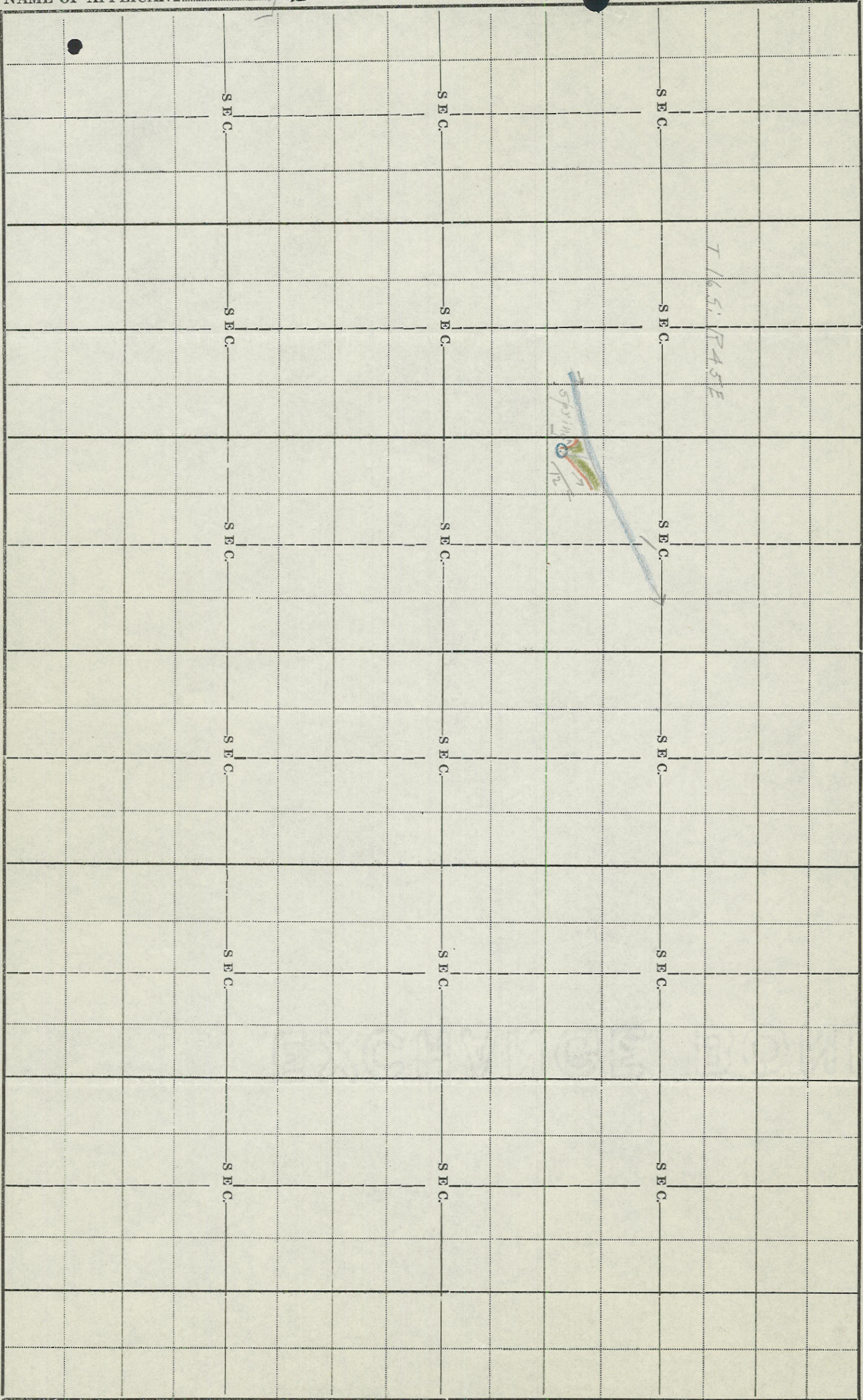


NAME OF APPLICANT Mary J. Flano # 13438



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

13438

Name of Applicant

Mary J. Aland

P 46 5

Drinking 16 South, Range 45 East, Tm.

