

No Color

Documents

In File

State of Idaho
License and Certificate of Water Right

Water License No. 16493
Water District No.

Amount 0.1 sec. ft.
Priority 6-1-1926

THIS IS TO CERTIFY that James C. Lindsay,
of Dingle, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 1, 1926; that Permit No. 16493
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.1 second feet, was issued thereunder on June 18, 1928, showing that said works
were completed on the 2nd day of June, 1928; and that on the 2nd
day of June, 1928,

James C. Lindsay,
of Dingle, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of a spring,
~~a tributary of~~, for the purpose of domestic use
under Use Permit No. 16493 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6
of Licenses, at page 3514, on the 18th day of June, 1928;

The right hereby confirmed dates from June 1, 1926;

The Point of Diversion is located
in the SE 1/4 NE 1/4, Sec. 29, Tp. 15 S., R. 46 E., B.M. Bear Lake County;

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

Description and location of use: Watering stock on the SE 1/4 NE 1/4, Sec. 29, Twp. 15 S., R. 46 E., B.M.

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

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 18th day of June, 1928.

GEO. N. CARTER
Commissioner of Reclamation

(SEAL)

By Myron Swendsen,
Assistant.

State of Idaho

License and Certificate of Water Right

Water License No. 13822.....

Amount 2.0 sec. ft.

Water District No. 20-k.....

Priority 11-29-1918.....

THIS IS TO CERTIFY that Geo. R. Avery,
 of Donnelly, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated November 29, 1918; that Permit No. 13822
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 2.0 second feet, was issued thereunder on December 28, 1920, showing that said works
 were completed on the 16th day of December, 1920; and that on the 16th
 day of December, 1923,

Geo. R. Avery,

of Donnelly, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of Lake Fork River
 , a tributary of Payette River, for the purpose of irrigation and
 domestic use, under Use Permit No. 13822 of the Commissioner of Reclamation,
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
 hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6
 of Licenses, at page 3513, on the 18th day of June, 1928;

The right hereby confirmed dates from November 29, 1918;

The Point of Diversion is located
 in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, Tp. 17 N., R. 3 E., B. M. Valley 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 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
16 N.	3 E.	17	NE $\frac{1}{4}$ SE $\frac{1}{4}$	25	30
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	25	25
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	25	25
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	25	30
			Total 110		

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
 this 18th day of June, 1928.

GEO. N. CARTER.

Commissioner of Reclamation

(SEAL)

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

11-2086

Application No. 23342
 Permit No. 16493
 District No.

1. Name of Applicant: James C. Lindsay

Postoffice address: Dingle County: Bear Lake State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

2. Quantity of water claimed: 0.1 cubic feet per second.

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

4. Location of point of diversion: 150 feet distant from the East $\frac{1}{4}$

corner of Section 29, T. 15 S., R. 46 E., B. M., and is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 29, T. 15 S., R. 46 E., B. M., County of Bear Lake

5. Water is to be used for: watering live stock

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 SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, T. 15 S., R. 46 E., 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: \$100.00

8. Kind of works: reservoir and pipe and ditch about 160 ft. long.

9. Height of dam 8 feet; length of dam at top 200 feet; length of dam at bottom 100
 feet; material used in dam: earth

10. Size of headgate: Width feet; height feet

11. Ditch: Width at bottom 1 feet; width at water line 1 feet; depth of water $\frac{1}{12}$
 feet; dimensions of flume

Diameter of pipe 1 inches; length of conduit miles.

Average grade per mile feet

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

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

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

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

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

James C. Lindsay Applicant.

By

Agent.

Date of first receipt at Department of Reclamation. 9 A. M., June 1, 1926

Returned to applicant for correction.

Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16493

Recorded in Book 59 Page 16493 Approved June 2, 1926

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 August 1, 1926 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 2, 1927

The whole of said work to be completed on or before June 2, 1928

Beneficial use of water appropriated in accordance herewith, to be made on or before June 2, 1928

Witness my hand this 2nd day of June, 1926

W. G. SWENDSEN
Commissioner of Reclamation.

Remarks:

BY GEO. N. CARTER
Assistant.

