

61-2338

6/20/84

D. Shaff

Photos taken while investigating
02-0028 for stockwatering.



- 1) Diversion dam from Cold Springs Creek seen from railroad tracks in NESW, S. 31, T 5S, 9E.
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MICROFILMED

RETURN RECEIPT

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

F. W. Wilson

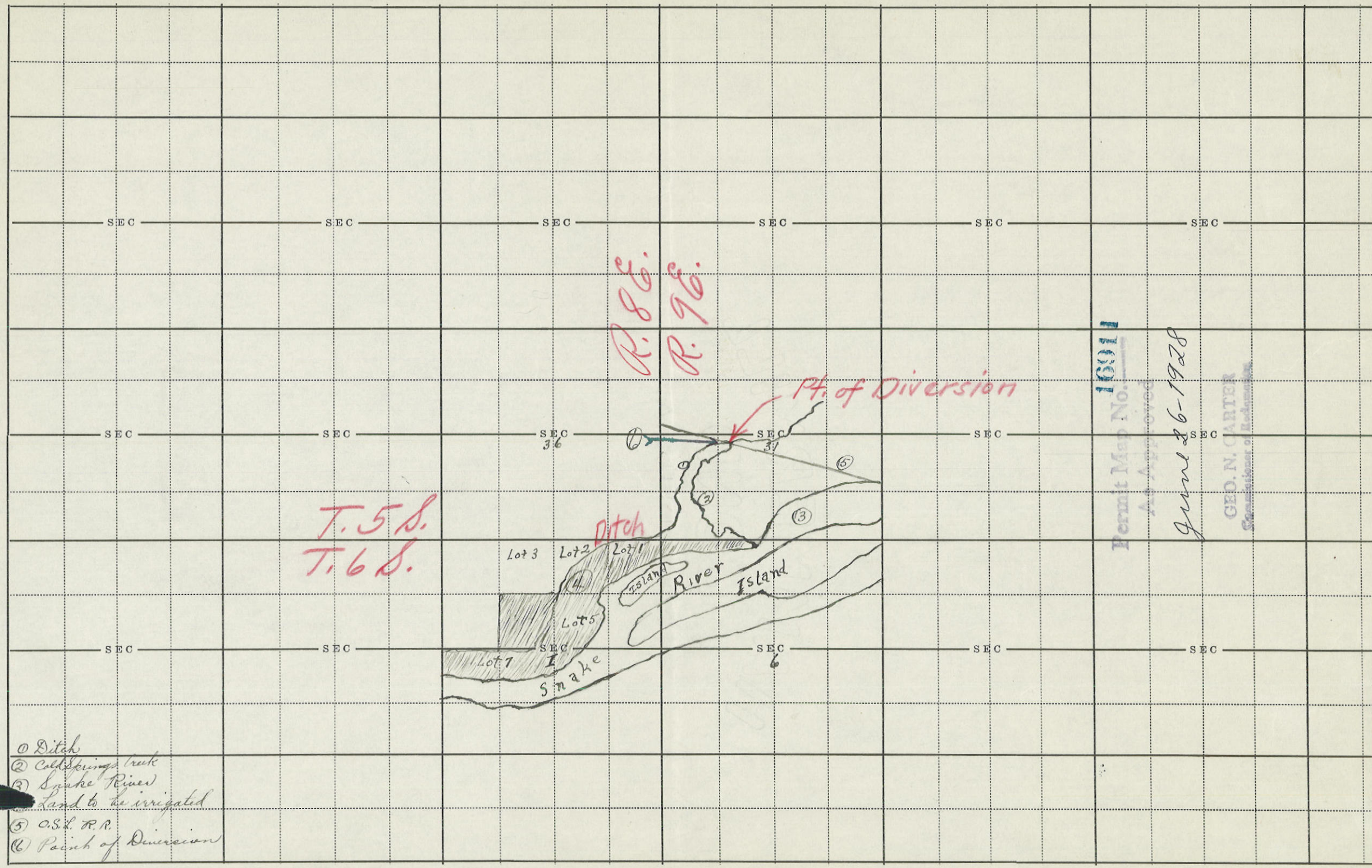
(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, _____

Form 3811

NAME OF APPLICANT F. E. Wilson



- ① Ditch
- ② Call Springs Creek
- ③ Snake River
- ④ Land to be irrigated
- ⑤ O.S.L. R.R.
- ⑥ Point of Diversion

T. 5 S.
T. 6 S.

R. 8 E.
R. 9 E.

Pt. of Diversion

Ditch

Snake River Island

Lot 3

Lot 2

Lot 1

Lot 5

Lot 7

Permit Map No. 16911

As Approved

June 26-1928

GEO. N. CARTER
Commissioner of Reclamation

State of Idaho
License and Certificate of Water Right

Water License No. 16911

Amount 2.48 c.f.s.

Water District No. _____

Priority July 3, 1957

THIS IS TO CERTIFY that F. W. WILSON - Assignee - WILSON & WILSON
of Hammett, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 22, 19 28; that Permit No. 16911
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.34 second feet, was issued thereunder on September 18, 19 31, showing that said works
were completed on the 9th day of September, 19 31; and that on the 7th
day of October, 19 61,

WILSON & WILSON

of Hammett, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Cold Springs
Creek, a tributary of Snake River, for the purpose of irrigation
, under Use Permit No. 16911 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
12 of Licenses at page 7814, on the 12 day of February, 19 64;

The right hereby confirmed dates from July 3, 19 57;

The Point of Diversion is located

in the NW 1/4 SW 1/4, Sec. 31, Tp. 5 S, R. 9 E, B. M. Elmore 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 2.48 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	9 E	31	SW 1/4 SW 1/4 (Lot 4)		19
5 S.	8 E	36	SE 1/4 SE 1/4		6
6 S.	9 E	6	NW 1/4 NW 1/4 (Lot 4)	2.69	28
6 S.	8 E	1	NE 1/4 NE 1/4 (Lot 1)	21.90	38
			NW 1/4 NE 1/4 (Lot 2)	15.0	11
			SW 1/4 NE 1/4 (Lot 5)	30.0	22
Total number of acres to be irrigated:					124

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

12th day of February, 19 64.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL.)

~~51-2092~~
61-2338

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

Application No. 23879
Permit No. 16911
District No.

1. Name of Applicant: F. E. Wilson

Postoffice address: Hammett, County: Elmore, 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: 2.84 cubic feet per second.

3. Source of water supply: Cold Springs Creek which is a tributary of Snake River

4. Location of point of diversion: 24 rods east and 20 rods south feet distant from the northwest corner NE $\frac{1}{4}$ SW $\frac{1}{4}$ corner of Section 31, T. 5 S., R. 9 E., B. M., and is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, T. 5 S., R. 9 E., B. M., County of Elmore

5. Water is to be used for: Irrigation

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

(a) Point of use of water: feet distant from corner of Section

T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B. M., in the of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 500.00

8. Kind of works: Ditch

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width 4 feet; height 3 feet.

11. Ditch: Width at bottom 3 feet; width at water line 4 feet; depth of water 18 inches.

feet; dimensions of flume

Diameter of pipe inches; length of conduit 1-1/8 miles.

Average grade per mile 6 feet.

12. The time required for the completion of such work is 3 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.

F. E. Wilson Applicant.

By

Agent.

2 P.M.,

Date of first receipt at Department of Reclamation: June 22, 1928.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16911

Recorded in Book 61 Page 16911 Approved June 26, 1928.

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 25, 1928 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 December 26, 1929

The whole of said work to be completed on or before June 26, 1931.

Beneficial use of water appropriated in accordance herewith, to be made on or before June 26, 1932.

Witness my hand this 26th day of June, 1928.

Geo. N. Carter
Commissioner of Reclamation.

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	
6 S	9 E.	6					Lot 4				Lot 7								2.69
6 S	8 E.	1																	32.41
6 S	8 E.	1	Lot 1																21.90
6 S	8 E.	1		Lot 2															15.
6 S	8 E.	1				Lot 5													30.
6 S	8 E.	1							40										40.
Total Number of Acres to be Irrigated,																			142.

Upon proper request of the holder of the above numbered permit, I have this 20th day of June, 1931, extended the time for completion of works thereunder to September 26, 1931.

R. W. Faris
Commissioner of Reclamation.

Proof of Completion Works made September 9, 1931
Certificate of Completion issued September 18, 1931

PERMIT NO. 16911

CERTIFICATE OF COMPLETION OF WORKS

To All Whom it May Concern:

This is to certify that F. E. Wilson of Hammett, County of Elmore, and State of Idaho, the holder of Permit No. 16911, issued upon Application No. 23879, bearing date of priority of June 22, 1928, authorizing the diversion of 2.84 second feet of the waters of Cold Springs Creek, County of Elmore, 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 2.84 second feet of the waters of Cold Springs Creek; that the point of diversion of said waters is in the NE¼ SW¼ Sec. 31, Twp. 5 S., R. 9 E., B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Lot 4, Sec. 6, Twp 5 S, R. 9 E. and Part of Lots 1, 2, and 5 and SE¼ NW¼, Sec. 1 Twp 6, S. R. 8 E. B.M.

Witness my hand this 18th day of September, A. D. 1931.

R. W. FARIS
Commissioner of Reclamation

IN THE MATTER OF THE ESTATE OF
FRANK E. WILSON, Deceased

)"
)
)

DECREE OF SETTLEMENT OF FINAL ACCOUNT AND OF DISTRIBUTION

Various lands, including lands described in Permit No. 16911, distributed to Wilbur F. Wilson and Myrrl Wilson Heller as Trustees, who are partners in Wilson and Wilson, with their Mother, Mary A. Wilson

Recorded: October 25, 1961

SEE COPY OF DECREE IN FILE

APPLICATION FOR AMENDMENT
POINT OF DIVERSION
Permit No. 16911

Comes now WILSON AND WILSON and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 16911.

