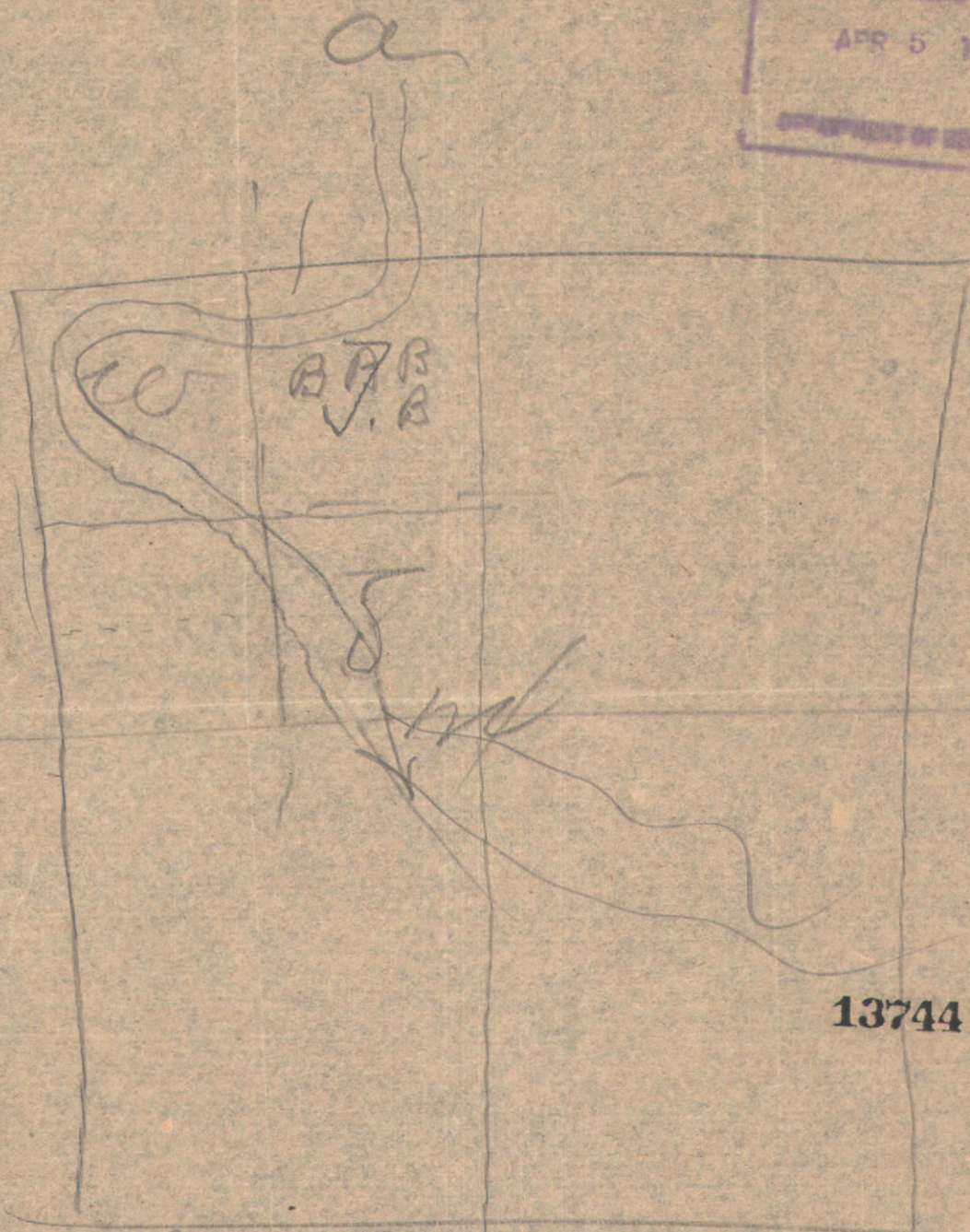
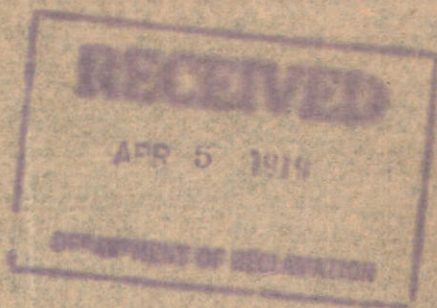




13744

Second 4 Sheds for Sampling
J. Lakey 600 feet long
w. Wheeler
D. Smith
a. water course
B. Sampling Station

PUBLISHER AFFIDAVIT

MAR 26 1919

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 10 a. m. on the 25th day of March, 1919 at Mountain Home, County of Elmore, State of Idaho, before Stanton Park, Notary Public, proof will be submitted of the application to beneficial use of one-fifth (1-5) cubic feet per second of the waters of an unnamed stream in accordance with the terms and conditions of Permit No. 13744 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 R. W. Smith and R. M. Wheeler, Mountain Home, Idaho.

2. The use to which said water has been applied is Domestic. (stock-watering).

3. The amount applied to beneficial use is one-fifth (1-5) Sec. foot.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 3 South, Rng. 6 East, B. M.

5. The date of the priority which said user is prepared to establish is September 10th, 1918.

FRED A. WILKIE,
State Engineer.

Feb. 8-Mch. 1.

STATE OF IDAHO, }

ss.

County of Elmore

I, ~~John R. Jones~~, do solemnly swear that I am the publisher of the MOUNTAIN HOME REPUBLICAN, 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 the publication thereof, was published in said newspaper for 2 consecutive weeks, the first publication having been made on the 8th day of February 1919 and the last publication having been made on the 1st day of March 1919; that said notice was published in the regular and entire issue of 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.