14 Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			PERMIT NO.16493. CERTIFICATE OF COMPLETION OF WORKS. TO ALL WHOM IT MAY CONCERN: This is to certify that James C. Lindsay, of Dingle, County of Bear Lake, and State of Idaho, the holder of Permit No. 16493, issued upon Application No.23342, bearing date of priority of June 1, 1926, authorizing the diversion of 0.1 second feet of the waters of a spring, County of Bear Lake, State of Idaho, for domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.1 second feet of the waters of a spring; that the point of diversion of said waters is in the SE¼NE¼, Sec. 29, Twp. 15 S., R. 46 E., B. M., and that the place of intended use of said water is in the SE¼NE¼, Sec. 29, Twp. 15 S., R. 46 E., B. M. Witness my hand this 18th day of June, A. D. 1928. (SEAL) GEO. N. CARTER, Commissioner of Reclamation, By Myron Swendsen, Assistant. Proof of completion of works made June 2, 1928. Certificate issued June 18, 1928. License issued for <u>0.1</u> second feet <i>P. 3514</i>																

VERIFIED KAW

12-31-85

WRR100
11-2086

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
23-DEC-1985 20:39:44

01 WATER RIGHT NUMBER - 11-2086 ✓ 02 OLD (D) NUMBER - 16493

03001 - LINDSAY LAST NAME 04001 - JAMES C. FIRST NAME 05001 - C ORIG. OWNER
06 ADD LINE 1 - 07 ADD LINE 2 -
08 ADD LINE 3 - 09 CITY - DINGLE 10 STATE - ID 11 ZIP - 832330000
12 STAGE - L LICENSE 13 STATUS -
14001 - SPRING SOURCE 15001 - TRIBUTARY OF
16 DIVERSION MEANS - 17 COUNTY - 07 BEAR LAKE
18 DIVERSION CAPACITY - .000 19 TOTAL DIVERSION RATE - .100 20 TOTAL DIVERSION VOLUME - .00
21 WATER DISTRICT - 11 ✓

----- DIVERSION POINTS -----
TRACT SEC TWN RNG LOT RFLG S T R E A M I N D E X F I E L D S
22001 - SENE 23001 - 29 24001 - 15S 25001 - 46F ✓ 26001 - 27001 -
28001 - 0 100.0 184.0 0.0 0.0 0.0 0.0 0.0 0 0 0 4.0

29 NON-IRRIGATION USE - D/STOCKWATER.

----- PLACE OF USE -----
USE CODE / USE TWN RNG SEC TRACT ACRES LOT
30001 - 43 DOMESTIC ✓ 31001 - 15S ✓ 32001 - 46E ✓ 33001 - 29 ✓ 34001 - SENE ✓ 35001 - 36001 -
TOTAL ACRES: 0 ✓

----- WATER USE -----
PERIOD FROM PERIOD TO USE CODE / USE DIVERSION RATE DIVERSION VOLUME
37001 - 38001 - 39001 - 43 DOMESTIC 40001 - 0.100 41001 - 0.00

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

REMARKS
44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S ----- D A T E S ----- F L A G S -----
47 PRIORITY - 1-JUN-1926 55 LICENSE - 18-JUN-1928 63 TRANSFER/AMENDED -
48 PROOF DUE - 56 APPL RECEIVED - 64 DLE/CAREY ACT -
49 PROOF MADE - 57 FIELD EXAM MADE - 65 FLAG_1 -
50 APPROVE/DENIED - 58 DECREE - 66 FLAG_2 -
51 PROTESTED - 59 START WORK - 67 FLAG_3 -
52 HEARING - 60 ORDER SHOW CAUSE -
53 VERIFIED - 61 DATE_1 -
54 LAST UPDATE - 18-DEC-1985 62 DATE_2 -

WATER RIGHT
DATA ENTRY LOG[illegible]

June 18, 1923.

Re: Permit No. 16493.

Mr. James C. Lindsay,
Dingle, Idaho.

Dear Sir:

We are mailing you herewith Certificate of
Completion of Works and Water License issued under
the above numbered permit; also receipt for fees paid.

Very truly yours,

GEO. M. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

Enc.