That the point of diversion is described in said Permit as being located: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 5 S., R. 9 E., B. M., Idaho.

That he now requests that the point of diversion be changed to a point located: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 5 S., R. 9 E., B. M., Idaho

That the reason for desiring to make such change is as follows: More feasible well site.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 7th day of October, 1961.

WILSON & WILSON

By: WILBUR F. WILSON
Partner and Manager

Date of Receipt at Department of Reclamation: October 19, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

Deputy

I, RALPH W. THOMAS, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 16911. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s. RALPH W. THOMAS,
Deputy State Reclamation Engineer

Recorded: October 25, 1961

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. 16911

Comes now WILBUR F. WILSON (Wilson and Wilson) and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 16911, and requests that the list of lands to be irrigated as described in said permit, be changed to read as follows:

Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Sec. 31, T. 5 S., R. 9 E.; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 5 S., R. 8 E.; Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 6, T. 6 S., R. 9 E., Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), 2 $\times$ (NW $\frac{1}{4}$ NE $\frac{1}{4}$), 5 $\times$ (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Sec. 1, T. 6 S., R. 8 E., making a total of 188.17 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 7th day of October, 1961 .

WILSON & WILSON
By: WILBUR F. WILSON, Partner & Manager

Date of Receipt at office of Department of Reclamation: October 19, 1961.

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 16911. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s. RALPH W. THOMAS
Deputy State Reclamation Engineer

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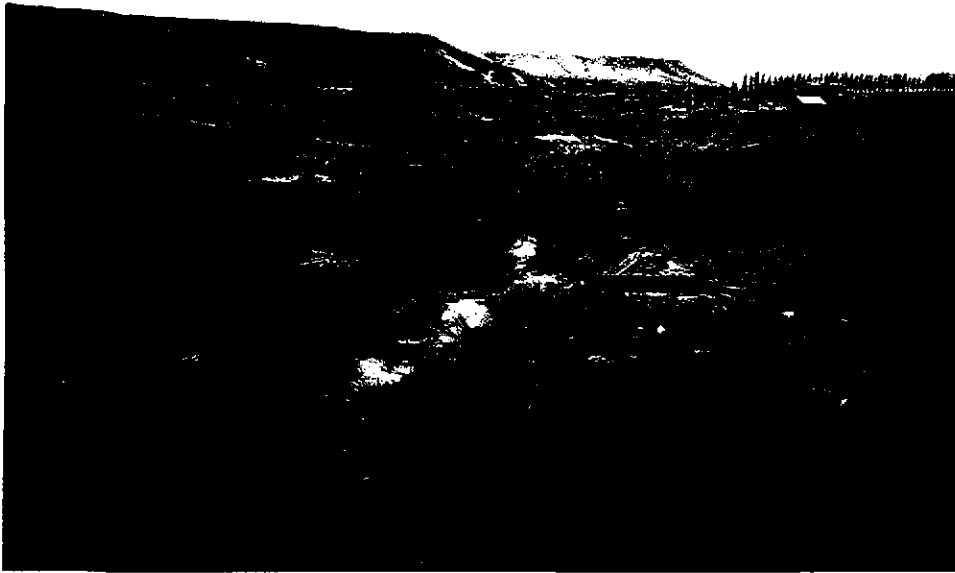
LICENSE ISSUED FOR 2.48 SEC. FT.
Page 7814

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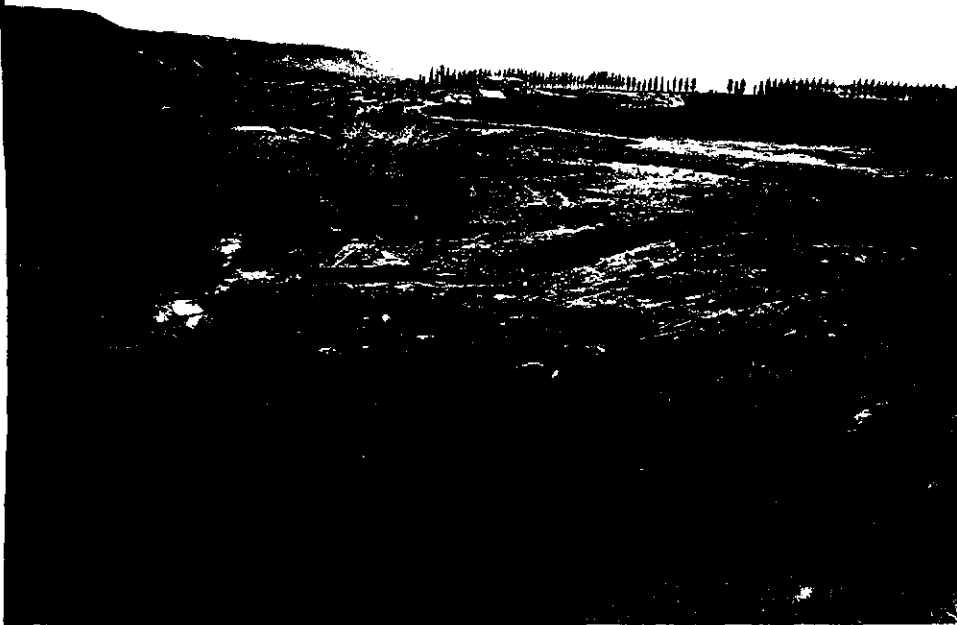
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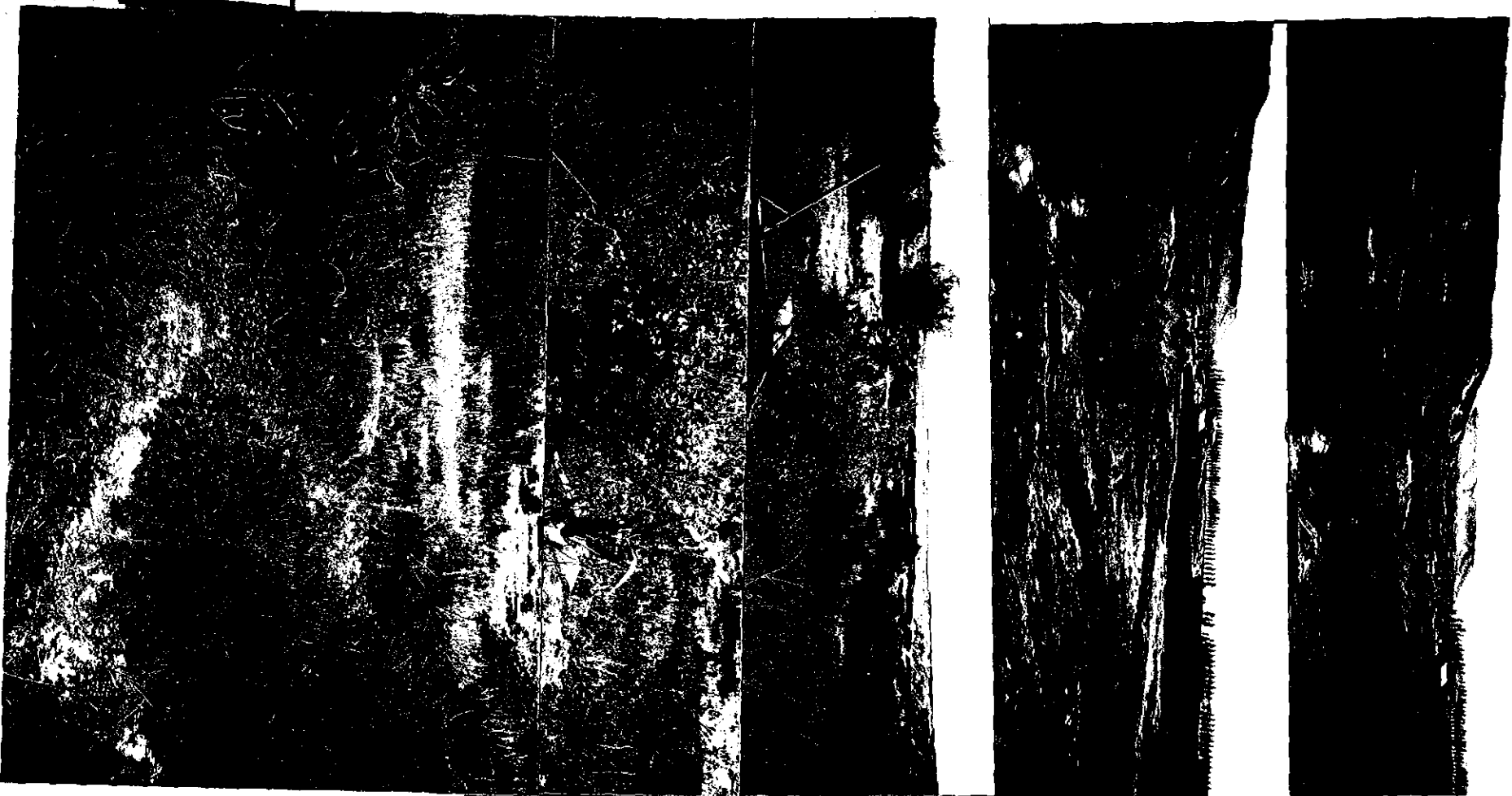
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- 5) First lateral heading westerly from main ditch at about the bottom-center of Lot 4, S. 31.

- 6) Plastic ditch dam in foreground; Pipe Flume is above. View is toward Snake River; Location is near corners of T. 5S, R. 8 & 9E and T. 6S, R. 8 & 9E.

- 7) Same ditch dam with view north northwesterly.

MICROFILMED

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

61-2338

Identification No.

16911

1-51-2072

Old No.

New No.