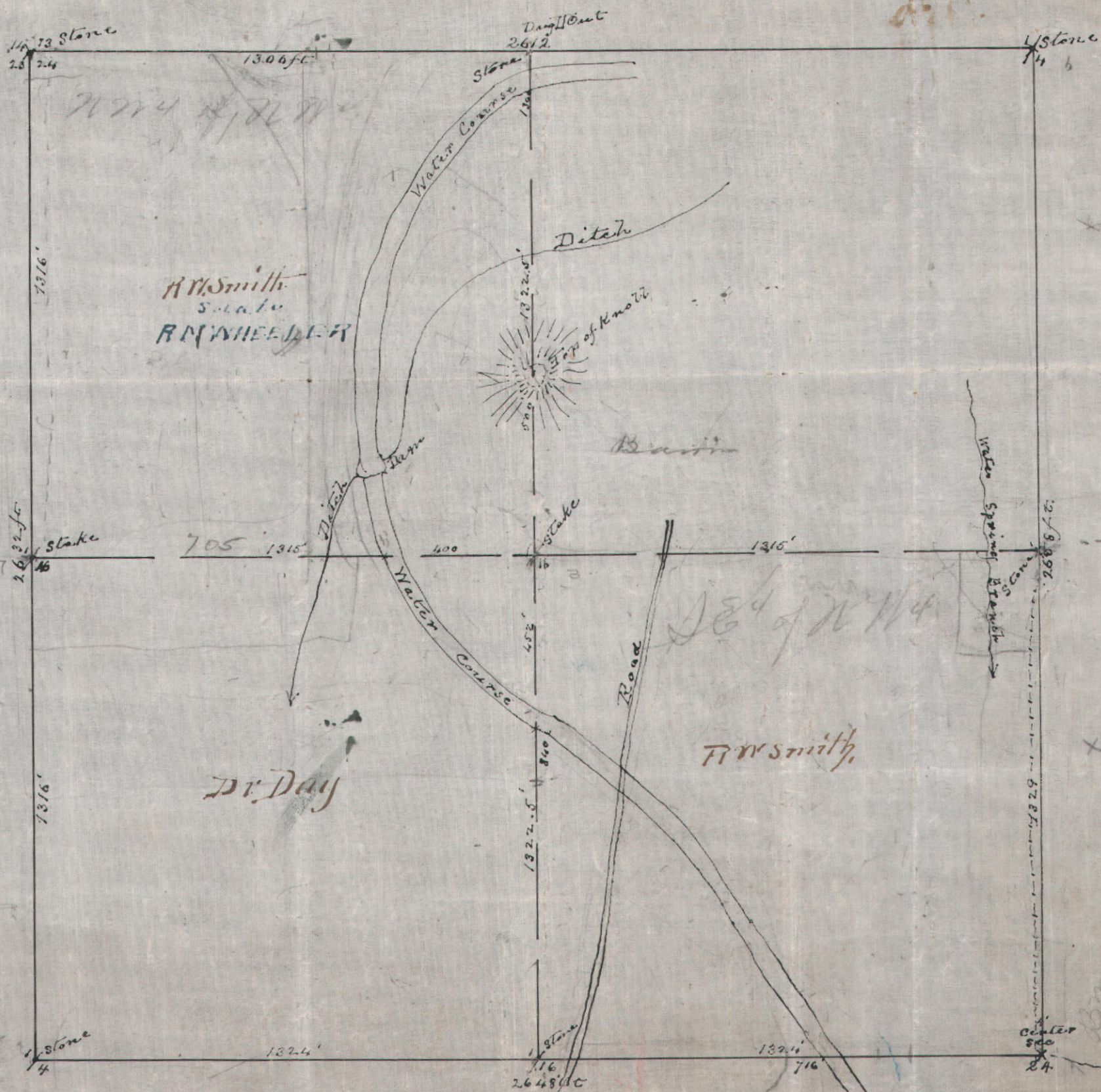
Subscribed and sworn to before me this 3rd

day of March 1919.

13744

C. T. Mathews
Notary Public.

Showing
Roscoe W. Smith's Tract of Land Situate in
The South $\frac{1}{2}$ & N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Sec. 24,
as Surveyed by Samuel E. Throades
County Surveyor for
Elmore County, Idaho.
April 23rd 1907.



Patent 1893

13744

Name of Applicant: *R. C. Jones & R. M. Wheeler*

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

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SEC.

SEC.

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SEC.

135 P. 66.

20 ft
Unnamed Stream

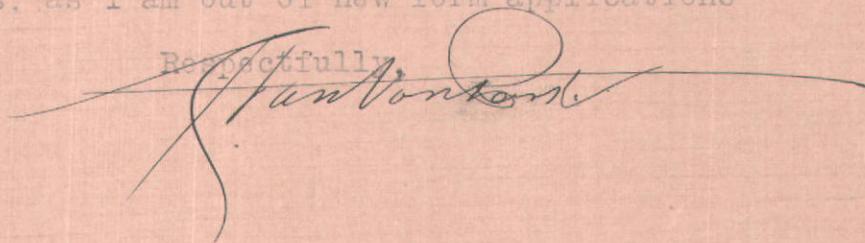
September the 9th, 1918.

F. A. Wilkie, State Engineer,
Boise City, Idaho.

Sir;-

Enclosing herewith Application from
Lawrence Friedman on new form, also Application from R. W.
Smith & R. M. Wheeler for Stock-water on old form, which I hope
may be allowed to pass, as I am out of new form applications

Respectfully,



RECEIVED

SEP 10 1918

OFFICE OF STATE ENGINEER

13744

STATE OF IDAHO
 LICENSE AND CERTIFICATE OF WATER
 RIGHT

Water License No: 13744
 Water District No: 1

Amount: 0.20 cu. ft.
 Priority: 9-10-18

THIS IS TO CERTIFY THAT, R. W. Smith and R. M. Wheeler of Mountain Home, Idaho made application for a permit to appropriate the public waters of the State of Idaho, dated September 10th, 1918; that Permit number 13744 was issued under said application; and that on the 25th day of March, 1919, R. M. Wheeler of Mountain Home, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation, of a right to the use of the waters of an unnamed stream, a tributary of Rattlesnake Creek, for the purpose of domestic use, under Use Permit Number 13744 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume five of Licenses, at page 2460, on the 28th day of May, 1919:

The right hereby confirmed dates from September 10th, 1918:

The point of diversion is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 3 South, Range 6 East, B. M.

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 0.20 cubic feet per second.

That the place of use of said water is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 3 South, Range 6 East, B. M.

That inasmuch as no construction work is called for under the terms of said permit, no proof of completion of works is required.

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 28th day of May, A. D. 1919.

W. G. Swendsen.

(SEAL)

Commissioner of Reclamation.

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

Application No. **19530**
Permit No. **13744**
District No. **1**

~~63-2321~~
61-2237

1. Name of Applicant: **R. W. SMITH and R. M. WHEELER** ✓

Postoffice address: **Mountain Home**

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: **One-fifth (1/5)** cubic feet per second.

3. Source of water supply: **Unnamed stream** which is a tributary of **Rattlesnake Creek**

4. Location of point of diversion: _____ feet distant from the
corner of Section _____, T. _____, R. _____, B. M., and is in the **NW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$**
of Section **24**, T. **3 S.**, R. **6 E.**, B. M., County of **Elmore**

5. Water is to be used for: **Stock watering 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: \$ **See Remarks**

8. Kind of works: **See Remarks**

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 _____ feet; height _____ feet.

11. Ditch: Width at bottom _____ feet; width at water line _____ feet; depth of water _____
feet; dimensions of flume _____

Diameter of pipe _____ inches; length of conduit _____ miles.

Average grade per mile _____ feet.

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

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.

By **R. W. SMITH and** Applicant.
R. M. WHEELER
STANTON PARK Agent.

Date of first receipt at office of State Engineer **9 A. M. Sept. 10, 1918**

Returned to applicant for correction **Sept. 11, 1918**

Corrected application received **Sept. 13, 1918**

APPROVAL OF STATE ENGINEER

The number of this permit is **13744**
Recorded in Book **48** Page **13744** Approved **Sept. 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 **November 24, 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 **December 25, 1918**
The whole of said work to be completed on or before **March 25, 1919**
Beneficial use of water appropriated in accordance herewith, to be made on or before **March 25, 1919**

Witness my hand this **25th** day of **September, 1918.**

FRED A. WILKIE State Engineer.

