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July 12 S. Page 28 E. B.M.

July 13 S. Page 28 E. B.M.

SEC 7

SEC 6

SEC 1

SEC 8

SEC 5

SEC 2

SEC 9

SEC 4

SEC 3

SEC 10

SEC 3

SEC 4

SEC 2

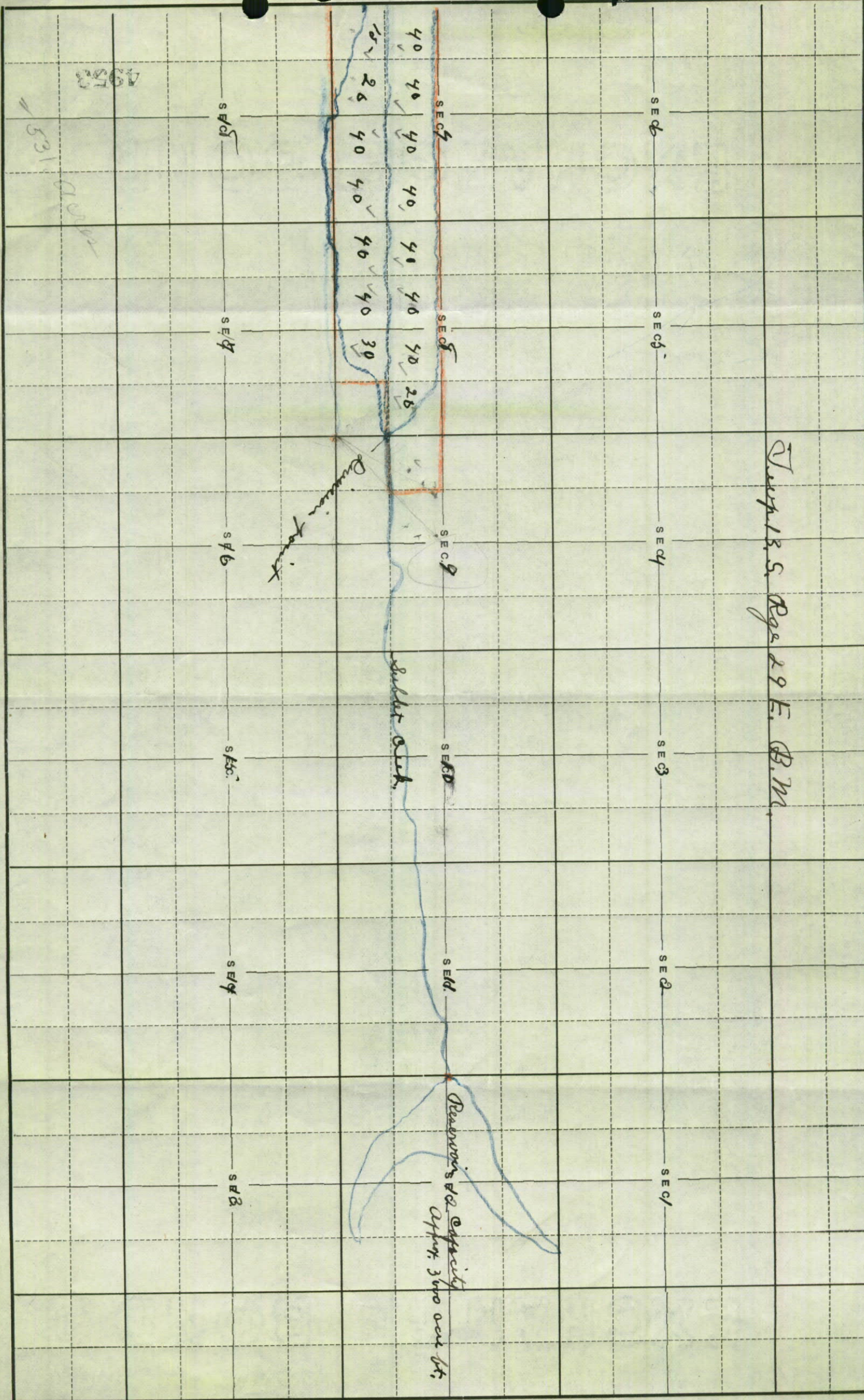
SEC 5

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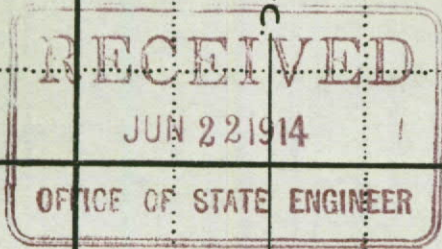
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P4953

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<div>40.a. ✓</div> <div>40.a. ✓</div> <div>40.a. ✓</div> <div>30.a. ✓</div> <div>25.a. ✓</div> <div>35.a. ✓</div> <div>40.a. ✓</div> <div>40.a. ✓</div> <div>John Mortenson</div>	<div>✓</div> <div>30.a. ✓</div> <div>25.a. ✓</div> <div>25.a. ✓</div> <div>Frank Hollibaugh</div> <div>40.a. ✓</div> <div>40.a. ✓</div> <div>40.a. ✓</div> <div>L.A. Corey</div>	<div>20.a. ✓</div> <div>20.a. ✓</div> <div>L.A. Corey</div>			
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Herbert M. Condit.



SEC.

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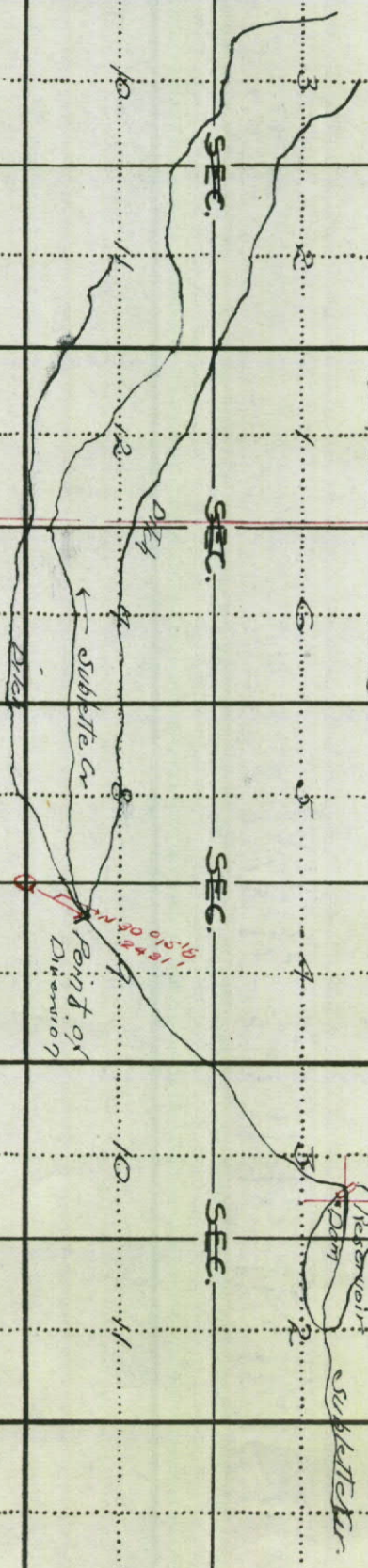
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T125R28C T125R29C
T135R28C T135R29C



1953

Range 2 East - Meridian

Township 12 S. R. 29 E. B.M.

Sec. 30

Sec. 36

Range Line

Sec. 31

Sec. 32

Sec. 33

Sec. 34

Sec. 35

Township Line

Q. corner.

N.

W.

E.

S.

Sec. 2

Sec. 1

Sec. 6

Sec. 5

Sec. 4

Sec. 3

Sec. 2

Old canal to be enlarged
Canal to be enlarged
Old canal to be enlarged
Point of diversion

Sec. 11

Sec. 12

Sec. 7 Old canal to be Sec. 8 enlarged

Sec. 9

Sec. 10

Sec. 11

Sublette Creek

Sublette Creek

Proposed dam

Proposed Reservoir
Sublette Creek

North fork Sublette

Old canal to be enlarged

P4953

State of Idaho

License and Certificate of Water Right

Water License No. 4953
Water District No.

Amount 17.2 second feet
Priority May 2, 1930

THIS IS TO CERTIFY that SUBLETTE CREEK IRRIGATION COMPANY of Sublette, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 1, 1909; that Permit No. 4953 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 35.2 second feet, was issued thereunder on July 25, 1914, showing that said works were completed on the 18th day of July, 1914; and that on the 1st day of July, 1939,

SUBLETTE IRRIGATION COMPANY

of Sublett, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Sublett Creek, a tributary of, for the purpose of irrigation, domestic and stock watering, under Use Permit No. 4953 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 7 of Licenses, at page 4026, on the 15th day of August, 1940;

The right hereby confirmed dates from May 2, 1930;

The Point of Diversion is located N. 30° 15' East 2431 feet from the corner common to Sections 8, 9, 16 & 17 in the - 1/4 - Sec. 1, Tp. 13 S., R. 29 E., B. M. Cassia 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 17.2 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Act Irrigated
12 S.	28 E.	33	NE 1/4 SE 1/4	40	20
			NW 1/4 SE 1/4	40	20
			SW 1/4 SE 1/4	40	20
			SE 1/4 SE 1/4	40	20
13 S.	28 E.	2	SW 1/4 SW 1/4	40	20
			SE 1/4 SW 1/4	40	20
			SW 1/4 NE 1/4	40	20
			SE 1/4 NE 1/4	40	20
		3	NE 1/4 NW 1/4	40	20
			SE 1/4 NW 1/4	40	20
			NE 1/4 SE 1/4	40	20
			NW 1/4 SE 1/4	40	20
		11	SW 1/4 SE 1/4	40	20
			SE 1/4 SE 1/4	40	20
			NE 1/4 NE 1/4	40	20
			NW 1/4 NE 1/4	40	20
		12	SE 1/4 NE 1/4	40	20
			NE 1/4 NW 1/4	40	20
			NW 1/4 NW 1/4	40	20
			SW 1/4 NW 1/4	40	20
13 S.	29 E.	7	SE 1/4 SW 1/4	40	20
			NE 1/4 SW 1/4	40	20
			SW 1/4 SW 1/4	40	20
			SE 1/4 SW 1/4	40	20
		8	NE 1/4 SE 1/4	40	20
			NW 1/4 SE 1/4	40	20
			SW 1/4 SE 1/4	40	20
			SE 1/4 SE 1/4	40	20
		9	NE 1/4 SW 1/4	40	20
			NW 1/4 SW 1/4	40	20
			SW 1/4 SW 1/4	40	20
			SE 1/4 SW 1/4	40	20
		8	NE 1/4 SE 1/4	40	20
			NW 1/4 SE 1/4	40	20
			SW 1/4 SE 1/4	40	20
			SE 1/4 SE 1/4	40	20

800 J.S.
260 Total

No. 6714. 43-2036

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant. Sublette Creek Irrigation Company.

Postoffice address: Sublette.

County: Cassia, State Idaho.

I. If applicant is a corporation, give:

(a) Date and place of incorporation: December 21st. 1878 at Sublette, Oneida Co. (then), Idaho.

(b) The amount of capital stock: Two thousand dollars(\$2,000.00)

(c) The amount paid in: All paid in.

(d) The names and addresses of directors: Charles H. Powers, Joseph Carroll, and Otto Olsen all of Sublette, Cassia Co. Idaho.

II. The financial resources of the applicant are.

(a) Cash on Hand: \$20.00 or \$25.00

(b) Treasury stock: none.

(c) Bonds to be issued: none.

(d) Other resources: assessments to be levied, one of \$70.00 per ranche now levied.

2. The quantity of water claimed is the equivalent of a continuous flow of 35-2/10 cubic feet per second.

3. Source of water supply: Sublette Creek and its tributaries.

County of Cassia, State of Idaho.

4. Location of point of diversion: See remarks.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: One thousand, seven hundred and sixty acres.

(b) In the following legal subdivisions: See Remarks.

6. Estimated cost of works: Twenty thousand dollars (\$20,000.00)

7. Description of works for diversion:

I. Kind of works: reservoir, dam, ditch, and necessary culverts, flumes and pipes for outlet from reservoir.

II. Dimensions of Works:

(a) Height of main dam forty feet, length of ^{main} dam at top 500 feet, length of main dam at bottom thirty feet. Material used in construction; wood, earth, stone and concrete. (See remarks).

Dimensions of dam at point of diversion on Section 11, Tp. 13 S. R. 28 E. B.M. are Height 6 feet, Length at top 30 feet, length at bottom 25 feet.

(b) Capacity of reservoir: Five thousand (5,000) acre feet.

(c) Size of headgate; Width (see remarks). Height, (see remarks).

(d) Conduits, ditches. Width at bottom six (6) feet, width at water line twelve (12) feet, depth of water three (3) feet. Average grade per mile is 25 feet. Combined length of main conduits is twelve miles (12) miles and they cross the following quarter sections: SW $\frac{1}{4}$ Sec. 9, SE $\frac{1}{4}$ & SW $\frac{1}{4}$ Sec. 8, SE $\frac{1}{4}$ & SW $\frac{1}{4}$ Sec. 7, NE $\frac{1}{4}$ & NW $\frac{1}{4}$ Sec. 17, and NE $\frac{1}{4}$ & NW $\frac{1}{4}$ Sec. 18, Tp. 13 S. R. 29 E. B. M., also NE4, NW4, SE4 and SW4 Sec. 12, NE4 and NW4 Sec. 11, NE4 Sec. 10, SW4 Sec. 1, SE4 and SW4 Sec. 2 and SE4, NE4 and NW4 Sec. 3, Tp. 13 S. of R. 28 E. B. M. and SW4 Sec. 34, Tp. 12 S. of R. 28 E. B. M. to land described in 5 I (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is five years.
9. Time required for the complete application of the water to the proposed use is four additional years.