Record

1. Original Owner:

F. E. Wilson

Present Owner:

Wilson & Wilson

2. Address:

3. City:

Hammett

State:

Id

Zip:

4. A.

Source of Water:

Cold Springs Creek

B. Tributary of:

Snake River

5. A.

Stage (A,P,L,D,S,J):

L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date:

7-3-1957

D. County:

39

E. Total Diversion Rate:

2.48

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

6. A. Point of Diversion

Tract

Sec.

Twp.

Rge.

Gov't

Lot

Rediv.

NW SW31529E

7. Period of Use, Use, Diversion Rate/Volume:

from

to

for

A

purposes.

Amount

2.48

(cfs or AG-FT/yr)

from

to

for

purposes.

Amount

from

to

for

purposes.

Amount

from

to

for

purposes.

Amount

from

to

for

purposes.

Amount

from

to

for

purposes.

Amount

from

to

for

purposes.

Amount

ACT

ION

N OWNER LAST NAME - WILSON

FIRST NAME - F. E.

ORIG OWNER - 0

N ~~OWNER LAST NAME - WILSON & WILSON~~

N CITY - HAMMETT

STATE - ID ZIP CODE - 83627

N SOURCE - COLD SPRINGS CREEK

TRIBUTARY OF - SNAKE RIVER

N STAGE - LICENSE

PRIORITY - 07-03-1957

COUNTY - ELMORE

TOTAL DIV. RATE -

2.4800CFS

N DIVERSION POINT - NWSW 31 05S 09E

N USE - IRRIGATION

USE DIV. RATE - 2.4800CFS

N USE - IRRIGATION PLACE OF USE - TWN 05S RNG 09E SEC 31 TRACT SWSW LOT 04 AC 19

N USE - IRRIGATION PLACE OF USE - TWN 05S RNG 08E SEC 36 TRACT SESE AC 06

N USE - IRRIGATION PLACE OF USE - TWN 06S RNG 09E SEC 06 TRACT NWNW LOT 04 AC 28

N USE - IRRIGATION PLACE OF USE - TWN 06S RNG 08E SEC 01 TRACT NENE LOT 01 AC 38 TRACT NWNE LOT 02 AC 11

N TRACT SWNE LOT 05 AC 22

N

OLD NO. - 16911

ACT

ION

N OWNER LAST NAME - WILSON

FIRST NAME - F. E.

ORIG OWNER - 0

N OWNER LAST NAME - WILSON & WILSON

CITY - HAMMETT

STATE - ID ZIP CODE - 83627

N SOURCE - COLD SPRINGS CREEK

TRIBUTARY OF - SNAKE RIVER

N STAGE - LICENSE

PRIORITY - 07-03-1957 COUNTY - ELMORE TOTAL DIV. RATE - 2.4800CFS

N DIVERSION POINT - NWSW 31 05S 09E

N USE - IRRIGATION

USE DIV. RATE - 2.4800CFS

N USE - IRRIGATION PLACE OF USE - TWN 05S RNG 09E SEC 31 TRACT SWSW LOT 04 AC 19

N USE - IRRIGATION PLACE OF USE - TWN 05S RNG 08E SEC 36 TRACT SESE AC 06

N USE - IRRIGATION PLACE OF USE - TWN 06S RNG 09E SEC 06 TRACT NWNW LOT 04 AC 28

N USE - IRRIGATION PLACE OF USE - TWN 06S RNG 08E SEC 01 TRACT NENE LOT 01 AC 38 TRACT NWNE LOT 02 AC 11

N TRACT SWNE LOT 05 AC 22

OLD NO. - 16911

IDENT. NO. 51-2092

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

R-9E

39

22

~~31st~~
Springs

2

77

22

20

File 5

Subdivisions

0

Accepted

124	PCno
-----	------

Profit	Q
--------	---

2.48 cfs or 124 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 16911

REPORT ON PROOF OF Beneficial Use

Wilbur F. Wilson, Hammett, Idaho

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
DEC 13 1963

Department of Reclamation

Wilbur F. Wilson
Hammett, Idaho

Permit No. 16911

Examination for Beneficial Use

County Elmore

Sec. 31 T. 53 R. 9 E. B.M.

Quantity: 2.84 c.f.s.

Source: Cold Springs Cr.

P.D.:

Use: Irrigation

Filed: June 22, 1928

Due: Sept 26, 1931

Extension:

Completion of Works: 9-18-31

Other Rights: none stated

Rocky stream dam
with walls 3' x 12" x 12" thick
bound
Ditch 2' x 6' x 3'

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 16911

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Wilson & Wilson

2. Source of water supply: Cold Springs Creek

3. Location of point of diversion: Is in the _____

NW 1/4 SW 1/4 of Section 31

T. 5 S R. 9 E.B.M. County of Elmore

4. Describe works as they exist, giving dimensions and capacities of same: Rock, straw and
Post dam with 3" x 12" x 12' check boards. No headgate
or weir. Open ditch diverts water when checked up
Ditch 2' bottom x 6' top x 3' depth.

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):

Lot 4 (SW 1/4 SW 1/4), Sec. 31., Twp. 5 S., Rge. 9 E.B.M.

SE 1/4 SE 1/4, Sec. 36., 5 S., Rge. 8 E.B.M.

Lot 4 (NW 1/4 NW 1/4) Sec. 6., Twp. 6 S., Rge. 9 E.B.M.

Lot 1 (NE 1/4 NE 1/4), Lot 2 (NW 1/4 NE 1/4), Lot 5 (SW 1/4 NE 1/4), Sec. 1., Twp. 6 S., Rge. 8 E.B.M.

Making a total of 188.17 acres

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

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

Remarks: Mr Wilson along

No measurement made. works capable of carrying 6.0 cfs.
Allow 1 inch per acre

This examination was made on the 5th day of November, 1963

(Signed) _____

Examiner.

16911

February 13, 1964

Re: Permit No. 16911

Wilbur F. Wilson
Hammett, Idaho

Dear Mr. Wilson:

Enclosed is the License and Certificate
of Water Right on the above numbered permit.

Departmental Receipt No. 32012 was given
to you covering the fees when you were in the office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. license

16911

January 15, 1964

Re: Permit No. 16911
Wilson & Wilson

Idaho Land & Appraisal Service
P. O. Box 2161
Boise, Idaho

Attn: Harley M. McDowell

Dear Mr. McDowell:

Returned herewith is an approved assignment of above noted permit from Wilbur F. Wilson to Wilson and Wilson.

Ownership of the land is covered by decree of settlement of final account and of distribution of the estate of Frank E. Wilson, signed November 27, 1954, by E. W. Latimore, Probate Judge. The land is distributed individually to Mary A. Wilson, Wilbur F. Wilson, and Myrrl Wilson Heller who operate under the name Wilson and Wilson, as I understand legal language.

As it is, I believe, the certificate of water right can be issued to Wilson and Wilson, however, if I am wrong, then each of the three persons, with wife or husband should assign their interest to Wilson and Wilson.

One assignment such as this one returned, would only complicate the issue.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. assignment

16911

400 - June 20-62

Held for assignment

R- 32012

*12.00 License
50 assign.*

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho

December 17, 1963

Re: Permit No. 16911

Wilbur F. Wilson
Hammett, Idaho

Dear Mr. Wilson:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 16911 shows the dam and ditches are ~~33~~ capable of conveying 12 1/2 miner's inches, or 2.48 c.f.s. of water for irrigation of 12 1/2 acres.

Upon receipt of the statutory fees of \$ 12.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of July 3, 1957 to the use of 2.48 second feet of surface water with the point of diversion the NW 1/4 SW 1/4, Sec. 31, T. 5 S., R. 9 E., B.M. from Cold Springs Creek for irrigation of 12 1/2 acres in the SE 1/4 SE 1/4, Sec. 36, T. 5 S., R. 8 E., B.M.; Lot 4 (SW 1/4 SW 1/4) Sec. 31, T. 5 S., R. 9 E., B.M.; Lot 1 (NE 1/4 NE 1/4), Lot 2 (NW 1/4 NE 1/4), Lot 5 (SW 1/4 NE 1/4), Sec. 1, T. 6 S., R. 8 E., B.M.; Lot 4 (NW 1/4 NW 1/4) Sec. 6, T. 6 S., R. 9 E., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

16911

October 26, 1961

Re: Permit No. 16911
Wilson & Wilson

Mr. Wilbur F. Wilson
Hammett, Idaho

Dear Mr. Wilson:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Mountain Home News, all submitted in proof of ~~beneficial use of water~~ beneficial use on Permit No. 16911.

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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

cc: Harley M. McDowell
P. O. Box 2161
Boise, Idaho

16911

October 25, 1961

Re: Permit No. 16911

Wilson & Wilson

Harley M. McDowell
Idaho Land & Appraisal Service
Box 2161, Boise, Idaho

Dear Mr. McDowell:

The decree of distribution in the estate of F. E. Wilson has been recorded and the copy placed on file in regard to Permit No. 16911.

Also enclosed are the Applications for Amendments to the point of diversion and to the land list which have been recorded in this office.

Departmental Receipt 30821 in the amount of \$2.50 covering the fees is enclosed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. amendments (2)
receipt

16911

October 20, 1961

Re: Permit No. 16911
F. E. Wilson

Harley M. McDowell
Idaho Land & Appraisal Service
Box 2161, Boise, Idaho

Dear Mr. McDowell:

The name of the holder of this permit has not been changed, however we have received the proofs of beneficial use of the water and two amendments in the name of Wilson and Wilson, a partnership.

The decree of settlement of final account of distribution of the estate is in our file. That shows that a partnership of K. E. Horn and Wilson and Wilson, doing business under the name of Horn and Wilson owned all of the land mentioned in the amendment to the place of use of the water under Permit No. 16911; the partnership of Wilson and Wilson owning 1/2 thereof.

What has happened to K. E. Horn's interest in this land? As it is now we can only allow on a license 1/2 of the water under the permit.