Drinking 16 South, Range 45 East, Tm.



Drinking 16 South, Range 45 East, Tm.

SEC.

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SEC.

Drinking 16 South, Range 45 East, Tm.

Drinking 16 South, Range 45 East, Tm.

State of Idaho
License and Certificate of Water Right

Water License No. 13438
Water District No. 5-0

Amount 0.24 Sec ft.
Priority 2/8/18

THIS IS TO CERTIFY that MARY J. ALAND.
of Pegram, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 6, 19 18; that Permit No. 13438
was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.24
second feet, was issued thereunder on March 11, 19 20, showing that said works
were completed on the 3rd day of March, 19 20; and that on the 25th
day of February, 19 20,

MARY J. ALAND.
of Pegram, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of a right to the use of the waters of Bear Hollow Springs,
a tributary of Taylor Hollow Creek, for the purpose of Irrigation & Domestic use.
under Use Permit No. 13438 of the State Engineer, and that said right to the use of said
waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State
Commissioner of Reclamation of Idaho and entered of record in Volume 5 of Licenses, at page 2741, on the 8th
day of December, 19 20;

The right hereby confirmed dates from February 8, 19 18;

The Point of Diversion is located
in the SW ¼ SW ¼ Sec. 1, Tp. 16 S., R. 45 E., B. M. County of 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 0.24 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>16 S.</u>	<u>45 E.</u>	<u>1</u>	<u>SW ¼ SW ¼</u>	<u>12</u>	<u>12</u>

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
day of December, 19 20, affixed at Boise, Idaho, this 8th

W. G. SWENDSEN.
Commissioner of Reclamation State Engineer.
By S. T. Baer.
Deputy.

(SEAL)

11 2073

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

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

Mary J. Aland.

Applicant.

By DeMeade Austin.

Agent.

Date of first receipt at office of State Engineer 9:00 A.m. Feb. 8, 1918.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is **13438**

Recorded in Book **47** Page **13438** Approved **February 25, 1918.**

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 **April 26, 1918,** 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 **February 25, 1919.**

The whole of said work to be completed on or before **February 25, 1920.**

Beneficial use of water appropriated in accordance herewith, to be made on or before **February 25, 1920.**

Witness my hand this 25th day of February, 1918.

J. H. Smith.

State Engineer.

Remarks:

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	
		16 S. 45 E. 1									12								12
		herein.	This is Government land under suspended application for entry by the applicant																
			Total Number of acres to be irrigated - 12																
			The two ditches required in this appropriation are to be of the same size as hereinbefore indicated; one running on one side of the small canyon valley and one on the other side; the points of diversion of each being opposite ends of the proposed dam.																
			Permit No. 13438																
			CERTIFICATE OF COMPLETION OF WORKS																
			TO ALL WHOM IT MAY CONCERN:																
			This is to certify that Mary J. Aland, of Pegrarn, County of Bear Lake, and State of Idaho, the holder of Permit No. 13438, issued upon Application No. 19137, bearing date of priority of February 8, 1918, authorizing the diversion of 0.24 second feet of the waters of Bear Hollow Springs, County of Bear Lake, State of Idaho, for irrigation and domestic purposes has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of 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 0.24 second feet of the waters of Baer Hollow Springs; that the points of diversion of said waters are in the SW¼ SW¼, Sec. 1, T. 16 S., R. 45 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 12 acres in the SW¼ SW¼, Sec. 1, T. 16 S., R. 45 E., B. M.																
			Witness my hand this 11th day of March, A. D. 1920.																
			W. G. Swendsen Commissioner of Reclamation. By S. T. Baer Deputy.																
			License issued for 0.24 second feet																
			P. 2741																

APPLICATION FOR PERMIT 11-2073

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. **19137**
 Permit No. **13438**
 District No. **50**

1. Name of Applicant: **Mary J. Aland,**

Postoffice address: **Pegram**

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: **12/50** cubic feet per second.