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

Sublette Creek Irrigation Company, Applicant.

By Chas. H. Powers, John Mortenson, Joseph Carroll, Agents.

Remarks: From the corner to sections 2 & 3, Tp. 13 S. R. 29 E. B. M. and sections 34 & 35 Tp. 12 S. R. 29 E. B. M. the North end of the dam site (for main dam mentioned above which is the reservoir dam), bears S. 63°00' W. 1900 feet distant, and from the corner to sections 8 & 9, 16 & 17, Tp. 13 S. R. 29 E. B. M. the main point of diversion from Sublette Creek bears North 30°15' E 2431 feet distant. This point of diversion is an old landmark having been used by the Sublette Creek Irrigation Company for a period of over 30 years, the creek having been divided by agreement during this time into three equal streams, two running in ditches on the North and South sides respectively and the third being permitted to run down the natural channel to a second or minor point of diversion situated S. 45°00' W. 1500 feet from the Northeast corner of Section 11, Tp. 13 S. R. 28 E. B. M. where two ditches are taken out on the North and South sides respectively. This point of diversion is also an old landmark as are these ditches as well as the ditches already mentioned, and it is not the intention of the applicant or any of its agents to interfere with or prejudice in anywise the rights acquired by this old well regulated and established system of irrigation, but by the construction of a reservoir in addition to those already in use by this company for storage purposes, by drawing the stored water from this reservoir into the Creek channel and conveying it down the said channel to the points of diversion mentioned where it is to be diverted as before into the old canals which are to be enlarged to the capacity mentioned in this application with the necessary drops and controlling works to prevent undue washing and by letting the amount of water applied for flow through the same, to more fully and systematically irrigate the lands mentioned in this application which are those belonging to the old system established since 1878, as aforesaid.

The list of lands to be irrigated is as follows: to-wit: The SE $\frac{1}{4}$ of Section 33, Tp. 12 S. R. 28 E. B. M. The E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ Section 3, the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 2, the N $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ Section 11, the W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ Section 12, Tp. 13 S. R. 28 E. B. M. the South one half of Section 7, the SW $\frac{1}{4}$, the N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9, Tp. 13 S. R. 29 E. B. M. containing 1760 acres of land.

Size of headgates at points of diversion from Sublette Creek are width five (5) feet, height 3 $\frac{1}{2}$ feet, Two corrugated steel pipes each two feet in diameter laid in a concrete culvert 225 feet in length through the dam with necessary valves constitute outlet works, being governed by necessary wheels and gearing at and in timber gate house at upper end of culvert.

APPROVAL OF STATE ENGINEER.

The number of this permit is 4953.

Date of first receipt of application 9.00 a. m. May 21, 1909.

Returned to applicant for correction May 21, 1909.

Corrected application received July 20, 1909.

Recorded in Book 14, Page 4953, Approved July 20, 1909.

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 grant the same, subject to the following limitations and conditions.

Good and sufficient bond to be filed in the sum of \$1,000.00 on or before September 19, 1909.

One-fifth of the work above specified to be completed on or before January 20, 1912.

The whole of said work to be completed on or before July 20, 1914.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to July 20, 1918.

Witness my hand this twentieth day of July, 1909.

Jas. Stephenson, Jr.,

State Engineer.

Proof of completion of works made July 18, 1914.

Certificate of completion of works issued July 25, 1914.

Permit No. 4953

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Sublette Creek Irrigation Company, of Sublette, County of Cassia and State of Idaho, the holder of Permit No. 4953, issued upon Application No. 6714, bearing date of priority of May 21, 1909, authorizing the diversion of 35.2 second feet of the water of Sublette Creek and tributaries, County of Cassia, 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 35.2 second feet of the waters of Sublette Creek and tributaries; that the point of diversion of said waters is as follows: Main diversion point bears N. 30° 15' E. 2431 feet from the corner to Secs. 8-9-16-17, T. 13 S., R. 29 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ Sec. 33, T. 12 S., R. 28 E.B. NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 3; S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 2; N $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ Sec. 11; W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 12, T. 13 S., R. 28 E.B.M., S $\frac{1}{2}$ Sec. 7, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. T. 13 S., R. 29 E.B.M., containing 1760 acres.

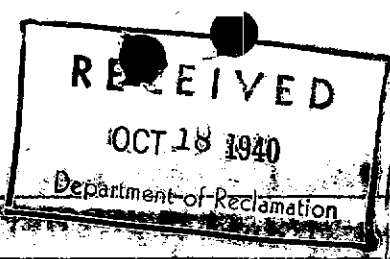
Witness my hand this 25th day of July, A. D. 1914.

F. P. King,

State Engineer of the State of Idaho.

LICENSE ISSUED FOR 35.2 SEC. FT.

Page 4026



Sublett, Ida

Oct-17-1940

Mr James Spofford

Commissioner of Reclamation
Boise, Idaho.

Dear Mr Spofford

I feel we should
have you investigate the Sublett
dam.

The conduit is going in
again on muck as the old
one, no foundation in my
opinion

In fact the part that is running
the conduit. Say it no good,
removing

They are ~~take~~ no muck in
front of old dam only dumping
it and rolling it down.

I understand the specification
calls for it removal and other
good dirt put in, to stop seepage
and to help carry the weight of
the increase.

I am sure disappointed, and
feel we going to be made the
goat again. I have called
this matter to Nickins attention
who I feel should make sure that
we get what a good #

Good job done.

Very Truly Yours.

Harold A. Zollinger.

P.S. Please come down and go
over this matter with us.

Thank for your favors.

August 23, 1940

Re: Permit No. 4953

Mr. A. A. Zollinger, President,
Sublett Irrigation Company,
Sublett, Idaho.

Dear Sir:-

We enclose herewith License and Certificate of
Water Right, confirming the right of the Sublett
Irrigation Company to the use of 17.2 second feet
of the waters of Sublett Creek, with date of priority
of May 2, 1930, for the irrigation of 850 acres in
Section 33, Township 12 South, Range 29 East, B.M.;
Sections 2, 3, 11 and 12, Township 25 South, Range
28 East, B.M.; and Sections 7, 8, and 9, Township
13 South, Range 29 East, B.M.

We also enclose Departmental Receipt 17526 for
the \$36.00 fee paid in connection with this beneficial
use proof.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

By

Chief Clerk

JLA

Encls.

CC to A. W. Maculloch

August 14, 1940

Re: Permit No. 4953

Mr. A. W. McCulloch,
C/o Southeastern Idaho Water Facilities,
Municipal Building
228 East Center Street
Pocatello, Idaho.

Dear Mr. McCulloch:

We acknowledge receipt of your letter of August 13th, enclosing check of the Sublett Irrigation Company for \$86.00 in payment of fee in connection with beneficial use proof under the above numbered permit.

License will be issued and sent out immediately on Mr. Spofford's return to the office next Monday.

Meanwhile, we enclose copy of a letter we are today sending Mr. DeFrance, in accordance with your request; and shall appreciate your advising us if the license is to be sent to you or to the Sublett Irrigation Company direct.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

By

Deputy Commissioner

JLA
Encl.

4953

August 14, 1940

Re: Permit No. 4953

Mr. Harry J. De Franco,
Acting Regional Attorney,
Office of the Solicitor, U.S.D.A.,
233 Terminal Sales Building,
Portland, Oregon.

Dear Sir:

At the request of Mr. A. W. McCulloch, in charge Southeastern Idaho Water Facilities Office, at Pocatello, Idaho, we are writing to advise you that License and Certificate of Water Right is being issued to the Sublett Irrigation Company for 17.2 second feet of the waters of Sublett Creek, for irrigation, domestic and stock watering purposes, upon 860 acres of land described as follows:

S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 2; S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 3; NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 11; NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 12; Twp. 13 South, Range 28 East, B. M.

S $\frac{1}{2}$ Section 7; SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 8; NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9; Township 13 South, Range 29 East, B. M.

SE $\frac{1}{4}$ Section 33, Township 12 South, Range 28 East, B. M.

The original Permit No. 4938 called for 35.2 second feet, but beneficial use proof was only made on the above 860 acres, and for that reason the license can only issue for 17.2 second feet, or one inch to the acre, which is the maximum allowed by the statute.

In this connection have to advise that the Sublett Irrigation Company also holds Reservoir Permit No. 558 for 2390 acre feet per annum of water from Sublett Creek, with priority of February 15, 1939, on which completion of works proof will not be due until February 18, 1944.

Very truly yours,

JAMES SPONFORD
Commissioner of Reclamation

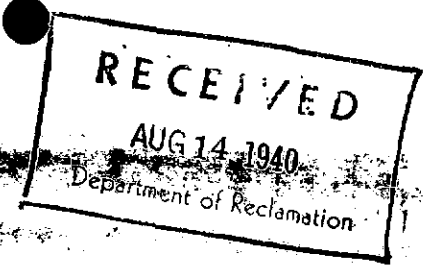
By

Deputy Commissioner

JLA
CC to A.W. McCulloch

4953

UNITED STATES
DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE



Municipal Building
228 East Center Street
Pocatello, Idaho
August 13, 1940

Mr. James A. Spofford
State Commissioner of Reclamation
State of Idaho
Boise, Idaho

Permit 4953

Dear Mr. Spofford:

Enclosed is a check for \$86.00 for payment by the Sublett Irrigation Company in full for beneficial use proof on 860 acres of land, including 43 subdivisions of land. I secured this check from Mr. Adams, President of the Company, and I am mailing it myself to be certain that it gets into your hands as soon as possible.

It is my understanding that, upon receipt of this check, you will be able to issue a permit for 17.2 second feet of water from Sublett Creek.

I am attempting to get final approval from Portland this week, in order that we may mail out the invitations for bid before Saturday of this week. In connection with final approval, the Regional Attorney at Portland desires that a full explanation be made as to why the permit was issued for 17.2 second feet rather than 34.2 second feet. In order to be sure that the Portland office fully understands the conditions, I would appreciate it very much if you would compose a letter to Mr. Harry J. De Francq, Acting Regional Attorney, Office of the Solicitor, U.S.D.A., 233 Terminal Sales Building, Portland, Oregon, and verify to him that the permit for 17.2 second feet has been issued, or will be issued, based on 860 acres of land actually irrigated. I would also appreciate it if you would verify to Mr. DeFrancq that your office has approved the company's application for 2390 acre feet for storage.

I will greatly appreciate your assistance in getting the Sublett Project finally cleared for construction.

Very truly yours,

A. W. McCulloch
A. W. McCulloch, In Charge
Southeastern Idaho Water Facilities Office. 4953

Enc.

4953
October 22, 1940

Mr. Aaron A. Zollinger
Sublett, Idaho

Dear Mr. Zollinger:

I received your letter of October 17th, regarding the construction of the Sublett Dam upon my return to Boise after making a preliminary investigation of the reconstruction of this dam.

In your letter you state that the conduit is being placed on muck, as in the old dam was no foundation. I believe this is not the case, as the new location of this conduit was made through the hillside, which without a doubt contains some water. A new conduit which is stronger reinforced with stream is laid on a foundation of loose rock that has been tamped into wet dirt. Sufficient cut-off collars are being placed around the conduit, whereby I believe it will give no further trouble.

In regard to the muck in front of the old dam, I believe that the most practicable method is followed that can be used under the conditions. Specifications, you will note, call for gravel to be used under the toe of the dam. I believe it would be just as practicable to haul on this heavier material, as muck under this heavy material would certainly be tighter than gravel and will probably cut out more seepage.

I believe Mr. Wilkins is very much interested in this job and is getting honest work done by the contractor.

You will admit this has been a difficult job to handle, especially under the wet conditions that was experienced for a couple of weeks after the job was started. I do not believe you would be able to get anymore for your money than you are getting under this project as it is set up and operating.

I am sorry that I did not get to see you on this trip, but due to the lateness of the time I did not stop. This office will make a third inspection of this job within a short time and will stop and discuss matters with you at that time.

Very truly yours,

4953

JAMES SPOFFORD,
Commissioner of Reclamation

JS/m

May 10, 1940

Re: Permit No. 4953

Mr. Vern Roberts, Sec'y.-Treas.,
Sublett Irrigation Co.
Sublett, Idaho.

Dear Mr. Roberts:

We are in receipt of your letter of May 8th, in regard to fees in connection with beneficial use proof under the above numbered permit.

These fees are not based on the acreage, but on the number of 40-acre subdivisions in which the land is located.

As mentioned in our letter to Mr. Zollinger of February 23, 1940, our engineer's report shows that while the water has been applied to only 860 acres, this acreage is spread over forty-three different subdivisions, as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2; SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3; NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11; NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12; Twp. 13 S., Range 28 E., B.M.

NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7; NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8; NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9; all in Twp. 13 S., Range 29 E., B.M.

NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, Twp. 12 S., Range 28 E., B.M.

For that reason the fee will amount to \$86.00, or \$2.00 for each legal subdivision; and upon receipt of this amount the license will be issued.

Very truly yours,

JAMES SPONTFORD

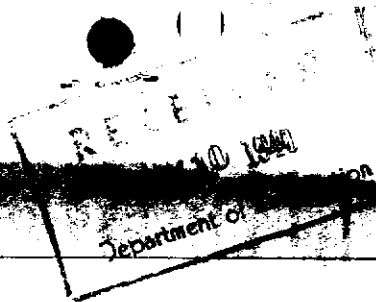
JLA

Commissioner of Reclamation

By

Chief Clerk

4953



Libby, Idaho.