We can accept the final distribution for an assignment from F. E. Wilson to the partnership, Horn and Wilson, upon payment of the \$0.50 fee, however it seems that the name of Horn should be deleted in an additional assignment.

Kindly advise if the above is not correct.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

16911

RETURN RECEIPT

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

John Wilson

(Signature or name of addressee)

(Signature of addressee's agent)

U. S. Office

Post Office

April 2 - 1913 *169-N*

Post Office Department

OFFICE OF BUSINESS

REGISTERED ARTICLE

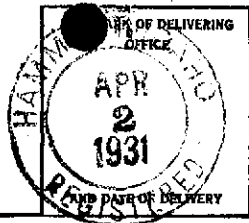
722

No. _____

INSURED PARCEL

No. _____

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



COMMISSIONER OF RECLAMATION

Return to _____

(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

BOISE,

IDAHO.

RETURN RECEIPT

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

L. E. Wilson

(signature or name of addressee.)

16911

(Signature of addressee's agent.)

Date of delivery, APR 11 '32, 193

Form 3811

IDAHO.

BOISE.

Street and Number,
or Post Office Box.

(NAME OF ADDRESSEE)

Return to

COMMISSIONER OF RECLAMATION

No.

INSURED PARCEL

No.

REGISTERED ARTICLE

OFFICIAL BUSINESS

Post Office Department

RECEIVED

APR 12 1932

DEPARTMENT OF RECLAMATION

11 1932

APR 11

OFFICE OF RECLAMATION

POSTAGE WILL BE PAID BY ADDRESSEE

RECEIVED
OCT 19 1961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 16911

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Wilson & Wilson by Wilbur F. Wilson, Manager and partner of Wilson & Wilson, a partnership;
residence, 1 mile west and 1/4 mile south of Hammett, Idaho; occupation, ranching;
postoffice address, Hammett, Idaho.

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

Ans. Manager, Wilson & Wilson, a partnership.

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

Ans. 16911, date of permit 6/26/28; date of priority, July 3, 1957.

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

Ans. The source of the water supply is from Cold Springs Ck. Point of diversion -
450' south and 1100' east from the northwest corner SW 1/4, Section 31, T5S-R9E. (Lot 5)
and is located in Lot 4, Section 31, T5S-R9E.

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. Diversion is a rock dam supported by railroad ties, pile driven lengthwise and supported by timbers with rock wings. Width at the bottom 35', length at top 35', 6' wide at the top; headgate turnouts 5' wide and 2 1/2' deep. Ditch will carry 200" of water and is 1 mile long. This is a private ditch and conducts the water onto the land from the point of diversion.

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 of the following: T5S-R8E, Sec. 36, SE 1/4, 7 acres; T5S-R9E, Sec. 31, Lot 4, 12 acres; T6S-R8E, Sec. 1, Lot 1, 20 acres; Lot 2, 5 acres; Lot 3, 2 acres. T6S-R9E, Sec. 6, Lot 4, 9 acres. This is cultivated for agriculture and there is no natural meadow. The improvements are a direct result of this water. I have spent \$4,000.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. Gravity permit.

16911

[Signature]

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

Ans. None

Ques. 8. What is the minimum amount of water required for the purpose specified above? The minimum amt. of water I can get by with is 2" to the acre or around 110" for the reason that this soil is sandy the source of water fluctuates, you have to irrigate when you can and you cannot handle a small head of water to carry over the land and do any job. It is necessary to have at least that much

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. to put this land to beneficial use properly and I have used this much.

Ans.

By assignment from F. E. Wilson, formerly one of the partners.

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

Ans. Water has actually been used from this source through these structures to irrigate this land for the past 32 years. To my knowledge it has always been used whenever the water is available and at all times on this land.

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)

Wilson & Wilson
By Hubert J. Wilson Partner

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 Boise, County of Ada

State of Idaho, on this 7th day of October, A. D. 1961.

Harley L. L. Donnell
Notary Public for the State of Idaho

My commission expires 10/11/63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 19 1961
Department of Reclamation

PERMIT NO. 16911

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. Jack Mendyk; age, 60; residence, 1 mi. south and 1/2 mil. east of Hammett on the Snake River; occupation, farmer; postoffice address, Box 279, Hammett, Idaho.

Ques. 2. Are you acquainted with Wilbur Wilson (partner & mgr. Wilson & Wilson) the holder of Permit No. 16911? How long have you known him and where does he reside?

Ans. I have known him 22 years and know he resides 1 mile west and 1/4 mile south of Hammett, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16911, 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. Diversion is a rock dam, headgate and ditch which is 1 mile long, and will carry about 200" of water. Point of diversion is in Lot 5, (NW 1/4 SW 1/4), Sec. 31, T5S-R9E., B.M., Idaho

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 know this ditch will carry 200" of water. I have seen that much and I believe even more go through this.

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 of T5S-R9E, Sec. 31, Lot 4, 12 acres; T5S-R8E, Sec. 36, SE 1/4 SE 1/4, 7 acres. T6S-R9E, Sec. 6, Lot 4, 9 acres; T6S-R8E, Sec. 1, Lot 1, 20 acres; Lot 2, 5 acres; Lot 5, 2 acres. The improvements that have been made here are the dam, diversion, the ditch that goes to this land, leveling on the land and complete irrigation and agricultural development. This is all cultivated land.

16911

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

Ans. Irrigation only.

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. This is a mixed soil. There is some clay, sand and loam in it. To do any job at all in irrigating this, he needs 100"-150" of water to cover it.

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 worked on this place the first time I came to Idaho 22 years ago and saw this ditch in place and know that it was in place even before that time. I saw this water being used at that time.

(Signed)

Jack Mendyk

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 Boise, County of Ada, State of Idaho, on this 7 day of October, A. D. 1961.

Harley M. Caldwell

Notary Public.

My commission expires 10/11/63.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 12 1931
Department of Reclamation

PERMIT NO. 16911

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. Clarence Shatto; age, 45; 1 $\frac{1}{4}$ miles south of Hammett, Idaho; occupation, farming,
postoffice address, Box 98, Hammett, Idaho.

Ques. 2. Are you acquainted with Wilbur E. Wilson (Wilson & Wilson), the holder of Permit No. 16911? How long have you known him and where does he reside?

Ans. I have known him for 20 years and know he lives 1/4 mile south and 1 mile west of Hammett, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16911, 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 source of the water is a rock dam in Cold Springs Ck. in Lot 5 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Sec. 31. Works consist of the dam, headgate and private ditch 1 mile long.

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 ditch and works will easily convey 200" and I have irrigated on the place and have put that much water through here.

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. T5S-R8E, Sec. 36, SE $\frac{1}{4}$ SE $\frac{1}{4}$, 7 acres; T5S-R9E, Sec. 31, Lot 4, 12 acres; T6S-R8E, Sec. 1, Lots 1, 20 acres; 2, 5 acres; 5, 2 acres; T6S-R9E, Sec. 6, Lot 4, 9 acres. No natural meadow. All cultivated land. I know that the improvements made are the dam, ditch, laterals and leveled and farmed for agricultural crops.

16911

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

Ans. Irrigation only.

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. This is a sandy clay loam and is pretty sandy. You have to have at least 100"-150" of water in order to irrigate, get the head to go through and cultivate the land.

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. I helped run these ditches and worked on them 20 years ago and know that they have used this for irrigation all that time and this has been in use even some time before then. I actually do farming on this land and have lived in the Hammett vicinity for the past 20 years and have probably seen it several times every year during that period.

Clarence Shatto

(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 Boise, County of Ada, State of Idaho, on this 7th day of October, A. D. 19 61.

Haley Lyler Donald

Notary Public.

My commission expires 10/11/63.

RECEIVED

OCT 15 1961

Department of Reclamation

Affidavit of Publication

County of Elmore

STATE OF IDAHO

ss.

I, Lloyd S. Waters do solemnly swear that I am the foreman, the publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in

said newspaper for 4 consecutive weeks, the

first publication having been made on the 31st

day of August, 1961, and the

last publication having been made on the 21st

of September, 1961; every

number of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 25th day

of September, 1961.

O E Cannon

Notary Public

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the 7th day of October, 1961, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, proof will be submitted of the application to beneficial use of 2.84 cubic feet per second of the waters of Cold Springs Ck., in accordance with the terms and conditions of Permit No. 16911 heretofore issued by the Idaho Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Wilson & Wilson, Hammett, Idaho.

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

The amount applied to beneficial use is 2.84 cfs.

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

Lot 4, Sec. 8, T6S-R9E; Lot 7,

Lots 1, 2, 5, SE 1/4 NW 1/4, Sec. 1,

T6S-R9E, B.M., Idaho.

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

The right to take water from such works is based upon Permit No. 16911.

The source of supply from which such water is diverted is Cold Springs Ck.

The date of priority which said user is prepared to establish is July 3, 1957.

GEO. N. CARTER,

State Reclamation Engineer.

First publication Aug. 31, 1961.

Last publication Sept. 21, 1961.

16911

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

August 28, 1961

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

IS ATTACHED

Re: Permit No. 16911
Wilson and Wilson

Mr. Harley M. McDowell,
Idaho Land & Appraisal Service,
Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

This acknowledges the Notice of Proof of ~~Completion of Works and~~ Application
of Water to Beneficial Use under Permit No. 16911, in the name of
Wilson and Wilson. Final Proof is to be made before you, as
Notary on the 7th day of October, 1961, ~~1959~~ at 10:00 o'clock
A. M., at Boise, Idaho.