3. Source of water supply: **5 small springs known as Bear Hollow Springs,** which is a tributary of **in early spring to Taylor Hollow Creek, a trib. of Bear River; mostly sinks in Bear Hollow.**

4. Location of point of diversion: _____ feet distant from the
 corner of Section _____, T. _____, R. _____, B. M., and is in the **SW $\frac{1}{4}$ SW $\frac{1}{4}$**
 of Section **1**, T. **16 S.**, R. **45 E.**, B. M., County of **Bear Lake**

5. Water is to be used for: **Irrigation purposes.**

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: **\$150.00**

8. Kind of works: **Dam and two ditches**

9. Height of dam **6** feet; length of dam at top **30** feet; length of dam at bottom **4**
 feet; material used in dam **earth, rock.**

10. Size of headgate: Width **$\frac{1}{2}$** feet; height **$\frac{1}{2}$** feet.

No. 1 and No. 2, to be made just alike as to dimensions:
 11. Ditch/ Width at bottom **$1\frac{1}{2}$** feet; width at water line **2** feet; depth of water **$\frac{3}{4}$**
 feet; dimensions of flume

Diameter of pipe _____ inches; length of conduit **$\frac{1}{4}$** miles.

Average grade per mile **fifty** 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 **no** additional years.

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

WRR100
11-2073

VERIFIED KAW
12-23-85

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
18-DEC-1985 19:47:37

01 WATER RIGHT NUMBER - 11-2073 ✓ 02 OLD (O) NUMBER - 13438

03001 - ALAND LAST NAME FIRST NAME ORIG. OWNER
04001 - MARY J. 05001 - C
06 ADD LINE 1 - 07 ADD LINE 2 -
08 ADD LINE 3 - 09 CITY - PEGRAM 10 STATE - ID 11 ZIP -
12 STAGE - L LICENSE 13 STATUS -

SOURCE TRIBUTARY OF
14001 - BEAR HOLLOW SPRINGS 15001 - TAYLOR HOLLOW CREEK
16 DIVERSION MEANS - 17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000 19 TOTAL DIVERSION RATE - .240 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 - SWSW	23001 - 01	24001 - 16S	25001 - 45E	26001 -	27001 -							
				28001 - 0	100.0 183.0	2.0	1.0	0.0	0.0	0.0	0	0 0 1.7

29 NON-IRRIGATION USE -

----- PLACE OF USE -----						
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 16S	32001 - 45E	33001 - 01	34001 - SWSW	35001 - 12	36001 -
						TOTAL ACRES: 12 ✓

----- WATER USE -----				
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 -	38001 -	39001 - 01 IRRIGATION	40001 - 0.240	41001 - 0.00
37002 -	38002 -	39002 - 43 DOMESTIC	40002 - 0.000	41002 - 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	- 8-FEB-1918	55 LICENSE	- 8-DEC-1920 ✓	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	-		

WRR100
11-2073

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
18-DEC-1985 19:47:37

----- D A T E S ----- D A T E S ----- F L A G S -----

54 LAST UPDATE - 18-DEC-1985

62 DATE_2 -

11-2073

WATER RIGHT
DATA ENTRY LOG

Date _____

Item

Transfer Approved

Q2A

2-14-79

December 21, 1920

Re. Permit No. 13438.

Mrs Mary J. Aland,
Pegram, Idaho

Dear Madam:

Enclosed herewith is water license issued
under the above numbered permit, with receipt
for fees paid.

Yours very truly,

W. G. SWENDSEN.
Commissioner of Reclamation

BY _____

WL . R-6030

13438

December 13, 1920

Re. Permit No. 13438,

Mary J. Ahnd,
Pegram, Idaho

Dear Madam:

License has been granted to you under the
above numbered permit and will be forwarded to you
as soon as recorded.

Yours very truly,

W. C. SWENDSEN.
Commissioner of Reclamation

By _____

13438

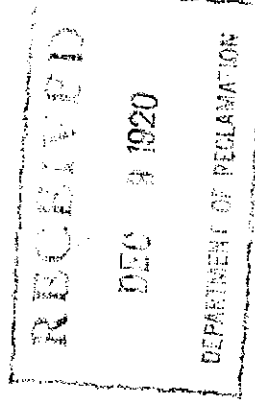
Pegram Dec 6 - 1920
Mr W.G. Swendsen

Dear Sir

The check issued for
License on Permit No 13438 has
returned to the party who issued it
but ^{the} License has not reached me yet.
Please send License the check
was issued in October by John A Aland
and your office has received payment
for same. Please give this your
kind attention and oblige

Mary J Aland
Pegram

aka



13438

Sept. 8, 1920.