May 8, 1940

State of Idaho
Dept of Reclamation
Boise, Idaho

Dear Mr. Spofford.

We received your letter some time ago in regards to the license to operate our reservoir. But the letter states we will have to pay \$86.00 for it.

You told Mr. A. H. Zollinger last years President that the license would be \$48.00 for we are watering 960 acres or 24-40 acres

We are sorry we have
not answered sooner.

Yours Very Truly
H. S. Adams. Pres.
Sublett Irrigation Co.

By
Vern Roberts
Sec & Treas

April 17, 1940

Re: Permit No. 4953

Mr. A. A. Zollinger, President,
Sublett Irrigation Company,
Sublett, Idaho.

Dear Mr. Zollinger:-

In checking our files we find that we have had no reply to our letter of February 23rd, in which we advised that upon receipt of the statutory fee of \$85.00, a license would be issued under the above numbered permit, for 17.2 second feet.

We remind you that this water right is not perfected until this fee is paid and the license issued. and for that reason we are again calling the matter to your attention.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

JLA

By

Chief Clerk

Permit 4903

CL	SERVICE DESIRED	
	DOMESTIC	CABLE
TELEGRAM	FULL RATE	
DAY LETTER	DEFERRED	
NIGHT MESSAGE	NIGHT LETTER	
NIGHT LETTER	SHIP RADIOGRAM	
Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.		

COPY OF WESTERN UNION TELEGRAM

MERRITT V. PENWELL,
Soil Conservation Service,
Pocatello, Idaho.

Sablett Irrigation Company made final proof on flow permit for 17.2 second feet instead of 35.2 but no license issued awaiting fee. Storage permit issued for 2390 acre feet. No subsequent filings on this stream.

JAMES SPOTFORD
Commissioner of Reclamation

Collect.

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

201

(58)

SYMBOLS

DL = Day Letter

NT = Overnight Telegram

LC = Deferred Cable

NLT = Cable Night Letter

Ship Radiogram

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination.

KHA109 46 GOVT =POCATELLO IDA 17 1129A

1940 APR 17 AM 11 58

JAMES SPOFFORD=

COMMISSIONER OF RECLAMATION STATE HOUSE BOISE IDA=

RE SUBLETT IRRIGATION COMPANY HAS RIGHT BEEN PERFECTED TO
APPROPRIATE 35.2 SECOND FEET OF NORMAL FLOW? FINAL PROOF
WAS TO BE MADE JULY LAST. WAS PERMIT ISSUED TO STORE 2390
ACRE FEET FLOOD AND WINTER FLOW? ARE THERE ANY CONFLICTING
RIGHTS OR FILINGS? WIRE ANSWER COLLECT=

MERRITT V PENWELL SOIL CONSERVATION

SERVICE-17 ED

APR 17 1940

4953

35.2 2390

February 23, 1949

Re: Permit No. 4953

Mr. A. A. Zollinger, President,
Sullett Irrigation Company,
Sullett, Idaho.

Dear Mr. Zollinger:-

We have on file the report of our field engineer
on examination for beneficial use under the above
numbered permit.

This report shows that you are irrigating 860 acres
in 43 40-acre legal subdivision.

Therefore, upon receipt of the statutory fee of
\$86.00, which is at the rate of \$2.00 for each legal
subdivision, a license will be issued.

Very truly yours,

JAMES STOFFORD

Commissioner of Reclamation

JIA

By

Chief Clerk

4953

July 14, 1939

Re: Permit No. 4953

Mr. Aaron A. Zollinger, President,
Sublett Irrigation Company,
Sublett, Idaho.

Dear Sir:-

We acknowledge receipt of the deposition of the holder, depositions of two witnesses, and the affidavit of proof of publication from the Burley Herald, all in connection with beneficial use proof under the above numbered permit.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made, since the department has but one field engineer who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination, so that you may show him over the grounds.

After his report is on file in this office, you will be further notified as to fees before the issuance of your licence.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

JLA

By

Chief Clerk

4953

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

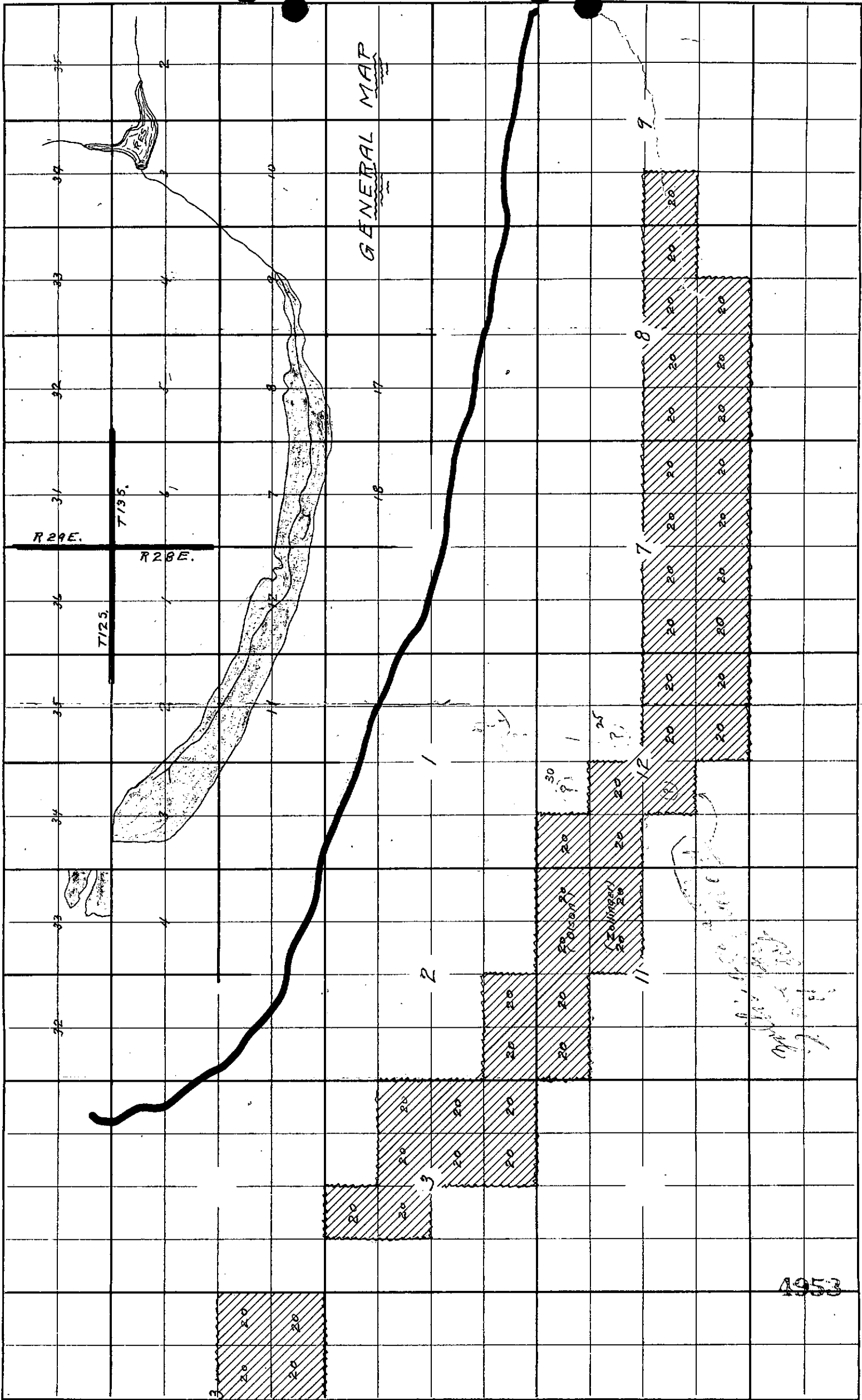
PERMIT NO. 4953

REPORT ON PROOF OF Beneficial Use

4953

*Rel 17.2 S.F on 8.60 Ac.
in 43 subd. Fee \$86*

HD 2-20-40



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

Permit No. 4953

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Sublett Irrigation Company, Sublett, Idaho
2. Source of water supply Sublett Creek
3. Location of point of diversion: Is in the (See Permit) of Section
- T. R. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: *Storage reservoir*
Dam 40 ft high, 10 ft top width. Slope 1 1/2 to 3-1 built of earth
upper slope rock riprapped. Capacity of reservoir about
1000 Acre feet. Reservoir has no spillway

5. Water is used for: Irrigation, domestic and stock watering

6. State whether or not water has been turned into works of diversion: *yes, during*
many seasons

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
- SE 1/4 Sec. 33, Twp. 12 S., Range 28 East, B.M.*
- E 1/2 NW 1/4, S 1/2 NE 1/4, SE 1/4 Section 3; S 1/2 SW 1/4 Section 2; N 1/2 NW 1/4, NE 1/4 Section 11; W 1/2 NW 1/4,*
- SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 Sec. 12; All in Township 13 South, Range 28 East, B.M.*
- S 1/2 Section 7; SW 1/4, N 1/2 SE 1/4, SW 1/4 SE 1/4 Sec. 8; NW 1/4 SW 1/4 Section 9; All in Township*
- 13 South, Range 29 East, B.M.*

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

8. What large stream would the water here appropriated finally reach? *None*

Remarks:

4953

This examination was made on the *6th* day of *October*, 19*39*

(Signed)

Fred A. Johnson
Examiner.

67

Sublett Irrigation Company
A. A. Zollinger, President
Sublett, Idaho
Permit No. 4953

Examination for Beneficial Use

County Cassia

INSTRUCTIONS TO EXAMINERS

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 4953

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Aaron A. Zollinger, Sublett, Idaho, rancher.
P.O. Sublett, 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. Sublett Irrigation Co. Sublett Idaho. President, elected at annual meeting.

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

Ans. 4953. Priority date May-2-1939.

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

Ans. Sublett Creek and tributaries.

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

Ans. three ditches from the concrete weir, known as the middle ditch, the north ditch and the south ditch. 40 second feet.

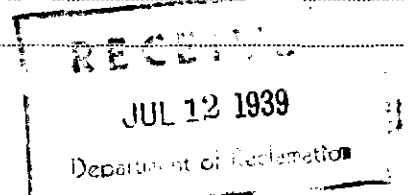
Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements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

Ans. irrigation of 960 acres on Sublett Creek. cultivated land no natural meadow. 15 homes, brick school house and Church house. with all needed roads and bridges.

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

Ans. 3 second feet allowed to run year round for stock water.

4953



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

Ans. 35 second feet

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

Ans. original holder

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

Ans. since 1912. including that year. and each year since that time. irrigating 960 acres of creek bottom land. also stock water for each ranch year round. reservoir has been emptied each year.

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) Aaron A. Zollinger

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 Malta, County of Cassia, State of Idaho, on this 1st day of July, A. D. 1939.

Henry Thompson
Notary Public

My commission expires Jan-25-1941

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 4953

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. George W. Neddo, 39. Malta. Idaho. P.O. Malta, Idaho.

Ques. 2. Are you acquainted with Sublett Irrigation Co., the holder of Permit No. 4953? How long have you known him and where does he reside?

Ans. I have known officers of the Company 24 years

Ques. 3. Have you read or heard read said Permit No. 4953, 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. Sublett Creek and Lake Fork. Concrete wier 2 mi. below reservoir. three ditches approximately four feet wide and three feet deep, 11 mi in extent.

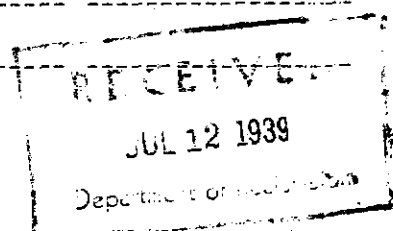
Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 35 second feet. 24 second feet

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

Ans. Irrigation of 960 acres of land, and stock water cultivated all in general farming no meadow land.

4953



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

Ans. three second feet for stock water. constant stream year-round.

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. very productive mountain soil. 4 acre feet

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

Ans. no

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

Ans. I have watched it for twenty and farmed on the project one year.

(Signed)

Geo H. Keltor

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 Malta, County of Cassia, State of Idaho, on this day of July-1, A. D. 19 39.

My commission expires Jan-25-1941.

Henry Thompson
Notary Public.



Burley, Idaho
Jun 6 - 1939
D 4953

LEGAL NOTICES

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 1st day of July, 1939, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary Public, proof will be submitted of the application to beneficial use of 35.2 cubic feet per second of the waters of Sublett Creek in accordance with the terms and conditions of Permit No. 4953 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Sublett Irrigation Co., Sublett, Idaho.

The use to which said water has been applied is Irrigation Domestic and Stock Watering.

The amount applied to beneficial use is 35.2.

The place where said water is used:

SE $\frac{1}{4}$ Sec. 33, Twp. 12 S., Range 28 E. B. M. E $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 3; S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 2; N $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ Sec. 11; W $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 12; All in Twp. 13 S., Range 28 E. B. M. S $\frac{1}{2}$ Sec. 7; SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9; All in Twp. 13 S., Range 29 E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Sublett Creek to Divider Box, then diverted into 3 canals.

The right to take water from such works is based upon Permit No. 4953.

The source of supply from which such water is diverted is Sublett Creek and tributaries.

The date of priority which said user is prepared to establish is May 2, 1930.

JAMES SPOFFORD,
Commissioner of Reclamation.
First publication June 8, 1939.
Final publication June 29, 1939.

The BURLEY HERALD

COMMERCIAL JOB PRINTING

Published Thursdays

BURLEY IDAHO

Walter A. Shear

Robert M. Hinkley

June 10, 1939

Mr. James Spofford
Commissioner of Reclamation
Boise, Idaho

Dear Mr. Spofford:

We are enclosing a copy of the first issue of the legal notice Re: Permit No 4953, for the Sublett Irrigation Company.