Remarks: **Applicants have nothing to construct. Merely desire to use the natural stream running thru their lands for stock watering purposes.**

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	
3 S	6 E	24					X X (Place of use)												
							DEPARTMENT OF RECLAMATION, BOISE, IDAHO.												
			In Re Permit 13744:												O R D E R.				
			It appearing that the above numbered permit was duly issued to R. W. Smith and R. M. Wheeler, appropriating 0.2 second feet of the waters of an unnamed stream to be u for stock watering purposes, which said permit stated therein that no construction work was necessary and that none was to be performed because of the fact that the flow of the stream to be used for the purposes aforesaid: That thereafter and on March 25th, 1919, the holders of said permit submitted proof beneficial use of water thereunder, showing use of said water for watering about one hundre head of sheep and some thirty head of horses; That an alleged protest has been filed against issuance of license under said proof by W. L. Frazier and Carter McV. Tobey, alleging among other things that said water has nev been put to beneficial use: Thereafter, and on the 16th day of May, 1919, an examination having been made by a representative of this Department, which examination and report thereunder shows that said water has been put to beneficial use in watering stock, and that no construction work was necessary under said permit, for reasons aforesaid: It is therefore ordered that proof of completion of works is not required under sai permit, and that license be issued in the amount of 0.20 second feet.																
			Dated at Boise, Idaho, May 28th, 1919.																W. G. Swendsen. Commissioner of Reclamation.
License 13744			0.20 Page 2460																

May 28th
1919

In re: Permit: 13744

R. W. Smith
Mountainhome, Idaho

Dear sir:

Herewith find water license
issued under the above numbered permit, also
receipt covering statutory fee submitted, also
copy of order in re the above permit.

Yours very truly,

W. G. Svendsen,
Commissioner of
Reclamation

By:

13744

May 28th
1919

In re: Permit 13744

Mr. Carter McV. Tobey
Mountainhome, Idaho

Dear sir:

Herewith find order in re the above
permit, license has been issued to the holders
of the permit bearing date of May 28th, 1919.

Yours very truly,

W. G. Swendsen,
Commissioner of
Reclamation.

By:

13744

May 28th
1919

In re: Permit 13744

Doctor W. L. Frazier
Boise, Idaho

Dear sir:

Herewith find order this day issued
in re the above permit; license has been issued
to the holders of the above permit bearing date
of May 28th, 1919.

Yours very truly,

W. G. Swaudsen,
Commissioner of
Reclamation.

By:

13744

THE ROSCOE W. SMITH CO
PHARMACISTS
MOUNTAIN HOME, IDAHO

5/19-

clw 8/5/

M. J. Smudsen

State Engineer

Idaho

Boise Idaho

to Kenneth Chest # 6744
Concerning filing Permit # 13744
R. M. Wallace & R. W. Smith.

Kenneth

R. M. Wallace & R. W. Smith

13744

May 20th
1919

In re: Permit: 13744

R. M. Wheeler
Mountainhome, Idaho

Dear sir:

Before the matter of issuing license under the above permit can be taken up, it will be necessary for you and Mr. Smith as holders of the permit to submit to this office the statutory fee required under a permit for domestic purposes. This fee, in this case, is five dollars.

Upon receipt of the fee, the matter of issuing license will be taken up immediately.

Yours very truly,

W. G. Swendsen,

Commissioner of
Reclamation.

By:

13744

13744
May 14, 1919.

Re Permit 8534.

Dr. C. M. Tobey,
Mountain Home, Idaho.

Dear Sir:—

Am returning herewith the above numbered permit,
sent to this office some time ago to show your interest in
certain water filed upon by Messrs. Smith & Wheeler.

In regard to this permit would say that your right lapsed
through failure to make the required proof of completion of works
by August 10, 1914, the date specified in the permit for such proof.

Very truly yours,

T. G. SWENLSEN,

Commissioner of Reclamation.

By _____

P8534

13744

ROY L. BLACK
ATTORNEY GENERAL

DEAN DRISCOLL
ALFRED F. STONE
ASSISTANTS

STATE OF IDAHO
OFFICE OF ATTORNEY GENERAL
BOISE

May 1, 1919.

Hon. W.G. Swendsen,
Commissioner of Reclamation,
Building.

Dear Sir:

Re: Permit #13477⁷⁴⁴

Replying to your favor requesting opinion of this office as to whether or not you should accept proof of beneficial use of waters in the above matter.

We have examined the record and are of the opinion that you should accept the same if you are satisfied that beneficial use has been made of the water. Under the provisions of Sec. 3261, Compiled Laws, you are required to determine the amount of water which has been beneficially used. Dr. Frazier's permit is a prior permit to this one and if he makes beneficial use of the waters thereunder, the rights under this permit will be nullified.

The cases of Lockwood v. Freeman, 15 Ida. 395, 89 Pac. 295 and Nielsen v. Parker, 19, Ida. 727, 115 Pac. 488, hold that the issuance of a state engineer's permit confers no rights to waters vested under prior appropriations or permits and hold that the state engineer is not given authority to issue a permit where the waters of a stream have all been appropriated. A case where a question precise-

13744

#2

ly such as you have asked is passed upon has apparently
not arisen nor ^{been} squarely passed upon by our supreme court,
and it is to be observed that the right to the use of
this water has not vested in Dr. Frazier.

Yours very truly,

ROY L. BLACK,

Attorney General

By

Alfred F. Stone
Assistant.

AFS L
Encs

13744

REPORT OF ENGINEER

This proof is for beneficial use.

In Water District No. -1-

1. State name of applicant and number of permit: 13744
2. State source of water supply: unnamed stream.
3. Location of point of diversion: Along entire length of stream across lands of users.
4. Describe works as they exist, giving dimensions and capacities of same: no works, as none are required, the water being used as it flows along the natural course.
5. State whether or not water has been turned into works of diversion:
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):
Water has been used to water live stock upon lands at Smith and Wheeler during the winter months for years.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? Two
9. Give names and amount of each right: R. M. Wheeler & R. W. Smith 1/5 sec. ft.
10. What large stream would the water here appropriated finally reach? None.
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks: This water if allowed to flow its natural course in the winter, permits of feeding a large amount of locally raised hay. This another claimant refuses to allow without liberal payment to himself for the privilege, hence a controversy.

This examination was made on the 16th day of May 19 19

(Signed)

[Signature]
Examiner.

(This report must be sworn to when not made by an attache of the State Engineer's 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

Instructions To Examiners

1. Examiners will not be permitted to examine any of the records 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 rights 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.

[illegible]

五

To Makam, Mary... Field Report
of F.M. Tolman upon Gene-
tical Use of Water under
Ternut 41374g

May 10, 1919.

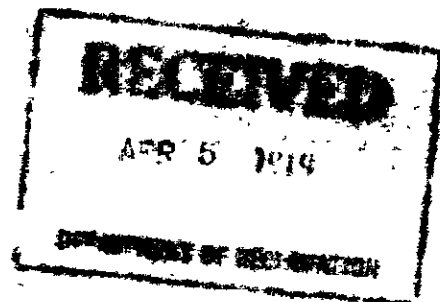
Natural Water covers

Vehicle Land Points of beneficial use (watering stock)

Smith Land

454

26



A handwritten signature in dark ink, appearing to be "C. J. ...". The signature is written in a cursive style with a large initial capital letter.

A hand-drawn sketch of a person's profile, facing left. The drawing is enclosed in a rectangular frame. In the upper left corner, there is a small circle containing the letters 'TC'. To the right of this, the letters 'BTR' are written in a large, bold, sans-serif font, with 'V.B.' written below them in a smaller font. A large, stylized '5' is drawn across the center of the profile. In the lower right corner, the number '13744' is written in a bold, sans-serif font. The drawing is done in black ink on a white background.

Legend
J. Lake 4 Sheds for Lumbering
W. Wheeler 600 feet long
D. Smith
A. water course
B Lumbering Station

DEPARTMENT OF RECLAMATION, BOISE
IDAHO.

Original

IN RE PERMIT 13744:

ORDER.

