12 T. 15S R. 45E BM

Ninth: Remarks: That We have complied with the limitations and conditions as enumerated on page 4 of said Application No. 30419 and Permit No. 22674 so far as it is practical to do so. That we have found it impractical and unnecessary to construct the dirt dam as referred to in the said application. (See Exhibit A herewith)

C.R. NATE

(Sign Here) Leslie NATE

Subscribed and sworn to before me this 8 day of March, 1955

My commission expires Oct 8, 1956

Notary Public.

22674

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

January 3, 1955

Messrs. C. R. Nate & Leslie Nate
2336 E. 3400 S.
Salt Lake City, Utah

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho

Dear Sirs:

Under the terms of your permit No. 22674 you are required to complete your diversion works on or before March 27, 1955. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP

State Reclamation Engineer

22674

March 31, 1952

RE: Permit No. 22674

Mr. C. R. Nate
2336 E. 3400 S.
Salt Lake City, Utah

Dear Mr. Nate:

We enclose Permit No. 22674 in the name of yourself and Leslie Nate and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 24297 for the \$5.25 filing fee.

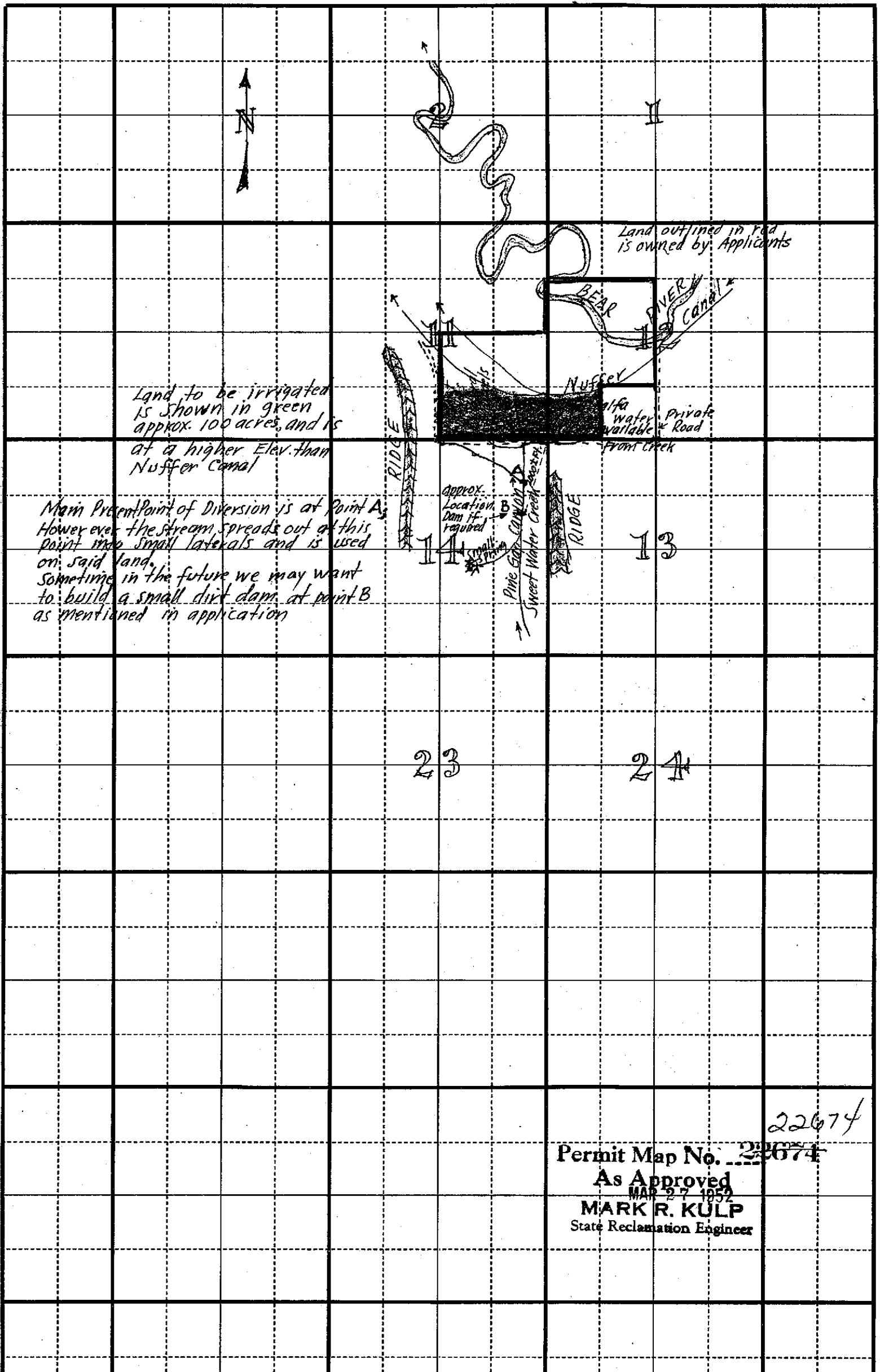
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22674