We have read the notice carefully, but if you should find an error we would be very glad to correct it.

We appreciate this opportunity of serving you and your department. Assuring you of our desire to cooperate with you in the future, we remain,

Very truly yours

The Burley Herald

Robert M. Hinkley

4953

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

20 22 1939

PERMIT NO. 4953

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. Henry C. Haskell, 58, Malta, Idaho. P.O. Malta, Idaho.

Ques. 2. Are you acquainted with Sublett Irrigation Co., the holder of Permit No. 4953? How long have you known him and where does he reside?

Ans. 29 years I have known the officers of the Co.

Ques. 3. Have you read or heard read said Permit No. 4953, 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. Sublett Creek and tributaries including Lake Fork.

2 mi below reservoir at weir. three ditches approximately 11 mi in total length.

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. 35 second feet, 30 second feet

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

Ans. irrigation for 960 acres of land and stock water.

all cultivated land. thriving small community

4953

JUL 12 1939

Department of Reclamation

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

Ans. stock water 3 second feet year round.

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. black loam.

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. 29 years, on the full 960 acres mentioned.

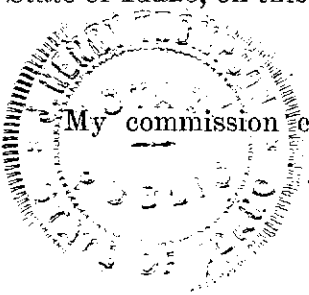
(Signed)

Henry C. Haskell

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 Malta, County of Cassia, State of Idaho, on this day of 1st July, A. D. 1939.

My commission expires Jan-25-1941.

Henry Thompson
Notary Public.



4953

AFFIDAVIT OF PUBLICATION

NOTICE OF PROOF AFFIDAVIT
OF AFFIDAVIT TO BENEFICIAL
USE

Notice is hereby given that at 10:00 A. M. on the 1st day of July, 1939, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary Public, proof will be submitted of the application to beneficial use of 35.2 cubic feet per second of the waters of Sublett Creek in accordance with the terms and conditions of Permit No. 4953 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Sublett Irrigation Co., Sublett, Idaho.

The use to which said water has been applied is Irrigation Domestic and Stock Watering.

The amount applied to beneficial use is 35.2.

The place where said water is used:

SE $\frac{1}{4}$ Sec. 33, Twp. 12 S., Range 28 E. B. M. E $\frac{1}{4}$ NW $\frac{1}{4}$ S $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3; S $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2; N $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11; W $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12; All in Twp. 13 S., Range 28 E. B. M. S $\frac{1}{4}$ Sec. 7; SW $\frac{1}{4}$ N $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8; NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9; All in Twp. 13 S., Range 29 E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Sublett Creek to Divider Box, then diverted into 3 canals.

The right to take water from such works is based upon Permit No. 4953.

The source of supply from which such water is diverted is Sublett Creek and tributaries.

The date of priority which said user is prepared to establish is May 2, 1930.

JAMES SPOFFORD,

Commissioner of Reclamation.

First publication June 8, 1939.

Final publication June 29, 1939.

STATE OF IDAHO
COUNTY OF CASSIA

W. A. Shear

ss. _____, first being duly sworn, deposes and says: That he is the publisher of The Burley Herald, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and said newspaper is published weekly and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourth inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated June 8, 1939, and ending with the issue dated June 29, 1939.

Subscribed and sworn to before me this 30 day of June, 1939.

4953

Notary Public in and for the State of Idaho,
residing at Burley, Idaho.

Malta. Idaho.
July-10-1939

State of Idaho
Department of Reclamation
Boise, Idaho.

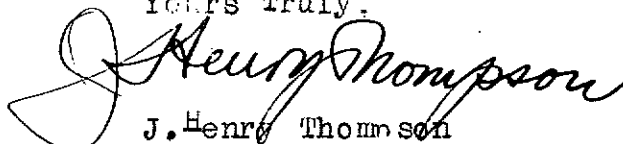
Dears Sirs:-

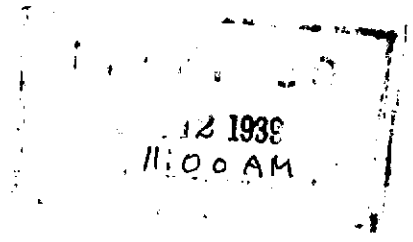
I am enclosing completed forms in the
Proof of Beneficial use of water by the Sublett
Irrigation Co.,

Mr. Aaron A. Zollinger of Sublett, Idaho
duly appeared with witnesses and all items were
stated excepting giving the date of permit No. 4953.
Mr. Zollinger now informs me that this particular paper
is in Portland Oregon, along with other papers concerning
their proposed reservoir enlargement project. So without
further delay I am forwarding the forms on to you, hoping
that you may have this date which you could insert. Mr.
Zollinger does not remember the date of the permit, so at
present we are unable to furnish that date at this office.

I also enclose affidavit of publication
as requested. Trusting that this is satisfactory, and
awaiting your further instructions, I am,

Yours Truly,


J. Henry Thompson
notary public.



4953

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Boise, Idaho, June 21, 1939

Re: Permit No. 4953
Sublette Irrigation Co.

J. Henry Thompson,
Notary Public,
Malta, Idaho

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 4953

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 July 1, 1939, 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 Malta, Idaho before J. Henry Thompson, Notary Public

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

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

Yours truly,

JAMES SPOFFORD

Commissioner of Reclamation.

4953

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
_____ **Burley Herald** _____ of _____, published in
the county in which the works are situated.

Aaron A. Zellinger
Pres. Sublett Irrigation Co

(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.

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

Notice is hereby given that at 10:00 A. M. on the 1st day of July, 1939,
 at Malta, County of Cassia, State of Idaho, before
J. Henry Thompson, Notary Public

proof will be submitted of the
 application to beneficial use of 35.2 cubic feet per second of the waters of Sublett
creek in accordance with the terms and conditions of Permit No. 4953
 heretofore issued by the Department of Reclamation State of Idaho of the State of Idaho.

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

Sublett Irrigation Co., Sublett Idaho.

The use to which said water has been applied is Irrigation Domestic & Stock Watering

The amount applied to beneficial use is 35.2

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) SE 1/4 Sec. 33, Twp. 12 S., Range 28 E., B.M. E 1/4 NW 1/4, S 1/2 NE 1/4, SE 1/4 Sec. 3;
S 1/2 SW 1/4 Sec. 2; N 1/2 NW 1/4, NE 1/4 Sec. 11; W 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 Sec. 12; All in
Twp. 13 S., Range 28 E., B.M. S 1/2 Sec. 7; SW 1/4, N 1/2 SE 1/4, SW 1/4 SE 1/4 Sec. 8; NW 1/4 SW 1/4 Sec. 9;
All in Twp 13 S., Range 29 E., B.M.

The name of the canal or ditch or other works by which said water is conducted to such place
 of use is Sublett creek to divider box then diverted into 3 canals

The right to take water from such works is based upon Permit No. 4953

The source of supply from which such water is diverted is Sublett Creek
and tributaries

The date of priority which said user is prepared to establish is May 2
April 4, 1930

JAMES SPOFFORD

Commissioner of Reclamation.

4953

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date May 31, 1939

Re: Permit No. 4953

BURLEY HERALD
Burley, Idaho

DEAR SIRs:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to July 1, 1939, the date set for proof, the expense of the publication to be paid by the applicant, Sublette Irrigation Company- Aaron A. Zollinger, President,
Sublette, 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,

JAMES SPOFFORD

Commissioner of Reclamation

Publication to start this week, if possible.

4953

May 31, 1939

Re: Permit No. 4953

Mr. Aaron A. Zollinger, President,
Sublett Irrigation Company,
Sublett, Idaho.

Dear Sir:-

We are in receipt of your letter of May 29th, and in accordance therewith we are at once sending notice of publication in connection with beneficial use proof under the above numbered permit to the Burley Herald, with instructions to publish same once a week for four consecutive weeks prior to July 1st, the date set for making proof.

We are afraid it will not be in time for this week's issue, but if publication starts next week it will be in ample time to make the proof on July 1st.

About ten days prior to this date, depositions, consisting of one for the holder and one for each of two witnesses, will be sent to Mr. J. Henry Thompson, Notary Public, at Malte, Idaho, so that he will have them in ample time for the proof.

On the date designated, you should appear at Mr. Thompson's office with two disinterested witnesses, who are familiar with the terms of the permit, and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

JAMES SPOFFORD,
Commissioner of Reclamation

By

Chief Clerk

JIA

4953

Sublett Idaho

May 29-1939

Department of Reclamation

James Spofford

Commissioner.

Bessie Idaho

Dear Sir

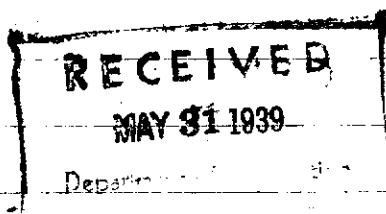
As to your letter of May 2.
as notice of application of water to
Beneficial use on permit No 4953.

Please have ^(notice of) proof made on lands
listed in the original Permit, in
The Burley Herald, starting with the
first issue published in June if
possible.

Very Truly Yours

H. A. Zallinger

Wm. Sublett Irrigation Co.



4953

CHECK SERVICE DESIRED OTHERWISE MESSAGE WILL BE SENT AT FULL RATE	
DOMESTIC	FOREIGN
FULL RATE	FULL RATE
DAY LETTER	CDE RATE
NIGHT LETTER	URGENT
SERIAL	DEFERRED
RESERVATION	NIGHT LETTER
TOUR-RATE	SHIP RADIO

COPY

POSTAL TELEGRAPH-CABLE CO.

TELEGRAM

Boise- May 29, 1939

Aaron A. Zollinger, President,
Sublett Irrigation Co.
Sublett, Idaho.

Reply your wire- Stop- Commissioner Spefford out of town- Stop- Final proof Permit
four nine five three not advertised and cannot be made June second- Stop- See letters
May second and May twenty-sixth regard land list- Stop- If correct list sent
immediately proof can be made July first.

HARRY DEWEY

Prepay
Charge State Dept. Reclamation

Deputy Commissioner Reclamation

4953

STANDARD TIME INDICATED
RECEIVED BOISE, IDAHO
1003 MAIN ST.
PHONE 3740
TELEPHONE YOUR TELEGRAMS TO POSTAL TELEGRAPH

Postal Telegraph

Mackay Radio

Commercial Cables



All America Cables

Canadian Pacific Telegraphs

THIS IS A FULL RATE TELEGRAM, CABLE-GRAM OR RADIOGRAM UNLESS OTHERWISE INDICATED BY SYMBOL IN THE PREAMBLE OR IN THE ADDRESS OF THE MESSAGE. SYMBOLS DESIGNATING SERVICE SELECTED ARE OUTLINED IN THE COMPANY'S TARIFFS ON HAND AT EACH OFFICE AND ON FILE WITH REGULATORY AUTHORITIES.

FORM 18

SX14 32 NL=BURLEY IDAHO MAY 28

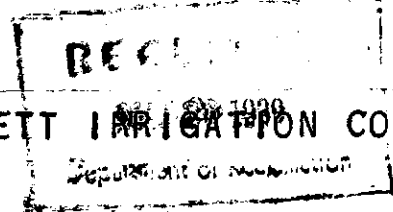
1939 MAY 29 AM 8 09

JAMES SPOFFORD=

COMMISSIONER OF RECLAMATION BOISE IDAHO=

IN YOUR LETTER JANUARY 26TH AGREED TO COME TO SUBLETT. COULD YOU MEET WITH US MONDAY MAY 29TH 7 PM OR BEFORE JUNE 1ST FINALS ON RESERVOIR WILL BE BY JUNE 2ND=

SENATOR A A ZOLLINGER PRESIDENT SUBLETT IRRIGATION CO.



4953

May 26, 1939

Re: Permit No. 4953
Sublett Creek Irrigation Co.

Mr. Aaron A. Zellinger, President,
Sublett Irrigation Company,
Sublett, Idaho.

Dear Sir:-

We have had no reply to the letter which we addressed you under date of May 2nd, in which we called attention to a discrepancy between the land list which you submitted in connection with notice of proof of beneficial use, and the land list contained in the original application and use permit; and in which we enclosed an application for amendment for your use, in case you wished to have these additional lands included.

As we cannot proceed to have the notice of proof of beneficial use sent to the paper for publication until we have your reply, and since we feel that you are anxious to have these proofs made as soon as possible we are again calling the matter to your attention.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

JLA

By

Chief Clerk

4953

May 2, 1939

Re: Permit No. 4953
Sublett Creek Irrigation Co.

Mr. Aaron A. Zollinger, President,
Sublett Irrigation Company,
Sublett, Idaho.

Dear Sir:-

We duly received your letter of April 20th, enclosing Notice of Proof of Application of Water to Beneficial Use under the above numbered permit, and authorization to have same published in the Burley Herald.

Inasmuch as there is a difference in the land list which you submitted in your previous letter, and the list as contained in the original Permit, we are unable to have publication commence with the first issue after May 1st, as you suggest-- but if it starts publication next week, that will be in ample time for the proof to be made on June 3rd-- which is the date we have set, inasmuch as you failed to designate a date. However, if you would prefer some other later date, please advise us.

We are enclosing an application for amendment, in which we have listed all the lands which you included in the list recently sent us-- and the subdivisions underscored are the ones that are in addition to the lands originally included in the Permit. If you wish all these lands included, you may sign and return the application for amendment, and the notice will be changed to include all these lands. This should be done promptly, in order for us to send the notice to the paper in time for publication in next week's issue.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

JLA
Enc.