Re: Permit 13438.

Mrs. Mary J. Aland,
Pegram, Idaho.

Dear Madam:—

Upon receipt of fees in the sum of \$2.00, license
will be issued you under the above permit.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____

8-14-20 WEB

13438

REPORT OF ENGINEER

This proof is for Beneficial Use

In Water District No. 50

1. State name of applicant and number of permit: Mary J. Aland- Permit 13438
2. State source of water supply: Bear Hollow Springs
3. Location of point of diversion: SW¹/₄ Sec. 1, T. 16 S., R. 45 E., B.M.
4. Describe works as they exist, giving dimensions and capacities of same:

Wooden box at spring, 2' x 6' x 4' D.

Wood pipe, 4" square, outlet.

Ditch, 0.5' B x 0.5' D. Cap. 0.5 S.F.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): 12 acres in SW¹/₄ Sec. 1, T. 16 S., R. 45 E., B.M.
12 A. in cultivation, - garden and small grain field.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? One.
9. Give names and amount of each right:
10. What large stream would the water here appropriated finally reach? Salt Lake.
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: from land to Creek, to Bear River, to Salt Lake.

Remarks:

This examination was made on the 12 th day of July 19 20.

(Signed)

L. R. Annett.

Examiner.

13438

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

STATE OF IDAHO,

County of _____

} ss.

, being first duly sworn, deposes and says that the

statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 19____

My commission expires.....

Notary Public.

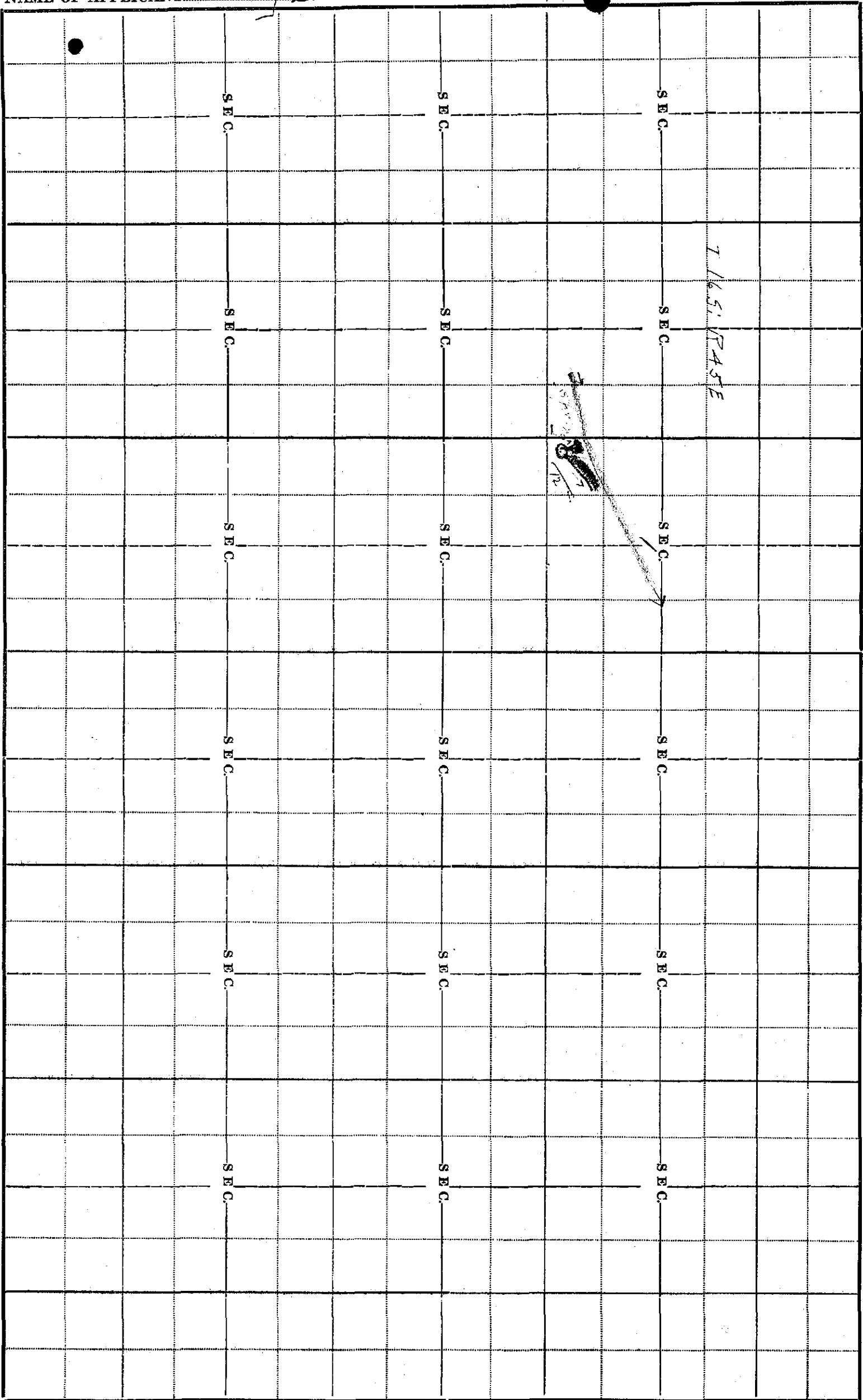
1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