As of this date we have mailed the Notice to the News, Mt. Home, Idaho
with instructions to publish it once a week for four consecutive weeks prior
to the date set for final proof and then mail the Affidavit of Publication and
statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder
and two disinterested witnesses who are familiar with the terms of the permit
and the work done thereunder, at the time, on the date and before you, as
Notary, as stated in the publication notice. It is very important and
necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been
signed, that your Notary's seal has been placed on each and that all depositions,
(Holder and two witnesses) are being returned. Also be sure to enclose the
Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Rule
(Mrs.) Edna P. ~~Edwards~~
Chief Clerk

16911
Encl.
EPR:Pk
cc: Applicant

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. 16911
Wilson and Wilson

Date: August 28, 1961

The News,
Mountain Home, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to October 7, 1961 the date set for proof; the expense of the publication is to be paid by the applicant's agent

Idaho Land & Appraisal Service of Box 2161, Boise, 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 or tear sheet of the first publication.**

Very truly yours,

GEO. N. CARTER
GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

16911

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. .16911.RECEIVED
1961
Department of Reclamation

Comes now Wilbur F. Wilson. (Wilson & Wilson)., and represents
to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho, No. . . 16911 . . ., and requests that the list of lands to be irrigated,
as described in said permit, be changed to read as follows:

. Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Sec. 31, T5S-R9E-SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T5S-R8E-NE $\frac{1}{4}$ NE $\frac{1}{4}$, . .
. Sec. 6, T6S-R9E-NE $\frac{1}{4}$ NE $\frac{1}{4}$, 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), 5 (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Sec. 1, T6S-R8E, ...
. making a total of . . 188.17 acres.

That an additional amount of water is not asked for, and that the rights of others
will not be adversely affected by such change.

Signed at . . . Boise, Idaho . . . this . . . 7th. day of . . October . . . 1961

Wilbur F. Wilson
By *Wilbur F. Wilson*, Partner &
Manager

Date of receipt at office of Department of Reclamation . . October 19, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy
I, ~~Cassidy Carter~~, State Reclamation Engineer of the State of Idaho, hereby approve

the above and foregoing application for amendment to Permit to appropriate the Public
Waters of the State of Idaho, No. .16911. This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers, and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

Recorded in Book 61 of
Permits, at Page 16911
October 25, 1961

16911
Ralph W. Thomas
Deputy State Reclamation Engineer

Application for Amendment

POINT OF DIVERSION

Permit No. 16911

Comes now Wilson & Wilson and
represent s to the State Reclamation Engineer of the State of Idaho:

That he is (~~was~~) the owner and holder of Permit to appropriate the Public
Waters of the State of Idaho, No. 16911.

That the point of diversion is described in said Permit as being located:

NE 1/4 SW 1/4, Sec. 31, T5S-R9E., B.M., Idaho

That he now requests that the point of diversion be changed to a point
located: NW 1/4 SW 1/4, Sec. 31, T5S-R9E., B.M., Idaho.

That the reason for desiring to make such change is as follows:

More feasible well site.

That no one will be injured by such change, and that such change will be made
at Permit Holder's own risk.

Signed at Boise, Idaho, this 7th day of October,
19 61.

Wilson & Wilson
By Wilbur J. Wilson
Partner & Manager

Date of Receipt at Department of Reclamation October 19, 1961

APPROVAL OF STATE RECLAMATION ENGINEER
RALPH W. THOMAS, Deputy

I, ~~WILBUR J. WILSON~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE
the above and foregoing application for amendment to Permit to appropriate the Public
Waters of the State of Idaho, No. 16911. This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

Recorded in Book 61 of
Permits, at Page 16911
October 25, 1961

16911

Ralph W. Thomas
Deputy
State Reclamation Engineer

IN THE PROBATE COURT OF THE COUNTY OF ELMORE, STATE OF IDAHO.

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*

IN THE MATTER OF THE ESTATE OF)
FRANK E. WILSON, DECEASED.)
DEGREE OF SETTLEMENT OF FINAL
ACCOUNT AND OF DISTRIBUTION

*
*
*

Wilbur F. Wilson and Myrri Wilson Heller, the executors of the estate of Frank E. Wilson, deceased, having on the 10th day of November, 1954, rendered and filed herein a full account and report of their administration of said estate, which account was for final settlement, and having with said account filed a petition for the final distribution of the estate; and said account and petition having come on regularly to be heard, proof having been made to the satisfaction of the court that notice of the settlement of the said account and the hearing of said petition has been given in the manner and for the time required by law and as ordered and directed by the court, to-wit: By a notice posted in a public place at the Court House door of the County Court House of Elmore County at Mountain Home, in Elmore County, Idaho, where said hearing was held, for at least ten days before the day for such hearing;

And, it appearing that said account is in all respects true and correct and that it is supported by proper vouchers, and that there was no residue of money in the hands of the executors at the time of filing said account and that since the rendition of said account no moneys have been received by said executors, and that since the filing of said account no moneys have been expended by

said executors as expenses of administration, and that there will be no further expense to the closing of the said estate;

And, it appearing that all claims and debts against said estate, all taxes on said estate, and all debts, expenses and charges of administration have been fully paid and discharged, and that all inheritance and transfer taxes payable from said estate have been fully paid and discharged, and that said estate is ready for distribution and in condition to be closed;

And, it further appearing that Frank E. Wilson died on the 10th day of August, 1951, at Boise, in the County of Ada, State of Idaho, and that at the time of his death he was a resident of Hammett, in the County of Elmore, State of Idaho, and that he left an estate subject to administration, and that he died testate, leaving his last will and testament, and that on the 11th day of September, 1951, this court admitted to probate the said last will and testament of said Frank E. Wilson, deceased, and issued letters testamentary to Wilbur F. Wilson and Myrri Wilson Heller who have ever since been, and now are, the executors of said last will and of said estate;

And, it further appearing that all of the property of the said estate was the community property of the said Frank E. Wilson and his wife, Mary A. Wilson, at the time of the death of the said Frank E. Wilson, and that the said Mary A. Wilson survived the said Frank E. Wilson and that she resides at Hammett, in the County of Elmore, State of Idaho, and is over the age of majority;

And, it further appearing that the only heirs of the body of the said Frank E. Wilson are Wilbur F. Wilson and Myrri Wilson Heller,

the son and daughter, respectively, of said decedent, and that each of them resides at Hamnett, in the County of Elmore, State of Idaho, and is over the age of majority;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

That the said final account of the said Wilbur F. Wilson and Myrril Wilson Heller as executors as aforesaid be, and the same hereby is, settled, allowed and approved;

That in accordance with the terms of said will, all property of the said estate now remaining for distribution, including all property not now known or discovered which may belong to the said estate or in which the said estate may have any interest, be, and the same is hereby, distributed as follows:

To Mary A. Wilson, the surviving wife of Frank E. Wilson, an undivided one-half, being her community property interest, in and to all of the property of said estate remaining for distribution;

To Mary A. Wilson, the surviving wife of Frank E. Wilson, in accordance with the terms of said will, the residence property where the said Frank E. Wilson and Mary A. Wilson resided at the time of the death of the said Frank E. Wilson, situate in the County of Elmore, State of Idaho, and particularly described as follows, to-wit:

Blocks 28, 29, 30, 31, 32, 33, 34, 18 and 19 in
Fruitland Subdivision;

To Mary A. Wilson, the surviving wife of decedent, in accordance with the terms of said will, all of the household furniture, fixtures, and equipment of said estate situate at said described residence property of decedent at the time of his death, and all

articles of personal use or adornment of decedent;

To Wilbur F. Wilson and Myrrl Wilson Heller, as Trustees, in accordance with the terms of said will, all of the rest, residue and remainder of the property of said decedent and of his said estate, IN TRUST NEVERTHELESS, and upon the following uses, and trusts, and for the purposes hereinafter set forth, and none other, to-wit:

1. To hold, manage, control and preserve all of the property hereby distributed to said Trustees, and in their discretion to sell and to invest and keep the same invested in income-producing property or interest-bearing securities, with power from time to time to change and vary the investment thereof and to reinvest the same in such properties or interest-bearing securities as in the judgment of said Trustees may seem advisable, and to collect and receive all income, dividends, issues and profits arising therefrom, and to do all other things necessary to carry the trust herein created into effect, and in and for the management, preservation, operation, maintenance, settlement and distribution of said trust estate to bargain, sell, mortgage, convey or otherwise to dispose of said estate, in one or more parcels, at public or private sale, with or without notice, to such persons, at such times, for such consideration and upon such terms, as said Trustees shall deem expedient and for the best interests of said trust estate and the beneficiaries thereof. The Trustees may invest, reinvest and keep invested the trust property or any part thereof in

securities, regardless of whether they are eligible for investment of trust funds under the laws of the State of Idaho.

2. To pay all reasonable charges, expenses and costs incidental to the administration of said trust, including all taxes, assessments, charges and expense against said property; and, any such payment may be made out of the principal or the income of the trust, as the Trustees in their discretion shall determine.

3. To use, employ and pay from an undivided one-half of said trust property to Wilbur F. Wilson, and from the other undivided one-half of such trust property to Myrri Wilson Heller, such amounts of the income and such amounts of the principal as from time to time may be, by said Trustees, deemed advisable for the welfare of each said Myrri Wilson Heller and Wilbur F. Wilson.

4. After the death of said Wilbur F. Wilson, if he should not survive to the time of the termination of the trust, to use, employ and pay from the half share of such trust property for him, such amounts of principal and income therefrom as in the judgment of said Trustees may be necessary and proper for the care, support and maintenance of the child or children of Wilbur F. Wilson, who shall survive him. In determining the amount necessary and proper to be expended from the trust fund for the care, maintenance and support of the child or children of Wilbur F. Wilson, that said Trustees shall at all times take into consideration the amount of said trust property and the needs of the child or children of Wilbur F. Wilson, and whatever income and property the child or children

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of Wilbur F. Wilson may have from time to time.