Chief Clerk

4953

APR 21 1939
Department of Reclamation

Sublett Irrigation Co.
Sublett Idaho.

Sublett Idaho.

April - 20, 1939.

Department of Reclamation
Baise.

Mr. James Spifford
Commissioner of Reclamation
Baise Idaho.

Dear Sir In ans to your letter
of Mar 16 regarding Permit No.
4953 in Making Beneficial
Useproof.

The name of the notary Public
to whom it is to be submitted is
Mr. J. Henry Thompson of Malto Idaho
Cassia County.

The ^{newsp} paper will be the Burley
Herold published at Burley, Cassia Co,
Idaho.

It will start with the first
issue after the first of May.

Very Truly Yours

Arnon A. Gollinger

P.S. Will you send information to me or direct to
newspaper please let me know.

4953

[illegible]

Twp	Range	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Ta	Ta
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		
12 S	28 E	33	-	-	10.0	-	-	-	-	-	-	-	-	-	38.3	40.0	40.0	36.5	164.8	
13 S	28 E	2	-	-	-	-	-	-	3.9	-	-	11.2	40.0	31.2	-	-	9.3	-	96.1	
13 S	28 E	3	2.5	31.9	40.0	28.0	40.0	40.0	40.0	40.0	14.2	-	-	-	39.9	39.7	9.5	34.0	400.0	
13 S	28 E	11	23.5	40.0	16.1	31.5	36.5	17.9	-	1.5	-	-	-	-	-	-	-	-	167.0	
13 S	28 E	12	-	-	28.0	1.2	4.0	10.5	39.5	37.0	24.1	8.0	-	-	37.9	38.3	1.6	11.0	24.2	
13 S	29 E	7	-	-	-	-	-	-	-	-	31.2	37.0	14.9	25.5	15.6	18.0	36.5	40.0	219.0	
13 S	29 E	8	-	-	-	-	-	-	-	-	17.3	16.8	40.0	38.0	20.8	20.0	19.5	3.4	17.5	
13 S	29 E	9	8.5	-	-	2.1	-	-	-	.3	12.3	12.4	.5	-	-	2.1	-	-	38.0	
13 S	29 E	17	-	-	-	-	1.5	5.0	-	-	-	-	-	-	-	-	-	-	6.5	
13 S	29 E	18	2.0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2.0	

March 16, 1939

Re: Permit No. 4953

Mr. Aaron A. Zollinger, President,
Sublett Irrigation Company,
Sublett, Idaho.

Dear Sir:-

We acknowledge receipt of your letter of March 16th, returning Notice of Beneficial Use proof in connection with the above numbered permit, and have filed it in for the 35.2 second feet originally applied for. At the time of the Engineer's examination he can determine the land under the permit that is in use, and the license will be granted on whatever his field examination shows, which is undoubtedly less than 35.2 second feet.

In returning this notice you have failed to set a time and place for the submitting of proof, and the name of the Notary Public before whom it is to be submitted. Please furnish us with this information, and also the name of the newspaper published in the county in which the water is located, where you wish this notice to appear, and we will send out the notice accordingly.

You understand, of course, that the notice must be published four weeks prior to making proof, so the date should be set at least a month ahead.

Very truly yours,

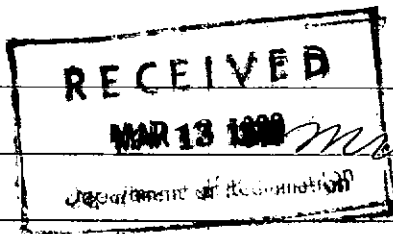
JAMES SPOTFORD
Commissioner of Reclamation

JLA

By

Chief Clerk

4953



Sublett. MAR 10 1939

Mr James Sheffield

Commissioner of Reclamation
Boise Idaho

Dear Sir

Enclosed blanks for beneficial use partly filled out. I did not fill in the amount of second feet in, The filing call for 30 some second feet, of course we don't have that much as you know.

There may be 8 or 10 second feet figuring run off, and natural flow. The description is pinned to blanks contains all land passable to irrigated, The irrigated about 960 acres, the description contains about 1500 acres. we should make beneficial use I think of 960 acres.

If the above information is OK please let me know

Very Truly Yours

Anna A. Gulliver

Per Subletting
20

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE February 17, 1939

Re: Permit No. 4953
 Sublette Creek Irrigation Co.

Mr. Aaron A. Zollinger, President,
Sublett Irrigation Company,
Sublett, Idaho.

Dear Sir:

I enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 4953, which should be filled out and returned to this office at least 40 days before the date upon which you wish to make proof. The proof must be submitted before a notary public or other officer authorized by law to administer oaths. The date for proof, as set out in your permit, is July 20, 1918 ^{since}, and if proof is ~~to be~~ 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,

JAMES SPOFFORD

~~E. M. HARRIS~~

Commissioner of Reclamation

4953

4953

Sublette Irrigation Co.

RECEIVED

FEB 15 1939

Department of Reclamation

Sublette Irrigation Co.
Sublett, Idaho.

Mr. James Spofford,

Commissioner Reclamation
Boise, Idaho.

Dear Mr. Spofford,

Will your office please
send me blanks and instructions
for filing beneficial use proof on
Sublett, creek and storage.

I understand that Sublett Irrigation
Company have never filed beneficial
use proof. This information I have
just received from Water
Facilities Board, at Pocatello Idaho
those boys are sure getting our project
in fine condition.

The water Facilities Board have the
maps all ready and other information
which we will need.

Thanking you for a reply.
Very Truly Yours
Marion A. Gallinger

4953

October 23, 1919.

In re: Permit 4953.

John Martensen,
Burley, Idaho.

Dear Sir:

Reference is had to your letter of the 18th, relative to the above numbered permit, and you are advised that two of the 40s indicated on the map you forward, to-wit: the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, T. 13 S. R. 29 E.B.M., were never described in the permit as issued to you, and neither were they described in the notice of publication of proof of Application of Water to Beneficial Use; therefore, if you desire to have those two 40s embraced in any license that may be issued to you, it will be necessary for you to re-publish, submitting a new proof and having the date of priority brought down a length of time which is the difference between the time proof was to be submitted, under the terms of the permit, and the day proof actually is submitted. It would seem the better plan to accept the license excluding those two 40s and thereafter apply to this office for a transfer, and although there would be some expense connected with such a transfer your date of priority would not be affected.

The report of our examining engineer shows that the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9, T. 13 S. R. 29 E.B.M. is above the ditch and that no land has been reclaimed thereon, leaving out the two 40s that are not embraced in the permit and the 40 above the ditch, the one last herein described, leaves forty-three 40s totally or partially reclaimed by the water appropriated.

The report of our examining engineer locates the point of diversion of the water appropriated in the NE Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8, T. 13 S. R. 29 E.B.M. The location of the point of diversion, according to our records, is N. 89° 15' E. 241 feet from the corner common to Sections 8, 9, 16, and 17, T. 13 S. R. 29 E.B.M. If you have changed the location of the point of diversion from the last description and put it in the NE corner SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8, it will be necessary for you to apply to this department, on a blank furnished by us on request, for a change of point of diversion. If the report of our examining engineer is in error relative to the point of diversion, kindly advise and we will take the matter up with him and have his report.

corrected. I am enclosing, herewith, a map showing the location of your point of diversion as described in permit issued to you and also showing the location of the point of diversion as given by our examining engineer.

If the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9, T. 13 S. R. 29 E.B.M. is under the ditch and a portion of it has been reclaimed, kindly submit to this department an affidavit, corroborated by two witnesses, to that effect, showing by the affidavit the area of the land reclaimed.

I am returning to you, herewith, the map you submitted and also your check in the sum of \$92, and I would suggest to you that you do not forward any more fees to us until we get the above matter straightened out.

Yours very truly,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

L/B.

Enc.

46
4
18 40

43
4
17 20

4953

Kurey Idoko 10/10/19

a.g.

Mr H. G. Swendsen Boras Idok
 My Dear Sir, I am writing to you
 Sept 23rd in regard to being
 to be issued under proof of
 beneficial use.
 Will say that I would like to
 make a correction on the report
 of your field man as we
 missed some of the land.
 I told him we had a map but
 did not know exactly where it was.
 I told him Mr Power had it I thought
 but Mr Power was not so ^{home} much
 the best we could with what we
 had but subsequently Mr Power
 received letter explaining which came
 from your office which he brought
 to me and also brought map with
 it and on investigation we find
 there should be 146.40² which the
 map shows. We wish to make this
 correction and hope it will be satisfactory
 to you. This map is correct as we

has Mr. J. J. Bucher attended this
matter who is a licensed
Surveyor and civil Engineer
46 140.2 @ 22.5 =
\$920. which enclosed please find
check

Trusting this explanation
will be satisfactory I remain
Most Respectfully

John H. Peterson
Director Sub-Irrigation Co.

September 23d
1919

In re: Permit: 4953

Sublette Creek Irrigation Co.,
Care: Charles W. Powers
Sublette, Idaho

Gentlemen:

Before license can issue under proof of beneficial use under the above numbered permit, the statutory fee of \$2.00 for every forty or fraction thereof reclaimed must be submitted to this Department.

The examination and report of our field man shows that there are forty-three forties served under the permit, consequently there is a fee in the sum of \$86.00 due this Department.

Yours very truly

W. G. Swendsen
Commissioner of
Reclamation

By:

Chief Clerk.

4953

REPORT OF ENGINEER

This proof is for BENEFICIAL USE.In Water District No. 8-D1. State name of applicant and number of permit: Sublette Creek Irr.Co. Permit 4953.2. State source of water supply: Sublette Creek3. Location of point of diversion: N. 50° 15' E. 2431' from cor. to Secs. 8-9-16-17,T. 13 S., R. 29 E., B.M. N.E. corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ - Sec. 5, T. 13 S., R. 29 E.

4. Describe works as they exist, giving dimensions and capacities of same:

Reservoir dam - earth fill, cement core - crest of dam
400 ft long, 40 ft high, up stream side 3-1 slope, Rock face
down stream side 2-1 slope. Cement tunnel, 30 in. diam.
head-gate located in center of dam.

Division - cement - 16 ft long - 12 ft wide - 2 ft deep
dividing walls for heading of 3 ditches - each heading 3 ft wide.
North side ditch capacity - 15 sec ft - center ditch - creek channel
80 ditch - 5 sec ft.

5. State whether or not water has been turned into works of diversion: Yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

SE $\frac{1}{4}$, Sec. 33, T. 12 S., R. 28 E., E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$, Sec. 3; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 2;
N $\frac{1}{2}$ NW $\frac{1}{4}$ & NE $\frac{1}{4}$, Sec. 11; W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Sec. 12, T. 13 S., R. 28 E.;
S $\frac{1}{2}$ Sec. 7, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, & NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 13 S., R. 29 E., B.M.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system?

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Raft & Snake River

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

none

Remarks: Practically all of this ground has been reclaimed
with the exception of the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 9, T. 13 S., R. 29 E.

This examination was made on the 18 day of Sept 1919(Signed) R. G. Pierce1953
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.

DIST. 8-D

Sublette Creek Irr.Co.
Sublette, Ida.

Permit 4953

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.