16493

T-155 R 40E

MAP DOES NOT
MATCH LEGALS

29

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

Jas. L. Lindsay
Dingle, Idaho

Permit No. 16493

Examination for BEN. USE

County BEAR LAKE

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, IDAHO

REPORT OF ENGINEER

16493

Permit No.

This proof is for BEN. USE

In Water District No.

1. Name of applicant: James C. Lindsay
2. Source of water supply: Small Spring
3. Location of point of diversion: Is in the SE 1/4 of Section 29
T. 15 S R. 46 E.B.M. County of Bear Lake
4. Describe works as they exist, giving dimensions and capacities of same:
One inch pipe set into side hill approx. 20 feet to develop flow, covered, empties into trough, wooden, 16' x 1' over flow runs approx 200 ft into small Reservoir made by diking across gulch approx 125' x 100' length, 6' high in center
5. Water is used for: Watering Stock
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): ON SENE Sec 29

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

8. What large stream would the water here appropriated finally reach? None
- Remarks: Small spring, would not flow off land except in seasons of rainfall or melting snow
Not to exceed 3 inch water this date

This examination was made on the 6 day of June 19 28

(Signed)

R. F. Stetler

Examiner.

16493

June 6, 1928.

Re: Permit No. 16493.

Mr. James C. Lindsay,
Dingle, Idaho.

Dear Sir:-

We are in receipt of affidavit for proof of completion of works, together with depositions of yourself and two witnesses and the affidavit of publication for proof of beneficial use of water under the above numbered permit. The fees due amount to \$10.00, being \$5.00 for each proof. Upon receipt of such fees, after the examination has been made by our field engineer, the certificate and license will be issued.

Very truly yours,
GEO. H. CARTER,
Commissioner of Reclamation.

By _____
Chief Clerk.

16493

The Paris Post

WEEKLY • INDEPENDENT

OLDEST WEEKLY NEWSPAPER PUBLISHED IN IDAHO

JOHN A. WALLIS,
EDITOR AND MANAGER

PARIS, IDAHO

May 5, 1928

Page 2

George N. Carter, Commissioner,
Department of Reclamation,
Boise, Idaho.

Dear Sir:

This is to acknowledge receipt of notice of
publication for James L. Lindsay of Dingle, Idaho.
Copy of paper in which notice appeared was sent to
your office this week under separate cover.

Very truly yours,

THE PARIS POST

John A. Wallis

16493

The Paris Post Publishing Co.

AFFIDAVIT OF PUBLICATION

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10 a. m. on the 2nd day of June, 1928, at Paris, County of Bear Lake, State of Idaho, before Amy Munk, clerk of District Court, Paris, Idaho, proof will be submitted of the application to beneficial use of 0.1 cubic feet per second of the waters of Traugh spring in accordance with the terms and conditions of Permit No. 16493 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are James E. Lindsay, Dingle, Idaho.

The use to which said water has been applied is domestic, for watering stock.

The amount applied to beneficial use is 0.1 of cubic foot.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) about 250 feet from point of diversion, or spring, which is in NE $\frac{1}{4}$ Sec. 29, tp. 15 S. R. 46 E. B. M. in Bear Lake County, Idaho.

The right to take water from such works is based upon Permit No. 16493.

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

The date of the priority which said user is prepared to establish is June 1, 1926.

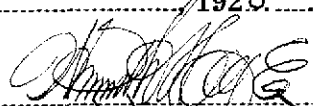
GEO. N. CARTER,
Commissioner of Reclamation.
m-324.

I, John A. Wallis

publisher of The Paris Post, published weekly at Paris, Idaho, do solemnly swear that a copy of the attached notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated May 3rd, 1928, and ending with the issue dated May 27th, 1928.

Subscribed and sworn to before me this 2nd

day of June, 1928.


NOTARY PUBLIC.

16493

Permit No. 16493

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO, }
County of Bear Lake } ss

James C. Lindsay, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the state of Idaho, No. 16493, and that his postoffice address is Dingle, Idaho.
State of Idaho.

Second: That the name of the stream from which said water is to be diverted is spring
known as Traugh spring

Third: That the point of diversion of said water is 150 feet distant from the SE
corner of NE $\frac{1}{2}$ sec. 29. Tp 15 S R 46 EBM

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 2, 1928, 19 .