It appearing that the above numbered permit was duly issued to R. W. Smith and R. M. Wheeler, appropriating 0.2 second feet of the waters of an unnamed stream to be used for stock watering purposes, which said permit stated therein that no construction work was necessary and that none was to be performed because of the fact that the flow of the stream was to be used for the purposes aforesaid;

That thereafter and on March 25th, 1919, the holders of said permit submitted proof of beneficial use of water thereunder, showing use of said water for watering about one hundred head of sheep and some thirty head of horses;

That an alleged protest has been filed against issuance of license under said proof by W. L. Frazier and Carter McV. Tobey, alleging among other things that said water has never been put to beneficial use;

Thereafter, and on the 16th day of May, 1919, an examination having been made by a representative of this Department, which examination and report thereunder shows that said water has been put to beneficial use in watering stock, and that no construction work was necessary under said permit, for reasons aforesaid;

It is therefore ordered that proof of completion of works is not required under said permit, and that license be issued in the amount of 0.20 second feet.

W. G. Swenson
Commissioner of Reclamation.

Dated at Boise, Idaho, May 28th, 1919.

13744

STATE OF IDAHO.
DEPARTMENT OF ENGINEERING.

State of Idaho,))
County of Elmore.) s.s.

Carter McV. Tobey, of Mountain Home, Idaho, being first duly sworn
deposes and says;-

that he is the owner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Twp. 3 South, Rng. 6 East, B. M.; that for the past two years, upwards of 8,000 sheep, each year, have been held there for lambing purposes; that the "unnamed stream" mentioned in Permit No. 13744, heretofore issued to R. W. Smith & R. M. Wheeler, flows thru the lands above described and owned by him. That one of the sources of this "unnamed stream" is a flowing well, situated on a Homestead, entered and patented by him, and situate in the S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 13, Twp. 3 South, Rng. 6 East, B. M. about a half a mile North-Easterly from the lands first described in this affidavit.

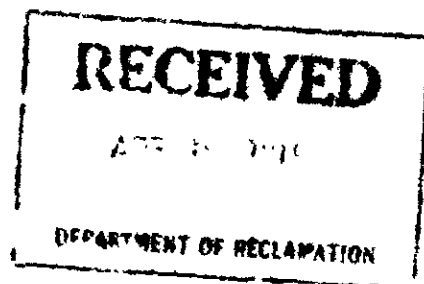
That before the State Engineer issues any final rights for the use of this water, he wishes to be allowed the right to prove his interest in this stream.

Carter McV. Tobey-----

Subscribed and sworn to before me

this 4th day of April, 1919.

John T. Carter
Notary Public.
residence, Mountain Home, Idaho.



13744

April 3, 1919.

Re Permit 15744-Smith & Wheeler.

Mr. Carter M. Tobey,
Mountain Home, Idaho.

Dear Sir:--

Replying to your letter of the 2nd inst.
would say that no action has yet been taken in regard
to proof under the above permit. Your protest should
be made in the form of a sworn affidavit setting forth
the facts contained in your letter.

Very truly yours,

W. G. SWENDBERG,

State Engineer.

By _____

15744

COMMISSIONERS:

GEORGE E. BUTLER,
CHAIRMAN
JOHN F. GAINES
FRANK E. WILSON

Elmore County
State of Idaho

F. M. HOBBS, CLERK
ARTHUR A. STEVENS, SHERIFF
THOMAS TRATHEN, ASSESSOR
MILLIE E. LONGFELLOW, TREASURER
DANIEL McLAUGHLIN, PROSECUTING ATTY
F. C. SMITH, PROBATE JUDGE
BLANCHE SKIPPER, SCHOOL SUPT
STANTON PARK, SURVEYOR
ROBT MORRISON, CORONER

MOUNTAIN HOME, April 2nd. 1919.

W.G. Swenson, State Engineer,

Boise, Idaho.

Dear Sir:-

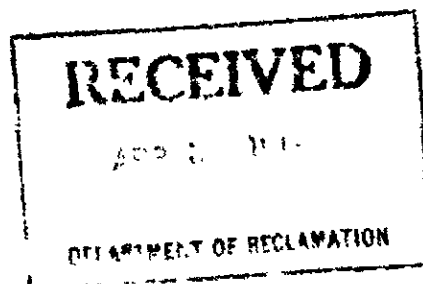
I have just learned of the taking of evidence in the case of W.W. Smith, and Rollin Wheeler to appropriate the water from an unnamed stream that flows over the lands of these gentlemen. I, too, am interested in this water for I have a Lambing Station and a shearing camp up the stream above the lands of Mr Wheeler and Mr. Smith, and I leased this land 2 years ago where 9.000 sheep were cared for and this year I think there is as many. You will appreciate my interest in this matter as it is vital to the sheep industry that is using my lands for these purposes, and I wish to be informed by you as to what steps I need to take to protect these sheep/. I was away since Jan., in Tacoma and did not return until after this proof was offered on these applications for the use of the water from this stream. I only learned this A.M., of this case having been before Mr. Parks, and I hasten to write you.

I can come to Boise if necessary.

Yours very truly,

Quarter Horse Tobey.

13744



Mountain Lake ^{Per 13744}
March 25 - P.M.

Dear Doctor

Just returned from the hearing before Duke Park. The statement you showed to Duke, he read to the witnesses, - told them that ^{you said} they could sign it if they wished to, but it wasn't necessary, and none of them signed it. It took considerable coaching to get the blanks filled out. For instance Buck Whitson said he couldn't tell how much water it would require running there to water ^{the} stock, that a very small stream would water all the stock he had seen there. He had a good deal of experience in making a little water water a lot of stock, if properly handled. Duke explained to him that what they wanted to know was what water it would take under this permit, - that this permit didn't require any work to be done at all. Buck said that the old water course thro there would probably carry half of Snake River. Duke finally got him to admit that with nothing being done it would probably require ten inches of water to supply water there for the stock, and so put it in his affidavit. Whitson had seen 2000 head of sheep watered there six years ago. (This of course was before that country was fenced). There was no attempt

made to show that they were watered on
this particular land, only that it was
out of this water way. Roscoe filed as
evidence a plat drawn by Rhoades
years ago which he said was for the purpose
of filing his homestead entry. It looked to
me like a plat to accompany a desert
entry. You will notice that that gulch
is marked "water course" not "unknown
stream", undoubtedly just there to show
it was an old water course that couldn't
be farmed. This country is full of
water courses that only contain water
during the time when snow is going
off, others that contain water holes in
them for several months in the year.
I think if you can get to see Roscoe's
evidence in making his final proof
you will find that there was no claim
of any running stream there. As I take
it, Roscoe's testimony is the only testimony
that tends to show that there was water
there, ^{continuously} during the winter. There was some
testimony that ten inches was about
the normal flow, that they had seen going
down that water way. I don't apprehend
that the State Engineer is going to allow
proof of application of water to beneficial
use where there has not been one
dollar expended in putting it to bene-
ficial use, nor do I apprehend that if
it were a fact that there was an unknown

3
stream flowing past certain lands, of ten
inches of water. That that ten inches
would be obliged to be kept flowing
in that channel, for the purpose of watering
from 20, ^{to 30} head of horses, or a hundred
bucks. Their testimony shows, as written
on the blanks & signed by them, that
that would be the case. At 9 gallons
per minute to make an inch of water, you
can figure up the enormous stomachs
those animals would have to have
had to consume it. I don't think it's
the policy of the State to allow people
to control more water than they have
put to beneficial use. I am writing
you this to show you the different
idea of the evidence that was sent
in under very tactful coaching, from
the impression you would gather from
the talk of the witnesses. ~~I don't see~~
~~that this~~ Without the coaching, the forms
would have been pretty nearly blank.
Duke had to repeatedly explain that the
evidence he wanted was with reference
to this permit and that this permit
did not require them to do anything, and
under those instructions they thought it
would probably require ~~an~~ ^{other} inches flow
down that stream to water those horses
and sheep. I think the whole thing was
put up to force you to protect your
development of water by affidavit
~~in the~~ ~~quit~~ where what is written down

is what goes before the Court, and
not the argument that it took to get
them to make the affidavit. But by
their evidence as it finally goes to the
State Engineer it shows that they
have not spent one dollar in putting
this water to beneficial use, but that
they ~~must~~ need ten inches of water
continuous flow down that water course
to enable them to water 20 or thirty
head of horses or 100 hicks.