5. After the death of said Myrri Wilson Heller, if she should not survive to the time of the termination of the trust, to use, employ and pay from the half share of such trust property for her, such amounts of principal and income therefrom as in the judgment of said Trustees may be necessary and proper for the care, support and maintenance of the child or children of Myrri Wilson Heller who shall survive her. In determining the amount necessary and proper to be expended from the trust fund for the care, maintenance and support of the child or children of Myrri Wilson Heller, that said Trustees shall at all times take into consideration the amount of said trust property and the needs of the child or children of Myrri Wilson Heller, and whatever income and property the child or children of Myrri Wilson Heller may have from time to time.

6. The trust hereby created shall continue until the oldest of the children of Myrri Wilson Heller shall attain the age of thirty-one (31) years, or in the event of the death of the oldest of said children of Myrri Wilson Heller, until the anniversary of the thirty-first (31st) birthday of the oldest of said children of Myrri Wilson Heller, at which time the trust shall terminate, but the duration of this trust shall in no event, nor by any possibility, extend beyond the death of the last surviving of Wilbur F. Wilson and his children living at the time of the death of the said Frank E. Wilson, and Myrri Wilson Heller and her children living at the time of the death of Frank E. Wilson.

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7. Upon the termination of the trust herein created, the Trustees shall pay and deliver the balance, residue and remainder of the half share of the trust property for Myrri Wilson Heller to Myrri Wilson Heller, and the half share of the trust property for Wilbur F. Wilson to Wilbur F. Wilson, but if either of them shall die before the termination of the trust, leaving issue, then the portion of such trust property, both principal and income therefrom, which he or she, as the case may be, would have been entitled to under this instrument, shall be paid over to such issue per stirpes, but in the event that either said Myrri Wilson Heller or Wilbur F. Wilson should depart this life without issue, then the portion of such trust property, both principal and income therefrom, which he or she, as the case may be, would have been entitled to under this instrument, shall be paid over to the legal heirs of such decedent.

8. The Trustees may make any payment for the care, support and maintenance of the child or children of each Myrri Wilson Heller and Wilbur F. Wilson in any one or more of the following ways:

Directly to such child or children; to the legal guardian of such child or children; to a surviving relative of such child or children to be expended by such relative for the care, support and maintenance of such child or children; or, by said Trustees expending the same for the care, support and maintenance of such child or children.

9. Neither the income from such trust estate provided for the beneficiaries, nor the principal fund, shall be liable for the debts of any beneficiary, present or future, and shall not be subject to the right on the part of any creditor to seize or reach the same under any writ or by any proceedings at law or in equity. None of the beneficiaries shall have any power to give, grant, sell, convey, mortgage, pledge or otherwise dispose of, encumber, or anticipate the income or any payment thereof, or any share in the principal thereof, and no right of disposition of any such property shall vest in any beneficiary until the same shall have been actually transferred or paid over to the beneficiary, or in behalf of the beneficiary; but this provision shall in no respect restrict the Trustees or either of them in their powers as Trustees.

The following is a particular description of the property of said estate referred to in this Decree, and of which distribution is now ordered as aforesaid:

16,666 shares of the capital stock of Hammett Livestock Co., of the par value of \$1.00 per share, of the actual value of \$5.05 per share;

Miscellaneous household furniture, fixtures and equipment;

All of the right, title and interest of Frank E. Wilson in and to that certain partnership identified as follows:

The partnership consisting of Frank E. Wilson and Mary A. Wilson, husband and wife, and Wilbur F. Wilson, doing business under the firm name and style of WILSON

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AND WILSON, the interest of said decedent and his wife Mary A. Wilson in such partnership being a two-thirds (2/3) interest.

The Real Property of such partnership consists as follows:

Real property situate in the County of Owyhee, State of Idaho, particularly described as follows, to-wit:

Lot 6 of section 1, township 6 south, range 7 east, B. M., excepting therefrom that portion of said Lot 6 heretofore deeded to R. H. Bennett and F. W. Bennett by deed recorded in Book 29 of Deeds, at page 511, Records of Owyhee County, Idaho, and more particularly described as follows, to-wit: Beginning at a point on the east side line of said Lot 6, which is 50 feet northerly of the southeast corner of said Lot 6, running thence south along the east side line of said Lot 6 to the southeast corner thereof, running thence west along the south side of said Lot 6 to the southwest corner thereof, running thence north along the west side line of said Lot 6 a distance of 550 feet to a point, running thence southeast-erly on a straight line diagonally across said Lot 6 to the point of beginning;

Lot 7 and the northwest quarter of the southeast quarter and the south half of the southeast quarter of section 1, the northeast quarter of section 11, all of section 12, the northwest quarter and the north half of the southwest quarter and the southwest quarter of the southwest quarter and the southeast quarter of section 13, the southeast quarter of the southeast quarter of section 14, the southeast quarter of the northwest quarter and the northeast quarter of the southwest quarter and lots 6 and 7 in section 6, all in township 6 south, range 7 east, Boise Meridian;

Beginning at a point, the same being the northwest corner of the northeast quarter of the southeast quarter of section 1, township 6 south, range 7 east, B. M., and running thence east a distance of 780 feet; thence south 22°00' west a distance of 245 feet, thence south 73°30' west a distance of 680 feet, thence south 15°00' east a distance of 670 feet, thence south 48°00' east a distance of 320 feet, more or less, to a point lying

and being 30 feet north of the south boundary of the above northeast quarter of the southeast quarter of section 1, thence east a distance of 870 feet, thence south a distance of 30 feet, thence west a distance of 1320 feet, thence north a distance of 1320 feet to the point of beginning, all in section 1, township 6 south, range 7 east, Boise Meridian;

All of section 18 and the southeast quarter of the southeast quarter of section 7, and the southwest quarter of the northwest quarter of section 17, all in township 6 south, range 8 east, Boise Meridian;

Beginning at the southwest corner of U. S. Lot 6, section 6, township 6 south, range 8 east, Boise Meridian, thence east 266 feet to a point 15 feet west of the center line of the Low Line Canal of the Indian Cove Irrigation District, thence north $23^{\circ}45'$ east along the canal right of way 280 feet; thence north $11^{\circ}15'$ east 875 feet to the north side of the north pipe line of said irrigation district; thence south 52° east to the east line of said Lot 6; thence north to the northeast corner of said Lot 6; thence west between Lots 4 and 6 to the intersection with the Range line, between Ranges 7 and 8 east, Boise Meridian; thence south 1320 feet to the southwest corner of said Lot 6, the point of beginning;

Also, all of U. S. Lot 4, section 6, township 6 south, range 8 east, Boise Meridian, excepting one acre in the southwest corner of said Lot 4 which is deeded to the Indian Cove Irrigation District for pumping plant and dwelling house location;

Also Lot 3 in section 6, township 6 south, range 8 east, Boise Meridian;

Those certain premises situate in Lot 7, section 6, township 6 south, range 8 east, Boise Meridian, designated in the office of the County Recorder of Owyhee County, Idaho, and in the office of the County Assessor of Owyhee County, Idaho, as Tax No. 1 in Lot 7, section 6, township 6 south, range 8 east, Boise Meridian;

Real property situate in the County of Elmore, State of Idaho, particularly described as follows, to-wit:

All that portion of Lots 2, 3, 6 and 7, section 5, township 2 north, range 10 east, Boise Meridian, in Elmore County, Idaho, lying east and south of the following described line: Beginning at a point, the same being 110 feet west of the Meander Corner, on the right bank of the South Fork of Boise River, and north boundary of above section 5, running thence south $27^{\circ}45'$ west 530 feet, thence south $49^{\circ}15'$ west 620 feet, thence south $35^{\circ}00'$ west 450 feet, thence south $2^{\circ}45'$ west 320 feet, thence south $87^{\circ}45'$ west 390 feet, thence south $45^{\circ}00'$ west 385 feet, thence south $52^{\circ}00'$ west 302 feet, thence south $86^{\circ}30'$ west 315 feet, thence south $59^{\circ}30'$ west 390 feet, thence south $31^{\circ}30'$ west 260 feet, thence south $53^{\circ}15'$ west 440 feet, thence south $27^{\circ}15'$ west 431 feet, thence south $44^{\circ}30'$ west 119 feet, thence south $23^{\circ}30'$ west 250 feet, thence south $37^{\circ}00'$ west 526 feet, thence south $33^{\circ}30'$ west 362 feet, thence south $1^{\circ}00'$ west 330 feet, thence south $1^{\circ}30'$ east 448 feet, thence south $11^{\circ}15'$ east 236 feet, thence south $31^{\circ}00'$ east 115 feet, to intersection with the south boundary of above section 5, township 2 north, range 10 east of the Boise Meridian;

Lots 3, 6 and 7 and the west half of the southwest quarter of section 21, and lots 4 and 7 and the southwest quarter of the northeast quarter and the west half of the southeast quarter of section 28, and lots 2 and 3 in section 33, all in township 3 north, range 10 east, Boise Meridian;

All of that portion of Lots 1 and 4 and the west half of the northeast quarter of section 33, township 3 north, range 10 east, Boise Meridian, lying and being west of the following described line: Beginning at a point, on the section line between sections 28 and 33 in township 3 north, range 10 east, Boise Meridian, from which point the quarter section corner common to said sections 28 and 33 bears west a distance of 253 feet, and which point is in the center of the present Mountain Home-Rocky Bar road, running thence south $1^{\circ}00'$ west a distance of 285 feet, thence south $9^{\circ}30'$ west a distance of 161 feet, thence south $24^{\circ}45'$ west a distance of 415 feet, thence south $44^{\circ}30'$ west a distance of 670 feet,

thence south 55°30' west a distance of 260 feet,
thence south 53°30' west a distance of 223 feet,
thence south 56° west a distance of 224 feet,
thence south 31°30' west a distance of 231 feet,
thence south 41°30' west a distance of 246 feet,
thence south 44°30' west a distance of 760 feet,
more or less, to the east and west quarter section line in said section 33;