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

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: developed spring by going back in hill, put in pipe
(Reservoir, dam, ditch, flume, pipe or otherwise.)

, reservoir, dam, traugh, work nearly completed, will be finished next
spring.

II. Dimensions of work:

(a) Height of dam 5 feet, length of dam at top 150 feet, length of dam at bottom same feet. Material used in construction dirt

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet. shape of res. V, 160 by 125
length. Water cover about 1-10 acre.

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

(d) Conduit width at bottom feet, width at water line

(State whether ditch, flume or pipe.)

feet, depth of water feet; diameter of pipe 1 inches, average grade
per mile is feet. Length of conduit is 250 feet from spring to
reservoir.

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

Eighth: That water appropriated under said permit is available for acres
of land described as follows: none

Ninth: Remarks: That This is a small spring developed for the purpose
producing water for watering stock, and the reservoir has been built
to save and conserve the small amount of water running from the spring,
where before it sunk into the ground, depriving stock of needed water.

James C. Lindsay
(Sign here)

Subscribed and sworn to before me this 2nd day of June, 1928

My commission expires

AMY MUNK, Clerk, District Court,
Bear Lake County, Idaho Notary Public

By

Deputy.

164 93

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. _____

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. James C. Lindsay, age 36 years, Dingle, Idaho, farming.

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. #

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

Ans. No. 16493, June 3, 1926 June 1, 1926

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

Ans. Traugh Spring, point is 150 ft. west from the SE corner of NE $\frac{1}{4}$ Sec. 29, Tp. 15 S. R. 46 E. B. M.,

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

Ans. A small dam or reservoir across a ravine, said dam is 150 ft. long and 5 feet deep, at center point (or lowest place), water is merely backed up to conserve for watering stock, and when filled covers about $\frac{1}{10}$ acre.

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. As stated water is used for watering stock only, and used at the place of location of dam or reservoir.

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

Ans. #

16493

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

Ans. Entire output of spring which is very small.

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. I am the same person.

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

Ans. I have used it each season ~~since~~ since entering same, as that is the only water we have in that part of field, for water/^{ing}stock.

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

Ans. none.

(Sign)

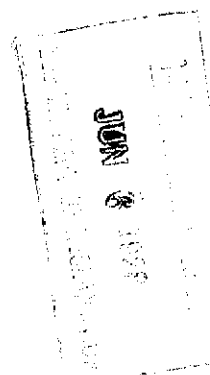
James C. Lindsay

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 Paris, County of Bear Lake, State of Idaho, on this 2nd day of June A. D. 1928.

AMY MUNK, Clerk of Dist. Court.

By. *[Signature]* Deputy.

My commission expires _____



2028
RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. _____

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. Oral Bagley, 40, Montpelier, laborer, Montpelier, Idaho.

Ques. 2. Are you acquainted with James C. Lindsay, the holder of Permit No. 16493? How long have you known him and where does he reside?

Ans. Twenty years, he resides at Dingle, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16493, 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. The water is a small spring, called Traugh Spring, and rises about 150 ft. west of the SE corner of NE $\frac{1}{4}$ of Sec. 29, Tp. 15 S. R. 46 E.B.M., in a small ravine across which he has built a dam or reservoir which is about 150 feet long and 5 feet deep at highest point, the water is merely backed up and stored for watering stock, it has a small over-flow in case of filling up, but it has never been full as yet.

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. I estimate the water will cover about 1/10 of an acre when the dam is filled up.

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

Ans. It is used for watering stock only.

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

Ans. It has been held there for the stock to drink that being the only use to which it has been put.

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. There is no irrigation.

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 sir.

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 have seen the water in the reservoir, each season and know that it is used for no other purpose than watering stock.

(Signed)

Oral Bagley

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 Paris, County of Bear Lake, State of Idaho, on this 2nd day of June, A. D. 1928..

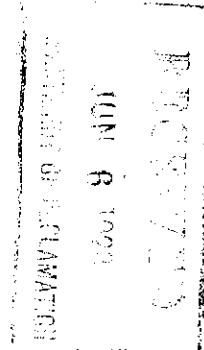
AMY MUNK, Clerk of District Court,
Bear Lake County, Idaho.