I expect to be up in a few days &
can explain matters to you fully.

Yours in haste
C. E. Barker
A.

**Notice of Proof of Application of
Water to Beneficial Use.**

Notice is hereby given that at 10 a. m. on the 25th day of March, 1919 at Mountain Home, County of Elmore, State of Idaho, before Stanton Park, Notary Public, proof will be submitted of the application to beneficial use of one-fifth (1-5) cubic feet per second of the waters of an unnamed stream in accordance with the terms and conditions of Permit No. 13744 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 R. W. Smith and R. M. Wheeler, Mountain Home, Idaho.

2. The use to which said water has been applied is Domestic (stock-watering)

3. The amount applied to beneficial use is one-fifth (1-5) Sec foot.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 24, Twp. 3 South, Rng. 6 East, B. M.

5. The date of the priority which said user is prepared to establish is September 10th, 1918.

FRED A. WILKIE,

State Engineer

Feb 8-Mch. 1

PUBLISHER AFFIDAVIT

STATE OF IDAHO,

25 1919

County of Elmore

I, ~~John R. Jones~~, do solemnly swear that I am the

lisher of the MOUNTAIN HOME REPUBLICAN, 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 the publication thereof, was published in said newspaper for ~~7~~ consecutive weeks, the first publication having been made on the 8th day of February 1919 and the last publication having been made on the 1st day of March

1919; that said notice was published in the regular and entire issue of 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.

Subscribed and sworn to before me this 3rd

day of March 1919.

13744

Notary Public

COMMISSIONERS:

GEORGE E. BUTLER,
CHAIRMAN
JOHN F. GAINES
FRANK E. WILSON

Elmore County
State of Idaho

F. M. HOBBS, CLERK
ARTHUR A. STEVENS, SHERIFF
THOMAS TRATHEN, ASSESSOR
MILLIE E. LONGFELLOW, TREASURER
DANIEL MCLAUGHLIN, PROSECUTING ATTY
F. C. SMITH, PROBATE JUDGE
BLANCHE SKIPPER, SCHOOL SUPT
STANTON PARK, SURVEYOR
ROBT. MORRISON, CORONER

MOUNTAIN HOME.

March the 25th, 1919.

H. G. Swendsen, State Engineer,
Boise, Idaho.

Dear Sir:-

Enclosing herewith Proofs of Beneficial Use of Water, under Permit No. 13744, R. W. Smith, and R. M. Wheeler. Mr. Wheeler made Proof for both himself and Mr. Smith, and Mr. Smith asked to be allowed to make a separate affidavit, and also asked that John H. Brady be allowed to make an affidavit in the same connection.

I am also enclosing the certificate which W. L. Frazier asked me to read to each of the parties before taking their depositions, which I did, and which none of them wished to sign. Mr. C. E. Corker of Mountain Home was present during the taking of the entire Proof, and I understand that he was here in the interest of Mr. Frazier.

If this matter should require any special investigations I would like very much to recommend Mr. Vern. Leonard as the party to come over on this work, as I know him to be more familiar with the conditions here than any one I can think of outside of Mountain Home.

Hoping that the changes I have made in the regular form will be acceptable to the Office, I am,

Respectfully,

13744

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE.

DEPOSITION OF HOLDER.

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

Ans. R. M. Wheeler, 64 years. rancher. Mountain Home, Idaho.

Ques. 2. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 13744. September 25, 1918. Priority Sept. 10th, 1918.

Ques. 3. State source of water supply and give exact location of point of use.

Ans. Unnamed stream, Used in NW $\frac{1}{4}$ NW $\frac{1}{4}$. SE $\frac{1}{4}$ NW $\frac{1}{4}$. Sec. 24, Twp. 3 S. Rng. 6 East, B. M.

Ques. 4. Describe the source of supply and state the amount of water capable of being used at the place of use.

Ans. Unnamed stream, need 1/5 Sec. ft. to properly supply stock with water.

Ques. 5. State for what purpose water is used and describe the place of use.

Ans. Watering live-stock on NW $\frac{1}{4}$ NW $\frac{1}{4}$. SE $\frac{1}{4}$ NW $\frac{1}{4}$. Sec. 24, Twp. 3 South, Rng. 6 East, B. M.

Ques. 6. What is the minimum amount of water required for the use specified above.

Ans. 1/5 Sec. ft.

Ques. 7. Are you the person to whom the above mentioned permit was issued.

Ans. One of the parties. Yes.

Ques. 8. State when, how, in what amount and to what extent the water under the above mentioned permit has been used.

Ans. During winter of 1916-17, approx. 30 head of horses and some sheep. 1917-18, approx 30 head of horses, 1918-19, approx. 20 to 30 head of horses all this winter, also some sheep.

Ques. 9. State when, how, in what amount and to what extent, waters other than those used under the above mentioned permit have been applied to beneficial use upon the lands herein described. Give particulars regarding such other appropriations and rights claimed thereunder.

Ans. Have no other stock-watering Permit and no other water is available during the winter except under this Permit.

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 Mountain Home, County of Elmore, State of Idaho, this 25th day of March, 1919.

Notary Public.

Residence Mountain Home, Idaho.

Permit No. 13744.

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE.

DEPOSITION OF WITNESS.

Ques. 1. State your name, age, residence, occupation and post-office address.

Ans. John F. Gaines, 59 years of age, Mountain Home, rancher, Mountain Home, Idaho.

Ques. 2. Are you acquainted with R. W. Smith and R. M. Wheeler the holders of Permit No. 13744? How long have you known them and where do they reside?

Ans. Yes, acquainted with them both. 12 years. They reside in Mountain Home, Idaho.

Ques. 3. Have you read Permit No. 13744 and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply and describe place of use.

Ans. Unnamed stream, to be used in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24 Twp. 3 South, Rng. 6 East, B. M.

Ques. 5. State how many second feet of water do you estimate could be conducted to the place of use, and how much water have you seen being so conveyed?

Ans. Approximately $\frac{1}{2}$ Sec. ft. Have seen as much.

Ques. 6. State for what purpose water is being used and at what place.

Ans. Stock-watering purposes on the NW $\frac{1}{4}$ NW $\frac{1}{4}$, ~~SE $\frac{1}{4}$ NW $\frac{1}{4}$~~ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24 Twp. 3 South, Rng. 6 East, B. M.

Ques 7. Give your estimate of the minimum amount of water required for the use specified above.

Ans. 1/5 Sec. ft.

Ques. 8. Have you any interest in the works, water or land above mentioned?

Ans. None whatever.

Ques. 9. State when, how, in what amount and to what extent you have witnessed the application of water to beneficial use under the above mentioned permit.