The southwest quarter of the northwest quarter, and the south half of section 26, the southeast quarter of the northeast quarter and the southeast quarter of the southwest quarter and the northeast quarter of the southeast quarter and the south half of the southeast quarter of section 34, the northeast quarter and the northeast quarter of the northwest quarter and the south half of the northwest quarter and the south half of section 35, all in township 1 south, range 10 east, Boise Meridian;

Lots 1, 2, 3 and 4 and the south half of the northeast quarter and the southeast quarter of the northwest quarter and the northeast quarter of the southwest quarter and the north half of the southeast quarter of section 2, lots 1, 2 and 3 and the southwest quarter of the northeast quarter and the southeast quarter of the northwest quarter of section 3, all in township 2 south, range 10 east, Boise Meridian;

Lots 1, 2 and 5 in section 1, township 3 south, range 4 east, Boise Meridian;

Lots 1, 2, 3 and 4 and the south half of the northeast quarter and the south half of the northwest quarter of section 1, township 5 south, range 4 east, Boise Meridian;

Lots 1, 2, 3 and 4 and the south half of the northeast quarter and the southeast quarter of the northwest quarter of section 1, and the south half of the northeast quarter of section 31, township 4 south, range 5 east, Boise Meridian;

The south half of the northwest quarter and the north half of the southwest quarter of section 4, and the southeast quarter of section 5, and the northeast quarter of section 12, township 5 south, range 5 east, Boise Meridian;

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Lots 3, 4 and 5 and the southeast quarter of the northwest quarter of section 6, and the north half of the southeast quarter of section 9, and the south half of the northeast quarter and the northeast quarter of the northwest quarter and the northeast quarter of the southwest quarter of section 36, all in township 4 south, range 6 east, Boise Meridian;

The northeast quarter of section 30, township 3 south, range 7 east, Boise Meridian;

All of section 9, and the east half of the northeast quarter of section 10, and the west half of the northeast quarter and the northwest quarter of section 11, township 5 south, range 7 east, Boise Meridian;

The south half of the northwest quarter and the north half of the southwest quarter of section 24, the southwest quarter of the southwest quarter of section 26, the north half of the northeast quarter of the northeast quarter in section 27, the northeast quarter of the southwest quarter of the northwest quarter and the east half of the southeast quarter in section 34, all in township 5 south, range 8 east, Boise Meridian;

Those certain premises identified and described in the office of the County Recorder of the County of Blaine, State of Idaho, and in the office of the County Assessor of the County of Blaine, State of Idaho, designated and identified as Tax No. 2 in section 27, township 5 south, range 8 east, Boise Meridian;

Lots 1, 2, and 3 and the south half of the north half, and the south half, of section 1, township 2 south, range 10 east, Boise Meridian;

Lot 7 in section 6, township 2 south, range 11 east, Boise Meridian;

being all of the real property in the partnership of Wilson and Wilson.

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All of the right, title and interest of the decedent F. E. Wilson in and to a partnership consisting of K. E. Horn on the one part and the partnership of Wilson and Wilson on the other part, doing business under the firm name and style of HORN AND WILSON, the interest of Wilson and Wilson in such partnership being one-half (1/2) thereof;

Real Property situate in the County of Elmore, State of Idaho, particularly described as follows, to-wit:

Ranch with residence house and farm buildings situate near Hammett, in Elmore County, Idaho, described as Blocks 28, 29, 30, 31, 32, 33, 34, 18 and 19 in Fruitland Subdivision;

The northwest quarter of the northwest quarter of section 35, township 5 south, range 8 east, Boise Meridian;

The southeast quarter of the southeast quarter of section 36, township 5 south, range 8 east, Boise Meridian;

Lots 1, 2 and 5 and the southeast quarter of the northwest quarter of section 1, township 6 south, range 8 east, Boise Meridian;

Lot 4 in section 31, township 5 south, range 9 east, Boise Meridian;

The northeast quarter of the northeast quarter of section 10, township 4 south, range 10 east, Boise Meridian;

Lot 10 in Block 34 of South Addition to Hammett;

Lot 4 in section 6, township 6 south, range 9 east, Boise Meridian;

And, all property not now known or discovered, or not herein set forth, in which said decedent or said estate may have, or may hereafter acquire, any interest.

Done in open court this 27th day of November, 1954.

E. V. Latimore Probate Judge

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STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

I, E. W. Latimore, Probate Judge and Ex-officio Clerk of the Probate Court of the County of Elmore, State of Idaho, DO HEREBY CERTIFY that the within and foregoing copy of DECREE OF SETTLEMENT OF FINAL ACCOUNT AND OF DISTRIBUTION is a true, accurate and correct copy of the DECREE OF SETTLEMENT OF FINAL ACCOUNT AND OF DISTRIBUTION filed in the Probate Court of the County of Elmore, State of Idaho, in the matter of the estate of Frank E. Wilson, deceased, and in my care and custody in my official capacity as aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of November, 1954.



Probate Judge and Ex-officio Clerk.

116911

Indexed
Proof Read

89004

Decree of Settlement
of Final account &
of Distribution
Frank E. Wilson
Estate

STATE OF IDAHO,
County of Elmore } ss.

I hereby certify that this instru-
ment was filed for record at request of

Anderson, Kaufman & Hagen

at ~~10~~ minutes past 9

o'clock A M., this 30

day of November A. D., 1914

in my office, and duly recorded in Book

41 of Miscellaneous

at Page 266

James A. O'Neil
Ex Officio Recorder,

By _____ Deputy.
Fees \$ 10.00

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

Notice is hereby given that at 10 A.M. on the 7th day of October, 1961, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, proof will be submitted of the application to beneficial use of 2.84 cubic feet per second of the waters of Cold Springs Ck., in accordance with the terms and conditions of Permit No. 16911 heretofore issued by the Idaho Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Wilson & Wilson, Hammett, Idaho.

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

The amount applied to beneficial

use is 2.84 cfs.

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

Lot 4, Sec. 6, T6S-R9E, Lot 7,

Lots 1, 2, 5, SE¼NW¼, Sec. 1,

T6S-R8E., B.M., Idaho.

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

The right to take water from such works is based upon Permit No. 16911.

The source of supply from which such water is diverted is Cold Springs Ck.

The date of priority which said user is prepared to establish is July 3, 1957.

GEO. N. CARTER,

4t State Reclamation Engineer.

First publication Aug. 31, 1961.

Last publication Sept. 21, 1961.

Form No. 11
2M - 10/60

RECEIVED

AUG 25 1961

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 24, 1961

(P. O.) Hammett, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

News of Mt. Home, Idaho published in
the county in which the works are situated. Shore Co. Wilson & Wilson

by

Hilbur J. Wilson

IDAHO LAND & APPRAISAL SERVICE WILL GUARANTEE PAYMENT OF PUBLICATION FEES. PLEASE
SEND AFFIDAVIT OF PUBLICATION AND STATEMENT OF CHARGES DIRECT TO US AT PO BOX 2161,
BOISE, IDAHO.

(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.

76911

RECEIVED

AUG 23 1961

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

Department of Reclamation

Notice is hereby given that at 10:01 A. M. on the 7th day of October, 1961,
 at Boise, County of Ada, State of Idaho, before
Barley M. McDowell, Notary Public, proof will be submitted of the
 application to beneficial use of 2.84 cubic feet per second of the waters of Cold Springs Cr.
in accordance with the terms and conditions of Permit No. 16911
 heretofore issued by the Idaho Department of Reclamation of the State of Idaho.

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

Wilson & Wilson, Hammett, Idaho.

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 2.84 cfs.

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

Lot 4, Sec. 6, T5S-R9E; Lot 7, Lots 1, 2, 5, 30, 31, Sec. 1,
T5S-R9E, B.M., Idaho.

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

private ditch.

The right to take water from such works is based upon Permit No. 16911

The source of supply from which such water is diverted is Cold Springs Cr.

Lot 5, Sec. 31
T5S-R9E

The date of priority which said user is prepared to establish is 4/23/50 July 3, 1957

16911

Geo. W. Carter

State Reclamation Engineer.

AD

August 19, 1961

Re: Permit No. 16911 - F. E. Wilson

Mr. Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed is a copy of Permit No. 16911. Mr. Wilbur Wilson requested that the copy be mailed to you.

If Mr. Wilson has not called on you as yet, he will be in your office in the next few days.

The fee of \$2.00 was paid by Mr. Wilson, and the receipt and copy of this letter is being mailed to him.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. copy of permit

cc: Wilbur F. Wilson
Hammett, Idaho

Receipt No. 30719 enclosed
for \$2.00

16911

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

June 21, 1932

Mr. Charles Stout
Attorney at Law
Glenns Ferry, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. **16911**

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 25, 1932**, 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 **Glenns Ferry, Idaho** before **Charles Stout**

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

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

Yours truly,

R. W. FARIS

Commissioner of Reclamation.

16911

Glenns Ferry Gazette

HARMON CLINE
PUBLISHER

GLENN'S FERRY, IDAHO

16911

April
20th,
1932.

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

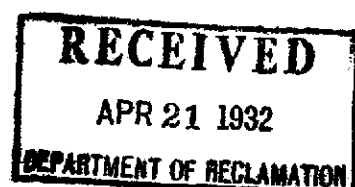
Dear Sir:

Legal for F. E. Wilson, Hammett,
Idaho, publication to be made
four times prior to ~~May~~ 22, re-
ceived and will have careful at-
tention.