4955

SEC 7

SEC 6

SEC 81

SEC 8

SEC 5

SEC 82

SEC 9

SEC 4

SEC 83

SEC 10

SEC 3

SEC 84

SEC 11

SEC 2

SEC 35

SEC 12

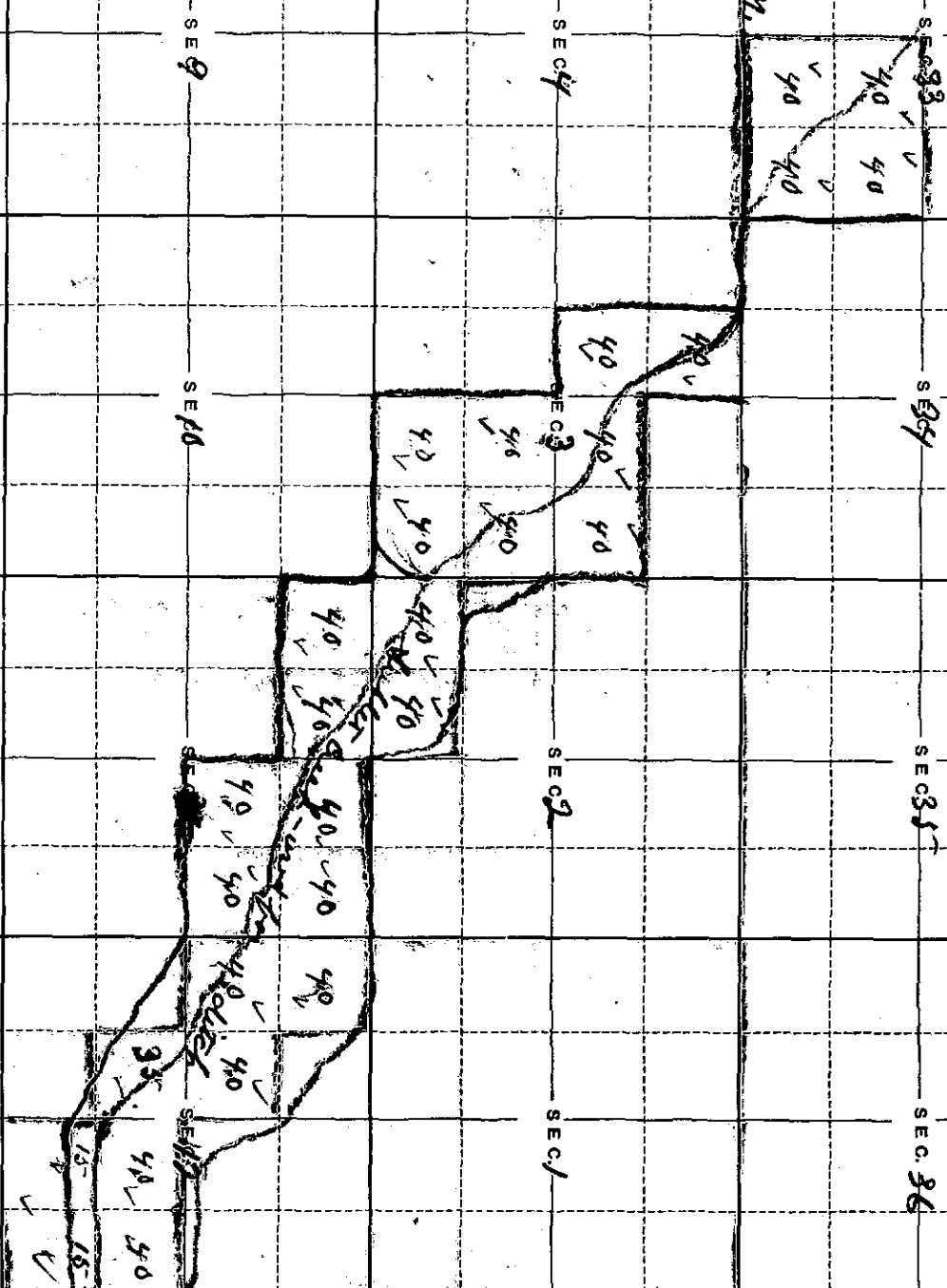
SEC 1

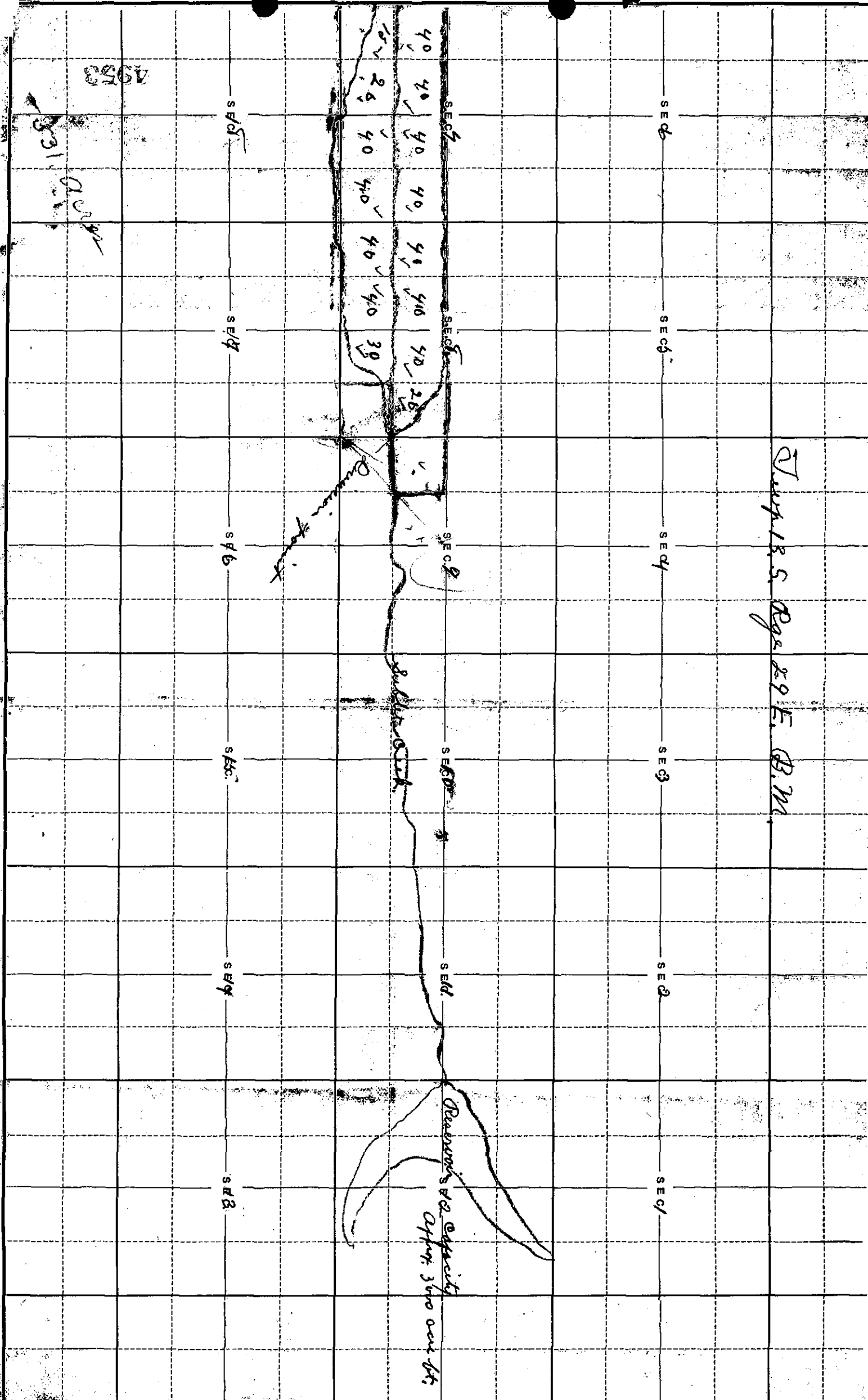
SEC 36

Trwy 12 S Rge 28 E B.M.

Trwy 13 S Rge 28 E B.M.

*1065
531
1596*





July 13.5 Reg. 29 E. B. M.

2

[illegible]

9-3

Herbert M. Condit.

4) 5-1-18
August 5th, 1918.

Re Permit 4953.

Mr. Charles H. Powers,
Sublett, Idaho.

Dear Sir:--

We are in receipt of depositions and affidavit of publication for proof of use of water under above permit. As soon as we can have the examination made by our engineer, you will be further advised as to fees required before issuing license.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

4) 5-1-18
4953

Affidavit of Publication

State of Idaho }
County of Cassia } ss.

NOTICE FOR PUBLICATION.

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 10 a. m. on the 20th day of July, 1918, at Malta, County of Cassia, State of Idaho, before Frank Riblett, U. S. Commissioner, and Notary Public, proof will be submitted of the application to beneficial use of 35.2 cubic feet per second of the waters of Sublette Creek in accordance with the terms and conditions of Permit No. 4953, 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 Sublette Creek Irrigation Co., (a corporation) Sublett, Idaho.

2. The use to which said water has been applied is irrigation and domestic use, mainly irrigation.

3. The amount applied to beneficial use is 35.2 cubic feet per second.

4. The place where said water is used is SE $\frac{1}{4}$ of sec. 23, T. 12 S., R. 28 E., NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of sec. 3, S $\frac{1}{2}$ SW $\frac{1}{4}$, sec. 2, N $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of sec. 11, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of sec. 12, all in Tp. 13 S., R. 28 E., B. M., and S $\frac{1}{2}$ of sec. 7, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of sec. 8, and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of sec. 9, all in Tp. 13 S., R. 29 E., B. M., containing 1760 acres.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Sublette Creek Irrigation Company System.

6. The right to take the water from such works is based upon Permit No. 4953.

7. The source of supply from which such water is diverted is Sublette creek.

8. The date of the priority which said user is prepared to establish is May 21, 1909.

FRED A. WILKIE.

State Engineer.

F. E. Griswold

I, F. E. Griswold, Publisher, ~~Foreman~~, of The Inland Empire, a weekly newspaper of general circulation, published once each week at Malta, Cassia County, Idaho, do solemnly swear that a copy of the notice attached hereto and which is made a part of this affidavit, and a part of the proof of publication, was published in said newspaper for four consecutive weeks commencing with the issue dated June 19th, 1918, and ending July 10th, 1918, that said notice was published in the regular and entire issue of every number and not any supplement thereof, and that said newspaper has been published for more than twenty-six consecutive weeks prior to date of first publication of said notice.

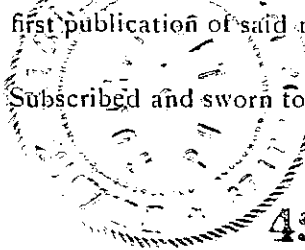
Subscribed and sworn to before me this

F. E. Griswold
July 12, 1918.

Frank Riblett
Notary Public, Cassia County, Idaho.

My commission expires

March 26, 1922.



PERMIT NO. 4953

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Charles H. Powers -- age -46 years -- Residence and Post-office address-- Sublett, Cassia County, Idaho. -- Farmer and stock-raiser.

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

Ans. Sublette Creek Irrigation Company (a corporation) -- Principal place of business-- Sublett, Cassia County, Idaho.-- I am President of the Company. -- Authority delegated to me by the stockholders by ~~the~~ of the company as President.

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

Ans. Permit No. 4953-- dated -- May 21st 1909-- Date of priority I expect to establish is May 21st 1909

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

Ans. Sublette Creek, Cassia County, Idaho. --- Location of Point of Diversion ^{are} is North 30° 15' East -- 2431 feet from the Corner to Sections 8--9--16 and 17 in Township 13 South of Range 29 East of the Boise Meridian, and in the NW 1/4 NE 1/4 Section 11 T. 13 S. R. 28 E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. Name of canal and other works is Sublette Creek Irrigation Company System. I will safely conduct water by earthen with concrete core.

Ans. 3.-- Township 13 South of Range 29 East of the Boise Meridian which does not divert the water from the stream but holds it up in a reservoir having a capacity of 2510 acre feet -- the dam being 390 feet long on the top and 40 feet long on the bottom and 40 feet in height lower slope 2 to 1 and upper slope 3 to 1 rip-rapped--with rock-- from this reservoir the water is taken on down the creek to the point of diversion previously mentioned. -- where there is a dam of concrete about 12 feet high and concrete wings about 4 feet in length filled with concrete and all being about 3 feet in height. -- from this dam the water is diverted into two main ditches each about 4 ft wide on bottom and 6 ft wide on top better than 20 ft to the mile grade. One third or a little better as it runs down the channel to the lower point of diversion where it is ~~diverted~~ ^{diverted} on a ditch about same size and about 10 ft grade to the mile

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

Ans. all cultivated lands -- no natural meadows -- many valuable improvements have resulted including good houses, farm buildings, fences, orchards etc -- water used for irrigation etc the following subdivisions -- as stated ^{and}

In Township 12 South of Range 28 East of the Boise Meridian.

✓ On	N W 1/4 SE 1/4	Section 33	-----	20 acres
✓ On	S W 1/4 SE 1/4	Section 33	-----	40 acres
✓ On	N E 1/4 SE 1/4	Section 33	-----	40 acres
✓ On	S E 1/4 SE 1/4	Section 33	-----	40 acres

IN Township 13 South of Range 28 East of the Boise Meridian.

✓ On	Lot 3,	Section 3	-----	40 acres
✓ On	SE 1/4 NW 1/4	Section 3	-----	30 acres
✓ On	SW 1/4 NE 1/4	Section 3	-----	40 acres
✓ On	SE 1/4 NE 1/4	Section 3	-----	20 acres
✓ On	NW 1/4 SE 1/4	Section 3	-----	40 acres
✓ On	SW 1/4 SE 1/4	Section 3	-----	20 acres
✓ On	NE 1/4 SE 1/4	Section 3	-----	40 acres
✓ On	SE 1/4 SE 1/4	Section 3	-----	40 acres
✓ On	SW 1/4 SW 1/4	Section 2	-----	40 acres
✓ On	SE 1/4 SE 1/4	Section 2	-----	30 acres
✓ On	NW 1/4 NW 1/4	Section II	-----	20 acres
✓ On	NE 1/4 NW 1/4	Section II	-----	40 acres
✓ On	NE 1/4 NE 1/4	Section II	-----	30 acres
✓ On	NW 1/4 NE 1/4	Section II	-----	40 acres
✓ On	SW 1/4 NE 1/4	Section II	-----	25 acres
	S 1/4 E 1/4	II	-----	40 acres

On NW	SE	Section 12	40 acres.
On NE	SE	Section 12	40 acres.
On SW	SE	Section 12	30 acres.
On SE	SE	Section 12	30 acres.

In Township 13 South of Range 29 East of the Boise Meridian

On Lot 3	Section 7	40 acres.
On Lot 4	Section 7	25 acres.
On NE 1/4 SW 1/4	Section 7	40 acres.
On SE 1/4 SW 1/4	Section 7	35 acres.
On NW 1/4 SE 1/4	Section 7	40 acres.
On SW 1/4 SE 1/4	Section 7	40 acres.
On NE 1/4 SE 1/4	Section 7	30 acres.
On SE 1/4 SE 1/4	Section 7	40 acres.
On NW 1/4 SW 1/4	Section 8	30 acres.
On SW 1/4 SW 1/4	Section 8	40 acres.
On NE 1/4 SW 1/4	Section 8	25 acres.
On SE 1/4 SW 1/4	Section 8	40 acres.
On NW 1/4 SE 1/4	Section 8	25 acres.
On SW 1/4 SE 1/4	Section 8	40 acres.
On NE 1/4 SE 1/4	Section 8	20 acres.
On NW 1/4 SW 1/4	Section 9	20 acres.

Beside the foregoing lands there is in Township 13 South of Range 28 East of the Boise Meridian the following lands that have been -- irrigated proportionately by the foregoing flow of 40 ~~cubic~~ --- Second Feet of the waters of the said Sublett Creek as long as any lands irrigated from the said stream although not mentioned in the aforesaid Permit No. 4953. to-wit : ---

In NE 1/4 SW 1/4	Section 3	20 acres.
In NW 1/4 SW 1/4	Section 2	15 acres.
In NW 1/4 SW 1/4	Section 12	10 acres.
In SW 1/4 NE 1/4	Section 12	30 acres.