Instructions to Examiners

Mary J. Aland
Pegrum, Ida.
Permit 13438

1-165, 45E

NAME OF APPLICANT Mary J. Flannery # 13438



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

13438

March 16, 1930.

Re Permit 13438.

Mary J. Aland,
Pegram, Idaho.

Dear Madam:--

Am enclosing herewith certificate of completion of works
issued under the above permit, with receipt for fees.

Very truly yours,

W. G. SWENDESEN,

Commissioner of Reclamation,

By _____

CGW-R

13438

Permit No. 13438

STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

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

Mary J. Aland, being first duly sworn, upon oath deposes and says:
First: That she is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 13438, and that his postoffice address is Pogram, State of Idaho.

Second: That the name of the stream from which said water is to be diverted is known as Bear Hollow Springs.

Third: That the point of division of said water is Twp 16S. Range 45 E. BM. Sec 1. BM. Located in SW 1/4 of SW 1/4.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by February 25th, 1920.

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 ~~not~~ fully completed and consisted of the following:

I. Kind of works: Earth Dam, and two ditches.

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 6 feet, length of dam at top 30 feet, length of dam at bottom 4 feet. Material used in construction Earth and Rock

State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width 1/2 feet, height 1/2 feet.

(d) Conduit Ditch width at bottom 1 1/2 feet, width at water line 2 feet, depth of water 3/4 feet; diameter of pipe inches,

(State whether ditch, flume or pipe)

average grade per mile is fifty feet. Length of conduit is 1/4 miles.

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 12 acres of land described as follows: SW 1/4 SW 1/4 Sec 1. Twp 16S. 45 E BM.

Ninth: Remarks: That

Subscribed and sworn to before me this

3rd day of March, 1920
Mary J. Aland
(Sign here)
NOTARY PUBLIC
My commission expires

My commission expires

13438

February 28th, 1920.

Re Permit 13,438.

Mrs. Mary J. Aland,

Pegram, Idaho.

Dear Madam:--

We are just in receipt of depositions and affidavit of publication in the matter of proof of beneficial use of water under the above numbered permit, but your affidavit for proof of completion of works did not accompany same. The proof of completion of works is required to be made prior to or on the same date as the proof of beneficial use of water and the blank for this proof was mailed to you November 5th, 1919. I am enclosing herewith a fresh blank upon which to make this affidavit. This should bear date of February 25th, 1920, the same date as depositions for proof of beneficial use of water. In case this cannot be consistently done, the depositions for proof of beneficial use will be returned to you and the dates brought down.