By

[Signature]

Deputy.

My commission expires



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. _____

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. Oron Quayle, age 52 years, Dingle, Idaho, Stock-raiser.

Ques. 2. Are you acquainted with James C. Lindsay, the holder of Permit No. 16493? How long have you known him and where does he reside?

Ans. Twelve years, he resides at Dingle, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16493, and are you familiar with its provisions and conditions?

Ans. yes sir.

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. A small spring known as Traugh Spring, located about 150 ft. west of SE corner of NE $\frac{1}{4}$ Sec. 29, Tp. 15 S., R. 46 E., B.M., the water is not conveyed from its source to any place of diversion other than into the reservoir where it is held for watering stock. The dam is about 150 ft. long across a ravine, and is about 5 feet high at highest point. The water will cover about 1/10 of an acre of land.

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. The reservoir has never been full, but I would judge it would cover about 1/10 of an acre when filled.

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

Ans. The only use to which the water is put is to back the water up and to be used for watering stock during the dry part of the season.

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

Ans. Only for watering stock, as stated above.

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.

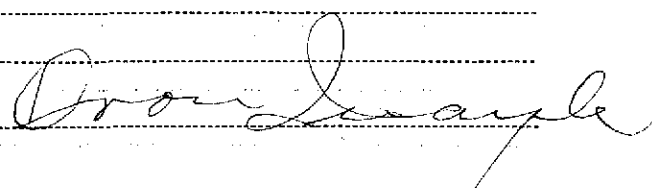
Ans. No irrigation.

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

Ans. I am not interested in the water or land.

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.

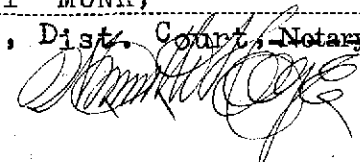
Ans. I have seen him use it for watering stock each season.

(Signed) 

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 Paris., County of Bear Lake, State of Idaho, on this 2nd day of June, A. D. 1928.

AMY MUNK,
Clerk, Dist. Court, Notary Public.

My commission expires _____

By, 

Deputy.

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, April 27, 1928

James C. Lindsay,
c/o Clerk of the Dist. Court,
Paris, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 16493

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 June 2, 1928, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Paris before the Clerk of the Dist. Court.

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

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

Yours truly,

CMO. H. CARTER,

Commissioner of Reclamation.

16493
16493

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date April 27, 1928

Publisher The Post,
Paris, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 2, 1928, the date set for proof, the expense of the publication to be paid by the applicant, James L. Lindsay, of Dingle, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

GEO. H. CARRER,

Commissioner of Reclamation.

16493

March 31, 1928.

Re: Permit No. 16493.

Mr. JAMES C. LINFSEY,
Dingle, Idaho.

Dear Sir:-

We are in receipt of notices for proof of beneficial use of water under the above permit, together with check for fees in the sum of \$5.00.

Inasmuch as you have not yet filed your affidavit for proof of completion of works, the check for fees is herewith returned to you. We take it you intend making both proof of completion of works and beneficial use on the same date, June second.

Notice of proof of beneficial use will be mailed to the Paris Post in time for the required four weeks publication prior to June 2nd, the date set for proof, and deposition blanks for yourself and two witnesses will be mailed to the Clerk of the District Court, before whom proof is to be made. The affidavit form for proof of completion of works mailed you on March 10 should also be filled out on that date, or, if you desire, this affidavit may be made at any time prior to said date, as notice of proof of completion is not required to be published.

Very truly yours,
GEO. N. CARTER,
Commissioner of Reclamation.

Enc. check \$5

By _____
Chief Clerk.

16493

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 28, 1928

(P. O.) Bingle, Idaho.

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Post of Paris, Idaho, published in
the county in which the works are situated.

James L. Lindsay

(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.

16493

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 2nd day of June, 1928,
at Paris, County of Bear Lake, State of Idaho,
before Amy Munk, Clerk of Dist Court, Paris, Idaho., proof will be submitted
of the application to beneficial use of 0.1 cubic feet per second of the
waters of Trough spring in accordance with the terms and conditions of
Permit No. 16493 heretofore issued by the Commissioner of Reclamation,
of the State of Idaho.