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On NE 1/4	SE 1/4	Section 12 -----	40 acres.
On NW 1/4	SE 1/4	Section 12 -----	40 acres.
On NE 1/4	SE 1/4	Section 12 -----	30 acres.
On SW 1/4	SE 1/4	Section 12 -----	30 acres.

In Township 13 South of Range 29 East of the Boise Meridian

On Lot 3		Section 7	40 acres.
On Lot 4		Section 7	25 acres.
On NE 1/4 SW 1/4		Section 7 -----	40 acres.
On SE 1/4 SW 1/4		Section 7 -----	35 acres.
On NW 1/4 SE 1/4		Section 7 -----	40 acres.
On SW 1/4 SE 1/4		Section 7 -----	40 acres.
On NE 1/4 SE 1/4		Section 7 -----	30 acres.
On SE 1/4 SE 1/4		Section 7 -----	40 acres.
On NW 1/4 SW 1/4		Section 8 -----	30 acres.
On SW 1/4 SW 1/4		Section 8 -----	40 acres.
On NE 1/4 SW 1/4		Section 8 -----	25 acres.
On SE 1/4 SW 1/4		Section 8 -----	40 acres.
On NW 1/4 SE 1/4		Section 8 -----	25 acres.
On SW 1/4 SE 1/4		Section 8 -----	40 acres.
On NE 1/4 SE 1/4		Section 8 -----	20 acres.
On NW 1/4 SW 1/4		Section 9 -----	20 acres.

Beside the foregoing lands there is in Township 13 South of Range 28 East of the Boise Meridian the following lands that have been -- irrigated proportionately by the foregoing flow of 40 ~~xxxxxx~~ Second Feet of the waters of the said Sublett Creek as long as any lands irrigated from the said stream although not mentioned in the aforesaid Permit No. 4953. to-wit : -----

In NE 1/4 SW 1/4	Section 3 ---	20 acres.
In NW 1/4 SW 1/4	Section 2 ---	15 acres.
In NW 1/4 SW 1/4	Section 12 -----	10 acres.
In SW 1/4 NE 1/4	Section 12 -----	30 acres.

PERMIT No. 4953

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Charles H. Powers -- age -46 years -- Residence and Post-office address-- Sublett, Cassia County, Idaho. - Farmer and stock-raiser.

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

Ans. Sublette Creek Irrigation Company (a corporation) - Principal place of business-- Sublett, Cassia County, Idaho.-- I am President of the Company.- Authority delegated to me by the stockholders ~~by the~~ of the company as President.

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

Ans. Permit No. 4953-- dated -- May 21st. 1909-- Date of priority I expect to establish is May 21st. 1909.

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

Ans. Sublette Creek, Cassia County, Idaho. --- Location of Point of Diversion ^{are} is North 30° 15' East -- 2431 feet from the Corner to Sections 8--9--16 and 17-- Township 13 South of Range 29 East of the Boise Meridian, and in the NW 1/4 NE 1/4 Section 11 T. 13 S. R. 28 E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. Name of canal and other works is Sublette ~~canal~~ ^{earthen with concrete core.}

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

Ans. no other use

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

Ans. an inch and a quarter (1 1/4) to the ~~xxx~~ acre (that is, under a four inch pressure, ~~minut's~~ measurement.)

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

Ans. I am the representative of said corporation.

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

Ans. ^{about 25 second feet used}
Up to the year 1914 ^{in irrigation} about 900 acres under cultivation mixed crops-- alfalfa and grain. which was in 1914 increased to the present acreage which has been maintained since. - using about 40 second feet

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.

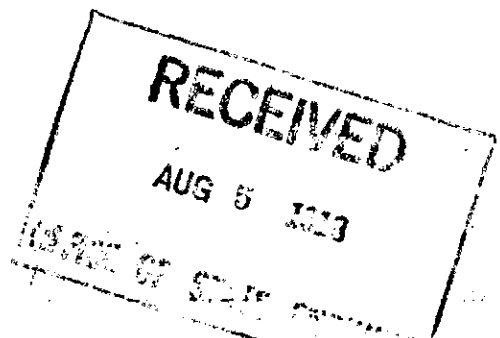
Ans. None.

(Sign) Charles H. Powers.
Pres Sublett Irrigation Co.

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 Malta, County of Cassia State of Idaho, on this 20th. day of July A. D. 1918.

Frank Riblett
Notary Public and
U.S. Commissioner.

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Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. John T. Burke-- age - 43 years.-- occupation farmer and

stockraiser-- Residence and post--office address-- Sublett

Cassia County, Idaho.

Ques. 2. Are you acquainted with Charles H. Powers President and the Sublette Creek Irrigation Company (which he represents) the holder of Permit No. 4953? How long have you known him and where does he reside?

Ans. Yes.-- About 15 years-- and he resides at Sublett, Cassia

County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 4953, 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. Sublette Creek, Cassia Co., Idaho.-- Upper point of diversion is
W. 30 15' E. 2431 feet from corner to secs. 8, 9, 16 and 17. To 13 S. R. 28 E. B. M. in xxxxxxxxxx and the lower point of
Diversion is in NW 1/4 NE 1/4 Sec. 11. To 13 S. R. 28 E. B. M. This company
company has a storage dam 390 ft. long on top, 40 feet long on bottom and
40 ft. high on SW 1/4 NE 1/4 sec. 3. T. 13 S. R. 29 E. B. M. built of earth, rock
and concrete with capacity of over 2500 acre feet in reservoir created
thereby, the water being turned from this reservoir on down the creek
channel to the upper diversion point where about two thirds of the
water is diverted equally into two ditches each about a foot wide on top
bottom to the mile wide. The rest of the water is taken out at the lower point
diversion into a ditch of about same size as others with grade of 10 feet
to the mile. Dam is built of earth and rock with a spillway of 100 ft.

Ques. 5. How many second-feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. About 40 second feet.

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

Ans. There are many valuable improvements including
good houses and barns, fences, orchards etc.
all cultivated land, no natural meadows.
Water used for irrigation on the following subdivisions as stated:

In Township 12 South of Range 28 East of the Boise Meridian.

On	N W 1/4 SE 1/4	Section 33	-----	20 acres
On	S W 1/4 SE 1/4	Section 33	-----	40 acres
On	N E 1/4 SE 1/4	Section 33	-----	40 acres
On	S E 1/4 SE 1/4	Section 33	-----	40 acres.

IN Township 13 South of Range 28 East of the Boise Meridian.

On	Lot 3,	Section 3	-----	40 acres
On	SE 1/4 NW 1/4	Section 3	-----	30 acres
On	SW 1/4 NE 1/4	Section 3	-----	40 acres.
On	SE 1/4 NE 1/4	Section 3	-----	20 acres.
On	NW 1/4 SE 1/4	Section 3	-----	40 acres.
On	SW 1/4 SE 1/4	Section 3	-----	20 acres.
On	NE 1/4 SE 1/4	Section 3	-----	40 acres.
On	SE 1/4 SE 1/4	Section 3	-----	40 acres.
On	SW 1/4 SW 1/4	Section 2	-----	40 acres.
On	SE 1/4 SE 1/4	Section 2	-----	30 acres.
On	NW 1/4 NW 1/4	Section 11	-----	20 acres.
On	NE 1/4 NW 1/4	Section 11	-----	40 acres.
On	NE 1/4 NE 1/4	Section 11	-----	30 acres.
On	NW 1/4 NE 1/4	Section 11	-----	40 acres.
On	SW 1/4 NE 1/4	Section 11	-----	25 acres.
On	SE 1/4 NE 1/4	Section 11	-----	40 acres.
On	NW 1/4 NW 1/4	Section 12	-----	20 acres.
On	SW 1/4 NW 1/4	Section 12	-----	40 acres.
On	SE 1/4 NW 1/4	Section 12	-----	40 acres.
On	NE 1/4 SW 1/4	Section 12	-----	35 acres.
On	NW 1/4 SE 1/4	Section 12	-----	40 acres.
On	NE 1/4 SE 1/4	Section 12	-----	40 acres.
On	SW 1/4 SE 1/4	Section 12	-----	30 acres.
On	SE 1/4 SE 1/4	Section 12	-----	30 acres.

On Lot 3	Section 7	40 acres.
On Lot 4	Section 7	25 acres.
On NE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 7	40 acres.
On SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 7	35 acres.
On NW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 7	40 acres.
On SW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 7	40 acres.
On NE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 7	30 acres.
On SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 7	40 acres.
On NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 8	30 acres.
On SW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 8	40 acres.
On NE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 8	25 acres.
On SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 8	40 acres.
On NW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 8	25 acres.
On SW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 8	40 acres.
On NE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 8	20 acres.
On NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 9	20 acres.

Beside the foregoing lands there is in Township 13 South of Range 28 East of the Boise Meridian the following lands that have been -- irrigated proportionately by the foregoing flow of 40 ~~xxxxxx~~--- Second Feet of the waters of the said Sublett Creek as long as any lands irrigated from the said stream although not mentioned in the aforesaid Permit No. 4953. to-wit : ---

In NE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 3	20 acres.
In NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 2	15 acres.
In NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 12	10 acres.
In SW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 12	30 acres.

Permit No. 4953

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. John T. Burke-- age - 43 years.-- occupation farmer and

stockraiser-- Residence and post--office address-- Sublett

Cassia County, Idaho.

Ques. 2. Are you acquainted with Charles H. Powers President and the Sublette Creek Irrigation Company (which he represents) the holder of Permit No. 4953? How long have you known him and where does he reside?

Ans. Yes.-- About 15 years-- and he resides at Sublett, Cassia

County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 4953, and are you familiar with its provisions and conditions?

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

Ans. Not any.

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

Ans. Good farming land.-- Should say about one and one fourth inches to the acre continuous flow (under a four inch pressure Miner's measurement.)

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

Ans. Have no interest in said works, water or lands.

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. Up to the year 1914 about 900 acres under cultivation mixed crops (alfalfa and grain) using about 25 second feet of water perhaps a little more, since that time using about 40 second feet of water for the cultivation of similar crops on the present acreage.

(Sign) John T. Burke

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 Malta, County of Cassia State of Idaho, on this 20th. day of July A. D. 19 18.

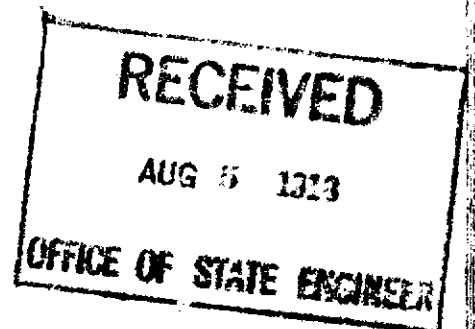
Frank Riblett

Notary Public.

My commission expires as Notary Public, March 26th. 1922.

and U. S. Commissioner

4953



Permit No. 4953

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Herbert M. Condit-- age 44 years-- occupation - farmer and stock raiser-- residence and post--office address-- Sublett, Cassia County, Idaho.

Ques. 2. Are you acquainted with Charles H. Powers -- ~~President~~ President and the Sublette Creek Irrigation Company holder of Permit No. 4953 --? How long have you known him and where does he reside?

Ans. Yes.
Over 30 years -- Sublett, Cassia County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 4953, 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. Sublette Creek, Cassia County, Idaho. Upper point of diversion is 2431 feet from corner to E. 9-16 and 17 T. 13 S. R. 28 E. 15 E. B. M. and lower point of diversion is in NW 1/4 Sec. 11 T. 13 S. R. 28 E. B. M. This company has three dams -- a storage dam creating a reservoir with capacity of over 2500 acre feet on SW 1/4 sec. 3- T. 13 S. R. 29 E. B. M. this dam is 390 ft. long on top 40 ft. long on bottom and 40 feet high built of earth, rock and concrete -- another at upper point of diversion built of earth and concrete about 16 feet long over all and 3 feet in height -- about two thirds of the water being diverted equally into two ditches each about 4 ft. wide on bottom 6 ft. wide on top and 2 ft. in dept with grade of about 20 ft. to the mile and the dam at lower point of diversion about same dimensions as at upper point of rock, earth and wood diverting about same water into ditch about same size

Ques. 5. How many second-feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. About 40 second feet.

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

Ans. all cultivated land - no natural meadow
many valuable improvements including good houses and farm buildings
fences - etc - orchards - gardens
water used for irrigation in the following subdivisions as stated:

In Township 12 South of Range 28 East of the Boise Meridian.

On	NW 1/4 SE 1/4	Section 33	20 acres
On	SW 1/4 SE 1/4	Section 33	40 acres
On	NE 1/4 SE 1/4	Section 33	40 acres
On	SE 1/4 SE 1/4	Section 33	40 acres.

IN Township 13 South of Range 28 East of the Boise Meridian.