Ans. For the past six years, Seen this as I live just across the road in Sec. 14, 38, 6E. Have seen, six years ago, 2000 head of sheep watering here, and during the past winter have seen about 30 head of horses, pasturing here and watering.

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 in Mountain Home, County of Elmore, State of Idaho, this 25th, day of March, 1919.

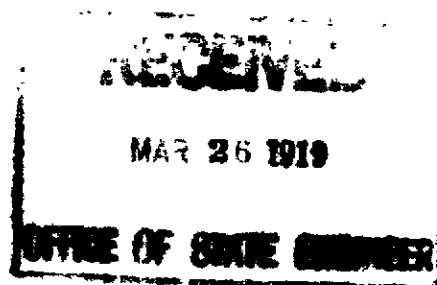
13744

Notary Public.

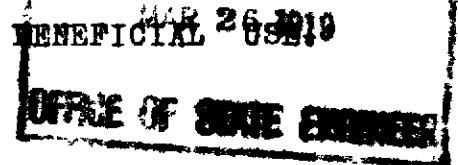
Residence, Mountain Home, Idaho.

This is to certify that W. L. Frazier is ill and not in physical condition to be worried about matters of business. Corroboration of which may be ascertained from F. A. Pittinger, M. D., of Boise, Idaho.

We, the undersigned have read or heard read the above certification before making a sworn statement in the matter of R. W. Smith and R. M. Wheeler, offering Proof of the Beneficial Use of Water, under Permit No. 13744.



PROOF OF APPLICATION OF WATER TO
DEPOSITION OF WITNESS.



Ques. 1. State your name, age, residence, occupation and post-office address.

Ans. J. B. Whitson, 61 years of age, Mountain Home, wool-grower, Mountain Home, Idaho.

Ques. 2. Are you acquainted with R. W. Smith and R. M. Wheeler the holders of Permit No. 13744? How long have you known them and where do they reside?

Ans. Yes. Known R. W. Smith, 45 years, R. M. Wheeler, 12 years. They both live in Mountain Home, Idaho.

Ques. 3. Have you read Permit No. 13744 and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply and describe place of use.

Ans. Unnamed stream. NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, T. 3 S., R. 6 E. Boise Mer.

Ques. 5. How many second feet of water do you estimate could be conducted to the place of use, and how much water have you seen being so conveyed.?

Ans. Would carry a large amount of water. Have seen $\frac{1}{5}$ Sec. ft.

Ques. 6. State for what purpose water is being used and at what place.

Ans. Stock-watering purposes on NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 3 South, Rng. 6 East, B. M.

Ques. 7. Give your estimate of the minimum amount of water required for the use specified above.

Ans. 1/5 Sec. ft.

Ques. 8. Have you any interest in the works, water or lands above mentioned?

Ans. None.

Ques. 9. State when, how, in what amount and to what extent you have witnessed the application of water to beneficial use under the above mentioned permit.

Ans. In 1916 I watered 100 head of bucks, during the past winter have seen approx. 30 head of horses watering here. Have been thru this place several times this winter.

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 Mountain Home, County of Elmore, State of Idaho, this 25th day of March, 1919.

Notary Public.

Residence, Mountain Home, Idaho.

State of Idaho.

Office of the State Engineer.

Permit 13744.

State of Idaho,)
County of Elmore) s.s.

John H. Brady, of Mountain Home, Elmore Co., Idaho, being first duly sworn deposes and says; that the 'unnamed stream' mentioned in Water Permit No. 13744, is well known to him, that he has known the same for the past thirty years; that he has watered his own horses in the same stream for the past fourteen years; that he has never known of anyone using the water of this stream for irrigation purposes during the winter season. That for the past three years ~~years~~ the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 3 South, Rng. 6 East has been fenced and that this land has been used for pasture with stock watering from said stream.

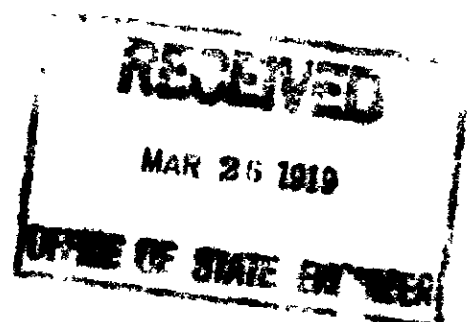
That I would estimate that approximately 10 ins. (1/5 Sec. ft.) is the normal flow of this stream during the winter months, and that this amount has been the average flow for the past 12 or 14 years.

That he can remember this stream and the waters flowing in the same for the past 30 years.

John H. Brady

Subscribed and sworn to before me this 25th day of March, 1919.

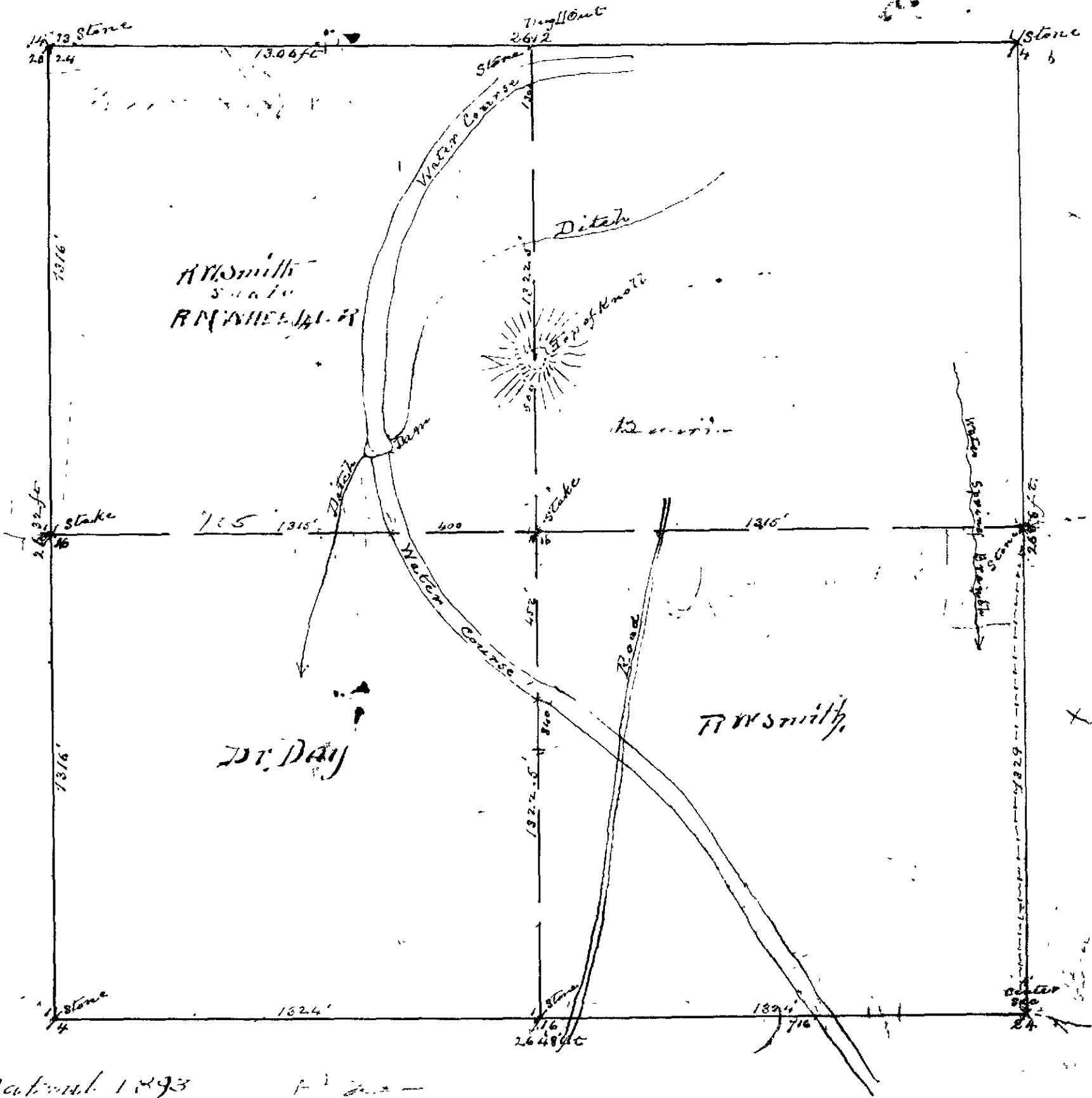
Notary Public.
residence, Mountain Home, Idaho.