OX

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

By _____

AFFIDAVIT OF PUBLICATION

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

C. E. Wright
being first duly sworn, deposes and says that he is *Publisher* of the **Montpelier Examiner**; that said **Montpelier Examiner** is a weekly newspaper published at Montpelier, Bear Lake county, Idaho, of general circulation in said county and state.

That the attached notice was published in the said **Montpelier Examiner**, and not in a supplement,

for *4* successive weeks, commencing with the issue dated

Jan 23 1920 and ending with the issue dated

Feb 20 1920

C. E. Wright

Subscribed and sworn to before me

Feb

1920

M. B. Cherry

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:30 a. m., on the 25th day of February, 1920, at Montpelier, County of Bear Lake, State of Idaho, before M. B. Cherry, Notary Public, proof will be submitted of the application to beneficial use of 12-50 cubic feet per second of the waters of Bear Hollow Springs in accordance with the terms and conditions of permit No. 13438 heretofore issued by the state engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Mary J. Aland, Pogram, Idaho, Bear Lake county.

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

3. The amount applied to beneficial use is 12-50 of 1 cubic foot per second.

4. The places where said water is used (if used for irrigation give full and accurate description of the lands irrigated) 12 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 16 S., R. 45 E B M

5. The right to take water from such works is based upon permit No. 13438.

6. The source of supply from which such water is diverted is springs, known as Bear Hollow Springs

7. The date of the priority which said user is prepared to establish is February 8, 1918.

W. G. SWENDSEN,
1-23 Commissioner of Reclamation

13438

PERMIT NO. 13438**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. Mary J. Aland, age 35, Pegram, house wife, P. O. Pegram, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. I am acting for myself.

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

Ans. Number of permit is 13438, date February 25, 1918.

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

Ans. 5 small springs, known as Bear Hollow Springs, which is trib. in early spring to Taylor Hollow Creek, a Trib. to Bear River; mostly sinks in Bear Hollow. The point of diversion is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1, Tp. 16 South, Range 45 E., B. M. Bear Lake County, Idaho.

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

Ans. Dam and two ditches, height of dam 6 ft., length of dam at top 30 feet, constructed of earth and rocks. Ditches to be constructed as follows: width at bottom one and a half feet, width at water line two feet, depth of water about three quarter of a foot, length of ditches about one quarter of a mile.

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. For irrigation purposes on SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1, Tp. 16 South, Range 45 E., B. M. covering twelve acres. This land is cultivated land and I have now in cultivation about one and a half acres as a direct result of the use of this water.

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

Ans. No other purpose.

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

Ans. 12-50 cubic feet per second.

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

Ans. 13438

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 all the water each year since permit was issued in Feb., 1918, to irrigate the entire 12 acres of land mentioned but have only cultivated 1 1/2 acres.

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)

Mary J. Aland

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 25 day of February A. D. 1920.

13438

M B Cherry

NOTARY PUBLIC

My Commission expires Dec. 13, 1920.

Permit No. 13438

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. George H. Sparks, age 31, Dingle, farmer, Dingle, Idaho.Ques. 2. Are you acquainted with Mary J. Aland, the holder of Permit No. 13438? How long have you known him and where does he reside?Ans. Yes, for 10 years. She resides at Pogram, Idaho.Ques. 3. Have you read or heard read said Permit No. 13438, 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. 5 small springs known as Bear Hollow Springs, which are trib. to Taylor Hollow Creek, which is trib. to Bear River. Water is diverted on SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1, Tp. 16 South, Range 45 East, B. M. The works of diversion are a dam and two ditches, height of dam 6 feet, length at top 30 feet, constructed of earth and rocks, ditches are constructed $1\frac{1}{2}$ feet wide at bottom, 2 feet at water line, water 9 inches deep, length of ditches $\frac{1}{4}$ of a mile.

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. 12-50 cubic feet per second.

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

Ans. For irrigation purposes of 12 acres on SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1, Tp. 16 South, Range 45 East, B. M. The land is cultivated land and she now has $1\frac{1}{2}$ acres under cultivation as a direct result of the use of this water.