Very Truly Yours,

Harmon Cline

16911



April 19, 1932

RE: PERMIT NO. 16911

MR. F. E. WILSON
Hammett, Idaho

Dear Sir:

Your notice in duplicate for publication of the application to BENEFICIAL USE of 2.84 second feet of the waters of COLD SPRINGS CREEK has not been received. A copy of the notice has been mailed to the GLENN'S FERRY GAZETTE for publication. Depositions (one of the holder and two for witnesses) will be mailed to Mr. Charles Stout, N. P., Glenns Ferry, Idaho, sometime prior to June 25, 1932, which is the date when you are to make your proof.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk

PH/LP

16 all

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date April 19, 1932

GLENN'S FERRY GAZETTE
Glenn's Ferry, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 22, 1932, the date set for proof, the expense of the publication to be paid by the applicant, F. E. Wilson, Hammett, Idaho

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

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

Very truly yours,

R. W. PARIS
Commissioner of Reclamation

16911

Form No. 9

32247
REGISTERED
RETURN RECEIPT REQUESTED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

April 7, 1932

F. E. WILSON,
Hammett, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 16911, which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is June 24, 1932, and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

R. W. FARR
~~CHIEF ENGINEER~~
Commissioner of Reclamation.

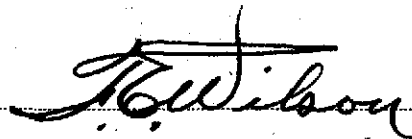
16911

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE(Date) April, 18th, 1932.(P. O.) Hammett, 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 Glenns Ferry Gazette of Glenns Ferry, Idaho, published in the county in which the works are situated.



(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.

16911

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 25 day of June, 1932,
at Glenna Ferry, County of Elmore, State of Idaho,
before Charles Stout, a Notary Public, proof will be submitted
of the application to beneficial use of 2.84 cubic feet per second of the
waters of Cold Springs Creek in accordance with the terms and conditions of
Permit No. 16911 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.....

F. E. Wilson,

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

Irrigation and domestic

The amount applied to beneficial use is..... 2.84

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Lot 4, Sec. 6, Twp. 5 So. Rg. 9 E. and a Part of Lots 1, 2, and 5 and SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 1, Twp. 6, So. Rg. 8 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 Private ditch

The right to take water from such works is based upon Permit No. 16911

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

Cold Springs Creek

The date of the priority which said user is prepared to establish is.....

June 22, 1928

R. W. FARIS

Commissioner of Reclamation.

16911

September 18
1931

Re: Permit No. 16911

Mr. F. E. Wilson
Hammett, Idaho

Dear Sir:

Enclosed you will find certificate of completion
of works issued under your above numbered permit,
together with receipt for fees paid.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk

OB/LE
Encl.

16911

F. E. WILSON
HAMMETT, IDAHO

Sept. 11 - 1931

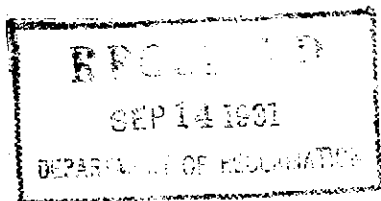
Commissioner of Reclamation,
State House,
Boise, Ida.,

Dear Sir:- Enclosed
herewith find ck. for \$5.00 to pay
the required fee together with an
affidavit showing the completion
of work on permit #16911.

I think you will find the affidavit
complete except as to the time
work was to be completed.

I don't seem to have any record
showing the time the work was
to be completed. I wish you would
kindly fill in this date.

Yours Truly,
F. E. Wilson



16911

Permit No. 16911STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Elmore } SSG. E. Wilson, 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. 16911, and that his postoffice address is Hammett State of IdahoSecond: That the name of the stream from which said water is to be diverted is Cold Springs CreekThird: That the point of diversion of said water is Lat 2 Sec. 31, T. 5 S. R. 9 E. B.M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Sept. 26, 1931Fifth: 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: Dam and ditch
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 4 feet, length of dam at top 28 feet, length of dam at bottom 14 feet. Material used in construction Timber, rock and gravel
(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width 4 feet, height 3 feet.(d) Conduit 4 width at bottom 5 feet, width at water line _____
(State whether ditch, flume or pipe.)
feet, depth of water 1 feet; diameter of pipe _____ inches, average grade per mile is 3 feet. Length of conduit is 1/4 miles.Seventh: That said works are capable of conducting to the place of intended use 4 second feet of water.Eighth: That water appropriated under said permit is available for 160 acres of land described as follows: Lat 4 Sec 31, T 5 S, R 9 E. and Part of lots 1, 2 and 5 and S. E. 4 of N. W. 4 Sec. 1 T. 6 N. R. 8 E. B.M.

Ninth: Remarks: That _____

G. E. Wilson
(Sign here)Subscribed and sworn to before me this 9 day of September, 1931Charles Stout

Notary Public.

My commission expires _____

Ragidrig in Elmore
Idaho

16911

Permit No. 16911

Application for Extension of Time FOR COMPLETION OF WORKS

F. E. Wilson

Hammett

State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 16911

Under the terms and conditions of said permit, construction work thereunder was required to be completed by June 26, 1931.

That he has heretofore performed the following work described under said permit:

Built part of the ditch which conveys the water to the land, and has at this time only partially completed the diversion dam

costing \$.

That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

The work of building the diversion dam is taking longer than was anticipated

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of works under said permit to Sept. 26th, 1931.

Subscribed and sworn to before me this 20th day of June, 1931.

My commission expires July 17, 1931

NOTARY PUBLIC in and for the State of Idaho,
Residing at Boise, Idaho

Date of receipt at office of Department of Reclamation June 20, 1931

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, R.W. Faris, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 16911 to

September 26, 1931

Witness my hand this 20th day of June, 1931

R.W. Faris
Commissioner of Reclamation.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

F. E. Wilson

Hammett, Idaho

Boise, Idaho,

April 1, 1931

Dear Sir:—

Under the terms of your permit No. 16911.....you are required to complete your diversion works on or before June 26, 1931 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.

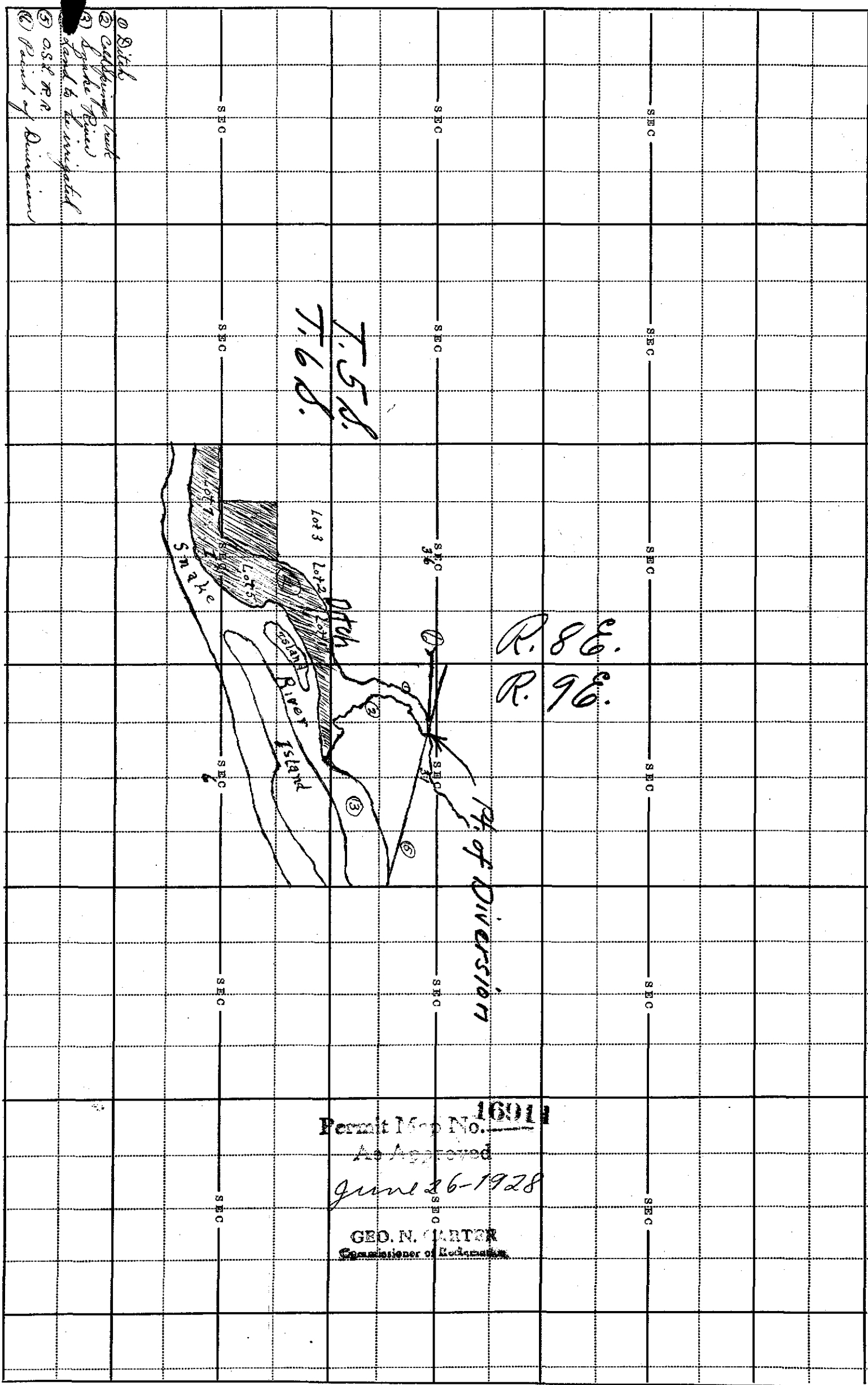
The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof 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. H. CARTER

Commissioner of Reclamation.

16911



State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 16911

Mr. Chas. Stout
Glenns Ferry, Idaho

June 27, 1928
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.

Geo. N. Carter
Commissioner of Reclamation.

16911