13744

PLAT OF THE N.W. 1/4 of Sec. 24, Twp 38, R 6 E.
Boise Meridian, Idaho.

Showing
Roscoe W. Smith's Tract of Land Situate in
The South 1/2 of N.W. 1/4 of the N.W. 1/4 of Sec. 24,
as Surveyed by Samuel E. Rhoades
County Surveyor for
Elmore County, Idaho.
April 23rd 1907.



Patented 1893

13744

State of Idaho.

Office of State Engineer.

Permit No. 13744.

State of Idaho,)
County of Elmore,) s.s.

STATE OF IDAHO

R. W. Smith, of Mountain Home, Idaho, being first duly sworn deposes and says; that he is the same person, who is mentioned in Permit No. 13744, and is a joint holder with R. M. ^{er} Wheel of Mountain Home Idaho in said Permit.

That he secured a Patent from the U. S. Government, to NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 3 South, Rng. 6 East, B. M. in 1893, under the Homestead Laws. That he still owns the SE $\frac{1}{4}$ NW $\frac{1}{4}$, said Sec. 24, which is principally in alfalfa; that the attached plat, which is hereby made a part of this affidavit was made by S. G. Rhoades, County Surveyor of Elmore Co., Idaho in 1907, and shown the course of the unnamed stream passing thru the lands covered by the above Permit. That this unnamed strea, is the same stream referred to in this same Permit.

^{winters}
That during the past threen~~yars~~ ^{winters} he has rented for pasture the said SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, and the parties who have so rented this pasture have watered from 100 head of bucks, during the Winter of 1916-17; and from 30 to 40 head of horses during the Winters of 1917-18 and 1918-19. This has been done without any interference from any parties claiming prior rights.

That for the past 10 to 12 years there has been a winter flow of approximately 10 ins. (1/5 Sec. ft) in this stream.

That prior to fencing of this land, range stock watered in this stream during entire season.

That 1/5 Sec. ft. is the minimum amount of water that stock can water from in this strea,. That I have no other method of watering stock during the winter season.

Subscribed and sworn to before me this 25th day of March, 1919.

13744

Charles L. Smith
Notary Public, Mountain Home, Ida.

Boise, Idaho.
March 14, 1919.

Protest by W. L. Frazier against the allowance of proof of beneficial use of water under Permit No. 13744. Said permit issued to R. W. Smith and R. M. Wheeler of Mt. Home, Idaho. Copy of notice of proof as it appears in the Elmore County Republican is as follows:

Notice for Publication.

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 10 a. m. on the 25th day of March, 1919 at Mountain Home, County of Elmore, State of Idaho, before Stanton Parke, Notary Public, proof will be submitted of the application to beneficial use of one-fifth (1-5) cubic feet per second of the waters of an un-named stream in accordance with the terms and conditions of Permit No. 13477 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 R. W. Smith and R. M. Wheeler, Mountain Home, Idaho.

2. The use to which said water has been applied is Domestic. (Stock-watering).

3. The amount applied to beneficial use is one-fifth (1-5) Sec. foot.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, TWP. 3 South, Rng. 6 East, B. M.

5. The date of the priority which said user is prepared to establish is September 10th, 1918.

FRED. A. WILKIE,
State Engineer.

Feb. 8-1919.

PROTEST.

The reasons for protest against the allowance of proof of application of water to beneficial use under Permit No. 13744 are as follows:

1. The water claimed to have been put to beneficial use by R. W. Smith and R. M. Wheeler for the past three years, as stated by said R. W. Smith and R. M. Wheeler in their notice for publication, is false and in no wise true; said water having never been put to beneficial use by said parties, and on said premises, or said time.

2. That the water to which they make claim is water which was developed by W. L. Frazier under Permit No. 8456, which water was developed by driving a tunnel into the hill and making a cross-cut near the end of the tunnel and thereby delivering a subterranean stream. That for the past three years the entire of said flow has been used to water lands designated under said permit during the irrigation seasons and for Domestic and stock-watering during the months when not used for irrigation; that the amount used for

stock has been the entire amount of the stream and at some intervals the amount of the flow was barely sufficient for the amount of stock to be watered-these stock being on ~~3 1/2 of SW 1/4 of 135 N 66 E~~ which is land more nearly adjacent to said stream than lands mentioned under Permit No. 13744- and that said water was entirely consumed before reaching lands which are held by R. E. Smith and R. M. Wheeler.

3. That the cost of developing said water by tunnels and ditches was approximately \$10,000; that no part of this was paid by R. E. Smith or R. M. Wheeler; that it was all expended in the development of water under permit issued to W. L. Frazier- the number of which permit is 8456.

4. Should permit be issued to R. E. Smith and R. M. Wheeler for the use of said water, it would very greatly complicate the use of said water by the holder of Permit No. 8456, which is held by W. L. Frazier, and under which permit said work was done and money expended.

5. That R. E. Smith and R. M. Wheeler are attempting to grasp and bring into their possession, through application for water under Permit No. 13744, the water which was developed by W. L. Frazier under Permit No. 8456, without due remuneration for same to developer of said water. /

Therefore, the said W. L. Frazier, holder of Permit No. 8456 and developer of said water under said permit, makes affidavit that the statements herein are true and correct and, therefore, prays disallowance of proof of application of water to beneficial use under Permit No. 13744, said permit being held by R. E. Smith and R. M. Wheeler.

W L Frazier

Subscribed and sworn to before me This

22d day March, 1919.

Nellie J. Wood
Notary Public
Residence Boise, Idaho

Idaho State Engineer,

Boise, Idaho

IN RE: Permit No. 13744, held by R. W. Smith and
R. M. Wheeler, for proof of application of beneficial use
of water.

I, O. Mast, depose and swear that I am familiar with
the water claimed by R. W. Smith and R. M. Wheeler, and that
said water was developed by, and has been used by, or by
the permission of W. L. Frazier-who developed said water
under Permit # 8456.

No part of said water has ever been used by R. W. Smith
or R. M. Wheeler.

That all of said water has continuously and at all times
been used by W. L. Frazier, the developer of same, or by his
letting same to individuals other than R. W. Smith or R. M.
Wheeler.

O. Mast

Subscribed and sworn to before W. H. this
18 day March, 1919.

C. T. Mather
Notary Public

(P. O.)

(Date)

Idaho States
Feb. 6, 1919

State Engineer, Boise.