RECEIVED
MAR 26 1952
Department of Reclamation

2336 E. 3400 S.

Salt Lake City Utah

March 21, 1952

Department of Reclamation

Boise, Idaho

Gentlemen:

With reference to your letter of March 19th, enclosed are duplicate sketch maps pertaining to my recent application for water filing.

In as much as I have no plat of the area immediately south of and adjoining my property it is rather difficult to get the exact location and official name of the stream etc. referred to in the filing.

Thank you for sending me the blank forms.

Sincerely yours

C. R. Malt

22674

March 19, 1952

Mr. C. R. Nate
2336 E. 3400 S.
Salt Lake City, Utah

Dear Mr. Nate:

We are in receipt of your application for permit to appropriate 2 second feet of water from Pine Gap Canyon, also known as Sweet Water Creek, accompanied by your check for \$5.25 filing fee.

However, you failed to enclose the duplicate sketch maps which should accompany the application, showing the course of the stream, the point of diversion and the land to be irrigated.

These forms were enclosed with the application sent you on March 11, but in case you have misplaced them, we enclose other forms herewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22674

March 11, 1952

Mr. C. R. Nate
2336 E. 3400 S.
Salt Lake City, Utah

Dear Mr. Nate:

In reply to your letter of March 10, 1952, we enclose a form of application for permit to appropriate the public waters of the State of Idaho together with a pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right, two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense, and at the time set for proof, depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under Question 13 of the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22674

233 E 3400 S.

Salt Lake City Utah
March 10, 1952

Department of Reclamation

Boise Idaho:-

Gentlemen:

With reference to my letter of December
11, 1951 pertaining to a water right to 2 cfs
on 100 acres in SE 1/4 Sec 11 and SW 1/4 Sec 12 T 15 S. R 45 E BM;
please send me the necessary application forms
and instructions for a permit or filing.

Sincerely yours

C. R. Hale

RECEIVED

MAR 11 1952

Department of Reclamation

22674

December 11, 1951

Mr. C. R. Nate
2336 E. 3400 S.
Salt Lake City, Utah

Dear Mr. Nate:

We wish to acknowledge receipt of your letter of December 6, in which you state that you wish to establish a water right of 2 cubic feet per second on 100 acres of land in the following location. Fraction of SE $\frac{1}{4}$ of Section 11 and Fraction of SW $\frac{1}{4}$ Section 12, Township 15 South, Range 45 East, B.M.

Providing you have no water right of record, there are two ways of obtaining same.

1. If you wish to establish your right and maintain your priority of April 1, 1885, under your claim of beneficial use, it will be necessary to establish same through the courts.
2. You may establish a record right by filing an application for permit in this department and by fulfilling the terms of the permit and receiving a State license.

However, under this last method, you establish a priority of the date your filing is received in this department. It is not possible under the permit system to establish a priority date earlier than the date of receipt of the application for permit in this department.

Providing you wish to file an application for permit, we will gladly furnish you the proper forms upon request.

Hoping this answers your inquiry, we are

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:fg

22674

2336 E. 3400 S.
Salt Lake City, Ut
December 6, 1951.

Mr. Mark R. Culp
State Reclamation Engineer
Boise, Idaho.

Dear Mr. Culp:-

Please refer to my letter of October 25 and your answer of October 26 instant with reference to water rights and filings for Sections 11, 12, 13, 14, 23, 24, 25, 26, 35, 36 T. 15 S. R45 EBM.