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

Ans. _____

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

Ans. The land was arid before being reclaimed and it will require all the water covered by said permit for a profitable cultivation.13438

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. I have seen the water used each year on the land mentioned.

(Sign)

John A. Aland

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 25 day of February A. D. 1920

M B Cherry

NOTARY PUBLIC

My commission expires

February 15, 1921

My commission expires Dec 13, 1920

13438

State of Idaho

ENGINEERING DEPARTMENT

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

BOISE, IDAHO,
Feb. 11, 1920.

Mary J. Aland,
Pegram, Idaho.
c/o M. B. Cherry,
Montpelier, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under Permit No. 13438

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

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

1. On February 25, 1920, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to at Montpelier, Idaho, before M. B. Cherry, Notary Public.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice. When these have been received, together with report of examining engineer, you will be further advised as to fees due before issuing license.

Yours truly,

W. G. Swendsen

~~State Engineer~~
Commissioner of Reclamation

13438

(P. O.)

Montpelier

(Date)

Jan 20

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of *Jan 20* enclosing notice of proof under
Permit No. *13,438* which will be published as you request, beginning with our issue of *Jan*

23

Callright

Editor

13438

*Alund and Swensen
with B.B.*

Feb 20

December 20, 1919.

Re: Permit 13438.

Mary J. Alund,
Pegram, Idaho.

Dear Madam:

I am just in receipt of notice of final proof, under the above numbered permit. A copy of this notice will be mailed to the Montpelier Examiner for the required four weeks publication prior to February 25, 1920. Deposition blanks will be mailed to W. B. Cherry, Notary Public, in time for proof to be taken on the date advertised.

Yours very truly,

W. G. SWENSEN,

Commissioner of
Reclamation,

By

B/B.

13438

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11:30 a. m. on the 25th day of February, 19 20,
at Montpelier Idaho, County of Bear Lake, State of Idaho,
before M. B. Cherry, Notary public, proof will be submitted
of the application to beneficial use of 12/50 of 1 cubic ~~foot~~ per second of the
waters of Known as Bear Hollow Springs, in accordance with the terms and conditions of
Permit No. 13438 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are.....
Mary J. Aland. Pogram, Idaho, Bear Lake County.

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

3. The amount applied to beneficial use is 12/50 of 1 cubic ~~foot~~ per second.

4. The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) Twp 16 S. Range 45 E. Sec 1. BM. Located in SW 1/4 of SW

1/4. Amount of 12 acres. 12 acres in SW 1/4, SW 1/4, Sec 1, Twp 16 S.,
R. 45 E. B.M.

5. The name of the canal or ditch or other works by which said water is conducted to such place
of use is ditches not named.

6. The right to take water from such works is based upon Permit No. 13438.

7. The source of supply from which such water is diverted is Springs. Known as
Bear Hollow Springs.

8. The date of the priority which said user is prepared to establish is Feb 8, 1918

W. L. Swanderson
State Engineer.

Com of the State Engineer

DC - 50

SW 8W-1-16S-45E

13438

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho, November 5, 1919.

Mary J. Aland,
Pegram, Idaho.

Dear Sir:—

Under the terms of your permit No. 13438 you are required to complete your diversion works on or before Feb. 25, 1920. 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,

E. C. Swenson,
Commissioner of Reclamation.

13438

State of Idaho
ENGINEERING DEPARTMENT
BOISE

November 5, 1919.

Mary J. Aland,
Pegram, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 13438, which kindly fill out and return to me at least 60 days before the 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 date it is submitted.

Yours truly,

W. G. Swendsen,

~~State Engineer~~

Commissioner of Reclamation.

13438

State of Idaho
ENGINEERING DEPARTMENT
BOISE

November 5, 1919.

Mary J. Aland,
Pegram, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 13438-----, which kindly fill out and return to me at least 60 days before the 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 date it is submitted.

Yours truly,

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

13438

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit No. 13438- Aland.
Mr. DeMeade Austin,
Montpelier, Idaho.

Boise, Idaho,

Feb. 25, 1918.