Dear Sir:

I have your letter of *Feb. 6* enclosing Notice of Proof
of ~~Completion of Work~~ and Beneficial Use of Water under Permit No. *13744* which
will be published as you request, beginning with our issue of *Feb. 8*

RECEIVED

FEB 10 1919

OFFICE OF STATE ENGINEER

Idaho Republican
Ed. Lee
13744

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December the 27th, 1918.

(P O.) Mountain Home, Idaho.

TO THE STATE ENGINEER,

Boise, Idaho.

DEAR SIR:

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

R. W. Smith,

R. M. Wheeler. *[Signature]*

(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.

13744

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 25th day of March, 1919,
 at Mountain Home, County of Elmore, State of Idaho,
 before Stanton Park, a Notary Public, proof will be submitted
 of the application to beneficial use of one-fifth (1/5) cubic feet per second of the
 waters of an unnamed stream in accordance with the terms and conditions of
 Permit No. 13744 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
R. W. Smith and R. M. Wheeler
2. The use to which said water has been applied is Domestic. (stock-watering)
3. The amount applied to beneficial use is one-fifth (1/5) Sec. foot.
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NW¹/₄, SE¹/₄, NW¹/₄, Sec. 24, Twp. 3 South, Rng. 6 East, 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 No canal or ditch used.
6. The right to take water from such works is based upon Permit No. 13744.
7. The source of supply from which such water is diverted is an unnamed stream, which is tributary to Rattlesnake Creek
8. The date of the priority which said user is prepared to establish is Sept. 10th, 1918.

/

13744

Fred W. Wilkie,
 State Engineer.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

R. W. Smith & R. M. Wheeler,

Mountain Home, Idaho.

Boise, Idaho,
December 3, 1918.

Dear Sir:—

Under the terms of your permit No. **13744**, you are required to complete your diversion works on or before **March 25, 1919**. 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,

FRED A. WILKIE,

State Engineer.

13744

State of Idaho
ENGINEERING DEPARTMENT
BOISE

R. W. Smith & R. M. Wheeler, December 3, 1918.
Mt. Home, Idaho.

DEAR SIR:

I enclose herewith blank notice of Proof of Application of Water to Beneficial Use under your Permit No.---13744---, 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 the date it is submitted.

Yours truly,

FRED A. WILKIE,

State Engineer.

13744

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Stanton Park
Mountain Home, Idaho

Boise, Idaho, Sept. 30, 1916

Dear Sir:

#13744

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.

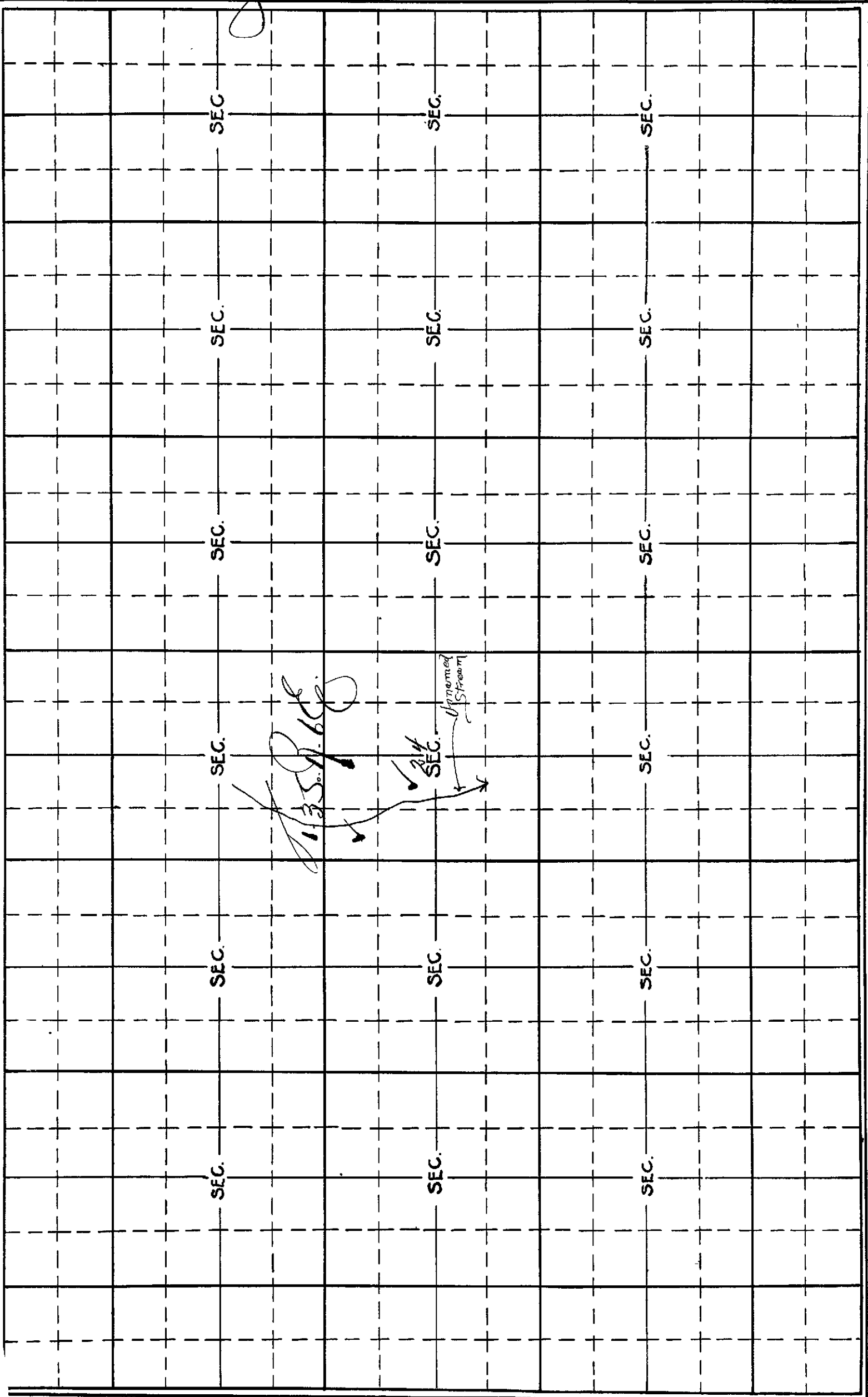
~~JOHN H. SMITH,~~

FRED A. WILKIE

State Engineer.

13744

Name of Applicant: *P.O. Jones & G.M. Wheeler*



19530 - R. 2400

Sept. 11, 1918.

19530

Mr. Stanton Park,
Mountain Home, Idaho.

Transfer to the enclosed new form.

19530 - R. 2400

13744

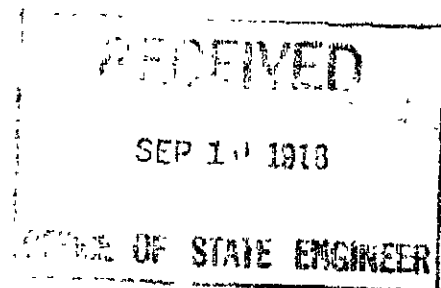
September the 9th, 1918.

F. A. Wilkie, State Engineer,
Boise City, Idaho.

Sir;-

Enclosed herewith Application from
Lawrence Friedman on new form. also Application from R. W. L.
Smith & R. M. Wheeler for Stock-water on old form, which I hope
may be allowed to pass. as I am out of new form applications

Respectfully,



13744