My brother, Leslie Nate and I wish to establish our right to 2 c.f.s. of said water for usage on 100 acres of land in the SE $\frac{1}{4}$ Sec 11 and part of the SW $\frac{1}{4}$ Sec 12 T 15S R45 EBM, and have same made a matter of record.

This quantity of water has been used beneficially for irrigation on said acreage by our predecessors in title, as far back as April 1, 1885 and by us since July 15, 1945.

Please consider this letter an application for this water right by virtue of direct appropriation and continued beneficial usage since April 1, 1885.

Please inform me as to any other necessary steps that may be required to establish this water right for record.

Yours sincerely

C. R. Nate
C. R. Nate

22674

RECEIVED
DEC 11 1951
Department of Reclamation

October 26, 1951

Mr. C. R. Nate
2336 East 3400 South
Salt Lake City, Utah

Dear Mr. Nate:

In answer to your letter asking if there are any applications, recordings or water rights filed in this office in any way appertaining to the place of use in Sections 13, 14, 23, 24, 25, 26, 35, and 36, in Township 15 South, Range 45 East, B.M.

We have checked the records in this office and we do not find any permit filings on Pegram or Sweet Water Creeks which, according to the map, flow through these said sections, and in checking the decrees, we find no record of any decreed rights for use in the above named sections.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:fg

P.S. No filings from any source in connection with above,

RWT.

22674

RECEIVED
OCT 26 1951
Department of Reclamation

2336 East 3400 South
Salt Lake City, Utah
October 25, 1951

Mr. Filings

Mr. Mark R. Culp
State Reclamation Engineer
Boise, Idaho.

Dear Mr. Culp:

My brother, Leslie Nate, and I are the owners land in Bear Lake County, Idaho, namely the SE $\frac{1}{4}$ of Sec. 11 and part of the SW $\frac{1}{4}$ Sec. 12 T. 15S R 45 E.B.M. We have owned this property since July 1945.

Our property at present is growing alfalfa hay which is irrigated from a small stream of water flowing from Pine Gap Canyon across sections 13, 14, 23, 24 T 15S R45 E.B.M. This stream heads about 5 miles South of our property. Our property has been irrigated from this stream since it was first brought under cultivation many years ago-- about 1885.

We have no recorded water right covering the above usage other than that of direct appropriation and beneficial use. We desire to have this right recognized by due process of law. Please inform us as to how this can be done.

I have checked the county records at Paris and can find no record of any filings on this water. Please check your records and inform me as to whether there are any applications, recordings water rights etc. on file in your office for any water in Sections 13, 14, 23, 24, 25, 26, 35, 36 T 15S R45 E.B.M. or the immediate vicinity. If there are any, please give me the names of the applicants and detailed information concerning same.

Yours sincerely

C. R. Nate
C. R. Nate

22674

**NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 11:00 A.M. on the 27th day of March 1957, at Paris, County of Bear Lake, State of Idaho, before W. G. Wright, Notary Public, proof will be submitted of the application to beneficial use of 2 cubic feet per second of the waters of Pine Gap Canyon - Sweet Water Creek in accordance with the terms and conditions of Permit No. 22674 heretofore issued by the State Reclamation Department of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are C. R. Nate, 2336 E. 3400 S., Salt Lake City, Utah, and Leslie Nate, Dingle, Idaho.

The use to which said water has been applied is: Irrigation.

The amount applied to beneficial use is: 2 cubic feet.

The place where said water is used: $S\frac{1}{2}SE\frac{1}{4}$, Sec. 11, and $SW\frac{1}{4}$, $SW\frac{1}{4}$, Sec. 12, Twp. 15 S., Rge. 45 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: Small laterals or ditches (un-named) and dikes across Pine Gap Canyon.

The right to take water from such works is based upon Permit No. 22674.

The source of supply from which such water is diverted is: Pine Gap Canyon (Sweet-Water Creek) in $NE\frac{1}{4}$, Sec. 14, Twp. 15 S., Rge. 45 E.

The date of priority which said user is prepared to establish is: March 19, 1952.

**MARK R. KULP,
State Reclamation Engineer.**

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The date of priority which said user is prepared to establish is: March 1952.

MARK R. KULP,
State Reclamation Engineer.