Dear Sir:

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

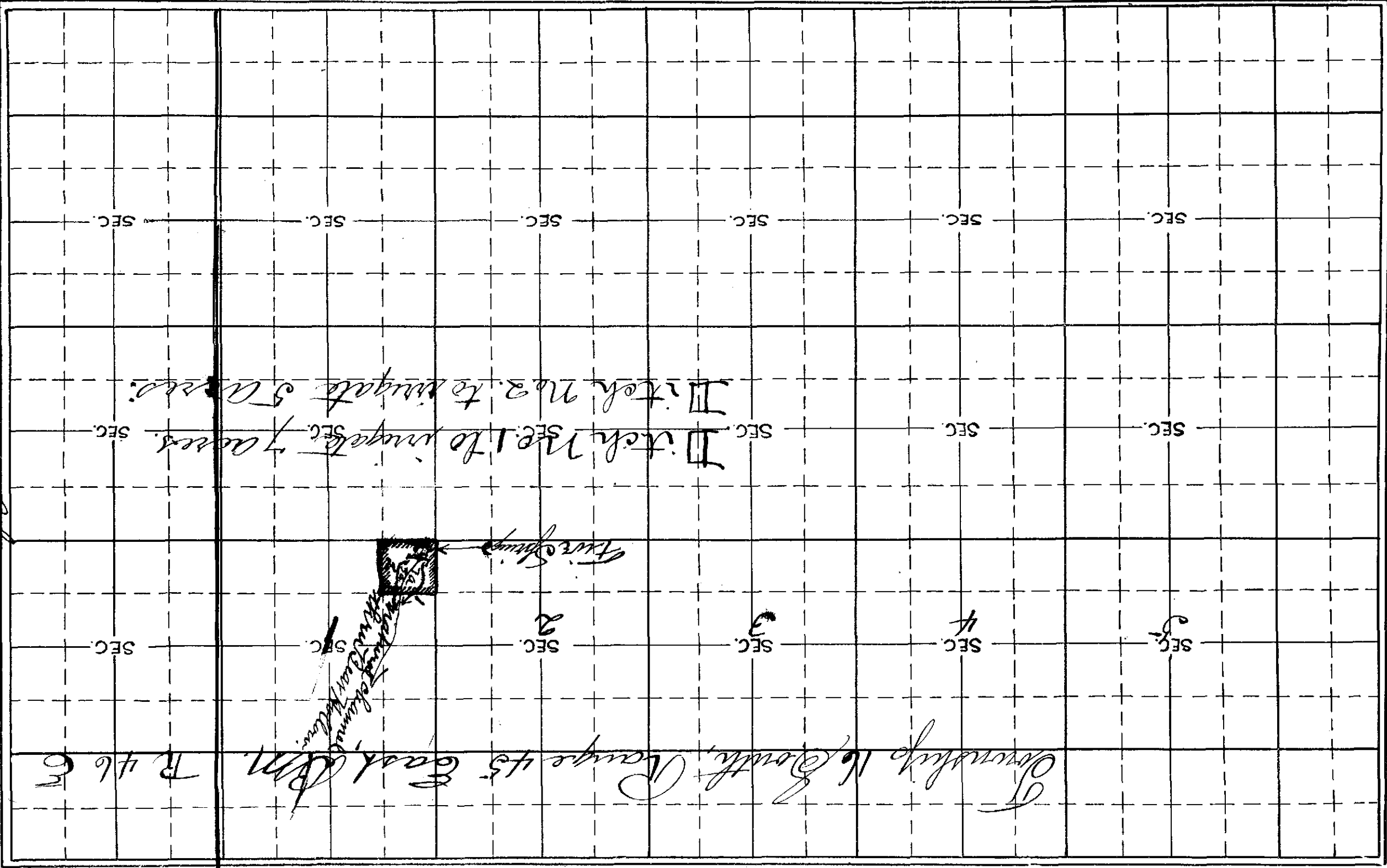
J. H. SMITH,

State Engineer.

13438

Name of Applicant.....

Mary J. Aland



SCALE: 2 INCHES = 1 MILE.

DRAW PLAN IN INK

13438