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

~~James C. Lindsay, Dingle, Idaho~~
~~James C. Lindsay, Dingle, Idaho~~

The use to which said water has been applied is domestic, for watering live stock

The amount applied to beneficial use is 0.1 cubic foot.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) about 250 feet from said spring, which is in NE¹ sec 29,
Tp 15 S. R. 46 EBM. in Bear Lake county, Idaho.

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

The right to take water from such works is based upon Permit No. 16493

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

The date of the priority which said user is prepared to establish is June 29, 1926.

Geo. N. Carter,

Commissioner of Reclamation.

16493

Form No. 9.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

MARCH 10, 1928.

James C. Linday,
Dingle, Idaho.
Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. _____, which kindly fill out and return to me at least 60 days before ~~1928~~ date upon which you wish to submit proof. The date of the proof is set out in your permit and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

GEO. H. CARTER,
Commissioner of Reclamation

16493

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

March 10, 1928

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

James C. Lindsey,
Dingle, Idaho.

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. ~~16493~~.....you are required to complete your diversion works on or before June 2, 1928..... 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,

GEO. N. CARTER

Commissioner of Reclamation.

16493

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 16493

June 3, 1926

Mr. James C. Lindsay
Dingle, Idaho

Boise, Idaho,

Dear Sir:

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

E. G. SWENDSEN
Commissioner of Reclamation.

16493

Name of Applicant *JAMES P. LINDSEY*

150. P. 46 & Bm

*Aluminum
opening*

SEC 29

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

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SEC.

SEC.

16493

Permit No. 16493

As Approved

JUL 19 1924

W. C. FLETCHER
Commissioner of Fish and Game

May 25, 1926

Mr. Chas. E. Harris
Attorney at Law
Montpelier, Idaho

Dear Sir:

I agree with you that it is not necessary for applicant, James C. Lindsay to file upon a spring situated on his own land. He is protected in two ways. First, by reason of the fact that an adverse claimant cannot get a filing approved in this office without having executed the affidavit of permission to file on spring by the owner of the land upon which the spring is situated, and in another manner by virtue of the appropriation and use which Mr. Lindsay has heretofore made, same likely being first right.

If you still wish to complete the application, it will be necessary for you to remit fee of \$1.00. In the meantime, the application will be held here.

Very truly yours,

Director of Water Resources

GNC:E

16493

STATE OF IDAHO

C. C. MOORE, GOVERNOR

DEPARTMENT OF RECLAMATION

W. G. SWENDSEN, COMMISSIONER

BOISE

May 25, 1926

Mr. Chas. E. Harris
Attorney at Law
Montpelier, Idaho

Dear Sir:

I agree with you that it is not necessary for applicant, James C. Lindsay to file upon a spring situated on his own land. He is protected in two ways. First, by reason of the fact that an adverse claimant cannot get a filing approved in this office without having executed the affidavit of permission to file on spring by the owner of the land upon which the spring is situated, and in another manner by virtue of the appropriation and use which Mr. Lindsay has heretofore made, same likely being first right.

If you still wish to complete the application, it will be necessary for you to remit fee of \$1.00. In the meantime, the application will be held here.

Very truly yours,

G. N. Carter
Director of Water Resources

GNC:E

Mr. Lindsay says this water is so necessary for him, as he lives there, that he will go ahead with his water application. Am enclosing the \$1 necessary.

Respectfully,

Chas E Harris

JUN 1 1926

GEO. N. CARTER

16493

LAW OFFICE
CHAS. E. HARRIS
~~BLACKFOOT, IDAHO~~
Montpelier, Idaho.

May 24

Commissioner of Reclamation,
Boise, Idaho.

Dear sir:

I am enclosing an application for water from a very small spring situated on applicant's own land. My own judgment, expressed to him, was that he did not need to make this application, nor need a permit for the use of the water, under the conditions, nor was I sure that your department would issue him a permit. But he wanted me to send his papers in anyway. I do not know the fee as I have not been in the practice for years. If there is one, we will remit.

If you will not consider the application please return to me.

Respectfully,

Chas E Harris

16493