On	Let 3,	Section 3	40 acres
On	SE 1/4 NW 1/4	Section 3	30 acres
On	SW 1/4 NE 1/4	Section 3	40 acres.
On	SE 1/4 NE 1/4	Section 3	20 acres.
On	NW 1/4 SE 1/4	Section 3	40 acres.
On	SW 1/4 SE 1/4	Section 3	20 acres.
On	NE 1/4 SE 1/4	Section 3	40 acres.
On	SE 1/4 SE 1/4	Section 3	40 acres.
On	SW 1/4 SW 1/4	Section 2	40 acres.
On	SE 1/4 SE 1/4	Section 2	30 acres.
On	NW 1/4 NW 1/4	Section II	20 acres.
On	NE 1/4 NW 1/4	Section II	40 acres.
On	NE 1/4 NE 1/4	Section II	30 acres.
On	NW 1/4 NE 1/4	Section II	40 acres.
On	SW 1/4 NE 1/4	Section II	25 acres.
On	SE 1/4 NE 1/4	Section II	40 acres.
On	NW 1/4 NW 1/4	Section I2	20 acres.
On	SW 1/4 NW 1/4	Section I2	40 acres.
On	SE 1/4 NW 1/4	Section I2	40 acres.
On	NE 1/4 SW 1/4	Section I2	35 acres.
On	NW 1/4 SE 1/4	Section I2	40 acres.

creating a reservoir with capacity of over 2500 acre feet on SW 1/4 NE 1/4 Sec. 11. This dam is 390 ft. long on top 40 ft. long on bottom and 40 feet high built of earth, rock and concrete. Another at upper point of diversion built of earth and concrete about 16 feet long over all and 3 feet in height. About two thirds of the water being diverted equally into two ditches each about 1 ft. wide on bottom 6 ft. wide on top and 2 ft. in depth with grade of about 20 ft. to the mile and the dam at lower point of diversion about same dimensions as at upper point of rock, earth and wood diverting best of water into ditch about same size.

Ques. 5. How many second-feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. About 40 second feet.

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

Ans. all cultivated land - no natural meadow
Many valuable improvements including good houses and farm buildings
orchards - etc. - used for irrigation are the following subdivisions as stated,
to wit:

In Township 12 South of Range 28 East of the Boise Meridian.

On NW 1/4 SE 1/4	Section 33	20 acres
On SW 1/4 SE 1/4	Section 33	40 acres
On NE 1/4 SE 1/4	Section 33	40 acres
On SE 1/4 SE 1/4	Section 33	40 acres.

IN Township 13 South of Range 28 East of the Boise Meridian.

On Lot 3	Section 3	40 acres
On SE 1/4 NW 1/4	Section 3	30 acres
On SW 1/4 NE 1/4	Section 3	40 acres
On SE 1/4 NE 1/4	Section 3	20 acres
On NW 1/4 SE 1/4	Section 3	40 acres
On SW 1/4 SE 1/4	Section 3	20 acres
On NE 1/4 SE 1/4	Section 3	40 acres
On SE 1/4 SE 1/4	Section 3	40 acres
On SW 1/4 SW 1/4	Section 2	40 acres
On SE 1/4 SE 1/4	Section 2	30 acres
On NW 1/4 NW 1/4	Section 11	20 acres
On NE 1/4 NW 1/4	Section 11	40 acres
On NE 1/4 NE 1/4	Section 11	30 acres
On NW 1/4 NE 1/4	Section 11	40 acres
On SW 1/4 NE 1/4	Section 11	25 acres
On SE 1/4 NE 1/4	Section 11	40 acres
On NW 1/4 NW 1/4	Section 12	20 acres
On SW 1/4 NW 1/4	Section 12	40 acres
On SE 1/4 NW 1/4	Section 12	40 acres
On NE 1/4 SW 1/4	Section 12	35 acres
On NW 1/4 SE 1/4	Section 12	40 acres
On NE 1/4 SE 1/4	Section 12	40 acres
On SW 1/4 SE 1/4	Section 12	30 acres
On SE 1/4 SE 1/4	Section 12	30 acres

In Township 13 South of Range 29 East of the Boise Meridian

On Lot 3	Section 7	40 acres
On Lot 4	Section 7	25 acres
On NE 1/4 SW 1/4	Section 7	40 acres
On SE 1/4 SW 1/4	Section 7	35 acres
On NW 1/4 SE 1/4	Section 7	40 acres
On SW 1/4 SE 1/4	Section 7	40 acres
On NE 1/4 SE 1/4	Section 7	30 acres
On SE 1/4 SE 1/4	Section 7	40 acres
On NW 1/4 SW 1/4	Section 8	30 acres
On SW 1/4 SW 1/4	Section 8	40 acres
On NE 1/4 SW 1/4	Section 8	25 acres
On SE 1/4 SW 1/4	Section 8	40 acres
On NW 1/4 SE 1/4	Section 8	25 acres
On SW 1/4 SE 1/4	Section 8	40 acres
On NE 1/4 SE 1/4	Section 8	20 acres
On NW 1/4 SW 1/4	Section 9	20 acres

Beside the foregoing lands there is in Township 13 South of Range 28 East of the Boise Meridian the following lands that have been irrigated proportionately by the foregoing flow of 40 ~~sublet~~ Second Feet of the waters of the said Sublett Creek as long as any lands irrigated from the said stream although not mentioned in the aforesaid Permit No. 4953. to-wit:

In NE 1/4 SW 1/4	Section 3	20 acres
In NW 1/4 SW 1/4	Section 2	15 acres
In NW 1/4 SW 1/4	Section 12	10 acres
In SW 1/4 NE 1/4	Section	30 acres.

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

Ans. Yes -- I am a stockholder and share holder in the said works and water and have 160 acres of land under the said system, most of ~~which~~ which is irrigated from the same.-- I have a one twelfth interest in the properties of the said company.

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.

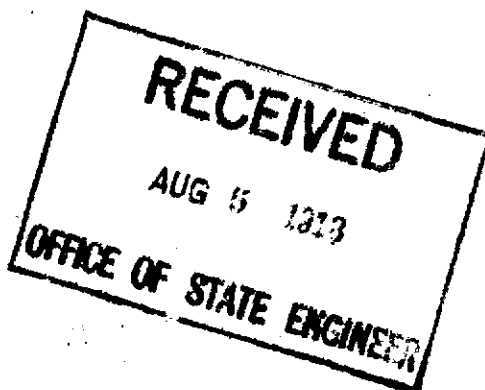
Ans. Up to the year 1914 ~~somehow~~ about 900 acres under cultivation in mixed crops (alfalfa and grain) using from 25 to 30 second feet of ~~water~~ since that time using about 40 second feet of water in the cultivation of similar crops on the present acreage.

(Sign) Herbert M. Bennett

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 Malta, County of Cassia, State of Idaho, on this 20th. day of July A. D. 1918.

Frank Riblett
Notary Public.
My commission ^{as Notary Public} expires March 26th. 1922. (and U. S. Commissioner)

4953



STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

Sublette Creek Irr. Co.,

c/o Frank Riblett,

U.S. Commissioner,

Malta, Idaho.

DEAR SIR:

BOISE, IDAHO, July 6, 1918.

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. **4953.**

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 your rights:

1. On July 20, 1918, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Malta, before Frank Riblett, U.S. Commissioner.**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

F. P. KING
FRED A. WILKIE, ~~Examiner~~
State Engineer.

4953

(P. O.)

Malta Idaho

(Date)

June 17-18

State Engineer, Boise.

Dear Sir:

I have your letter of *June 12th*
~~495~~ enclosing Notice of Proof
of ~~Completion of Works and~~ Beneficial Use of Water under Permit No. *4953* which
will be published as you request, beginning with our issue of *June 19th*

RECEIVED

JUN 20 1913

OFFICE OF STATE ENGINEER

The Inland Empire

F. E. Griswold

4953

June 17, 1918.

Mr. T. Bailey Lee,
Burley, Idaho.

Re Permit 4953-Sublette Creek Irr.Co.

Dear Sir:--

In reply to yours of the 13th would say that
the notice for publication for proof under above permit
was mailed to the Inland Empire the 12th inst.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

T. BAILEY LEE
LAWYER
BURLEY, IDAHO

June 13th 1918

State Engineer.,
Boise, Idaho

Dear Sir:-

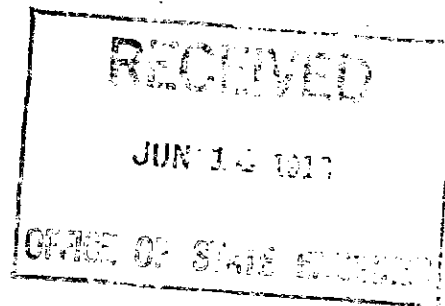
On May 2nd we received from you blank notice of proof of Application of Water to Beneficial Use under Permit No.4953 issued Sublette Creek Irrigation Co.

I immediately filled out the notice in duplicate, and returned it you you, with suggestion that the notice be published in the Inland Empire, a weekly newspaper, published at Malta, Idaho.

Mr. Powers has just dropped in, and says that he has not seen the notice yet appearing in that paper; and I am writing to ascertain if is possible that in the crush of summer work in your office, the publication could have been overlooked.

Very truly yours,

T. Bailey Lee



4953

May 8th, 1918.

Re Permit 4953- Sublette Creek Irr.Co.

T. Bailey Lee, Attorney,
Burley, Idaho.

Dear Sir:--

Am in receipt of yours of the 4th inst., enclosing notices for final proof under above permit. One copy of the notice will be mailed to the Inland Empire, at Malta, for the required four weeks publication prior to July 20th and deposition blanks will be mailed to Mr. Frank Riblett, at Malta.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

T. BAILEY LEE
LAWYER
BURLEY, IDAHO

May 4th 1918

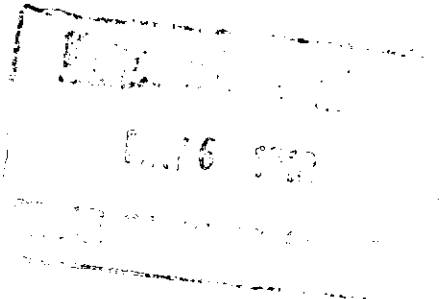
State of Idaho Engineer.,
Boise, Idaho

Dear Sir :-

Mr. Chas. H. Powers, President of the Sublette
Creek Irrigation Company, has requested me to fill out
the enclosed duplicate notices, and sign the application
for publication herewith enclosed.

Very truly yours,

T. Bailey Lee



4953

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Burley, Idaho., May 4th 1918

(P. O.) Burley Idaho

**To the State Engineer,
Boise, Idaho.**

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Inland Empire _____, **of** _____ **Malta** _____, **published in the**
county in which the works are situated.

Chas H. Powers, Pres. Sublette ~~xxx~~
Creek Irrigation Co.

By James Lee
Its Attorney in fact and law

(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.

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 20th day of July, 1918,
 at Malta, County of Cassia, State of Idaho,
 before Frank Riblett, U.S. Commissioner and Notary Public, proof will be submitted
 of the application to beneficial use of 35.2 cubic feet per second of the
 waters of Sublette Creek in accordance with the terms and conditions of
 Permit No. 4953 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
Sublette Creek Irrigation Co., (a corporation) Sublett, Idaho.
2. The use to which said water has been applied is Irrigation and domestic use, mainly
irrigation.
3. The amount applied to beneficial use is 35.2 cubic feet per second
4. The place where said water is used (if for irrigation, give full and accurate description of the lands
 irrigated) SE $\frac{1}{4}$ of Sec. 33, Tp. 12, S. R. 28, E. NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of Sec. 3, S $\frac{1}{2}$ SW $\frac{1}{4}$
Sec. 2, N $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of Sec. 11, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Sec. 12,
all in Tp. 13, S. R. 28 E. B. M., and S $\frac{1}{2}$ of Sec. 7, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8, and
NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9: all in Tp. 13, S. R. 29 E. B. M., containing 1760 acres

5. The name of the canal or ditch or other works by which said water is conducted to such place of use
 is Sublette Creek Irrigation Company System
6. The right to take water from such works is based upon Permit No. 4953
7. The source of supply from which such water is diverted is Sublette Creek
8. The date of the priority which said user is prepared to establish is May 21 1909

Fred A. Wilkie,

State Engineer.

4953

8 - D

August 3, 1914.

Permit ~~4953~~ 3

Chas. H. Powers, Pres.,
Sublette Creek Irr. Co.,
Sublette, Idaho.

Sir:

Am enclosing herewith certificate of completion
of works issued under above permit.

Very truly yours,

F. P. KING,

State Engineer.

CCW

By _____

July 23, 1914.

Permit 4953. -

Charles H. Powers, President
Sublett Creek Irrigation Co.,
Sublett, Idaho.

Sir:

Am just in receipt of a letter from Mr. Riblett enclosing depositions for proof of completion of works under above permit, together with check for fees in the sum of \$12.50. As the fees amount to only \$7.50, I am returning herewith the balance of \$5.00, together with receipt for \$7.50.

The certificate of completion of works will be mailed to you soon.

Very truly yours,

F. P. KING,

State Engineer.

R6651-\$5bill

By _____

4953

7, 22
Malta, Cassia County, Idaho

July 18th. 1914.

Hon. F. P. King

State Engineer

Boise,---- Idaho.

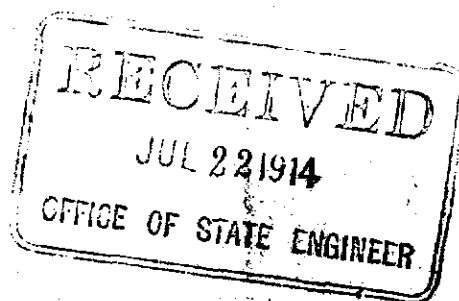
Dear Sir :

Enclosed find proof completion of Works Sublett Creek Irrigation Company . Could not figure just what fees were required so send the larger amount we were figuring but if too much, surplus can be returned to Charles H. Powers by Sublett, Cassia County, Idaho.

Respectfully Yours,

Frank Riblett

Notary Public.



4953

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 4953

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. John Mortenson, age 51 years, residence and post-office address Sublett, Cassia County, Idaho, farmer.

Ques. 2. Are you acquainted with Charles H. Powers, President., the holder of Permit No. 4953, authorizing the diversion of 35.2 second-feet of the waters of Sublett Creek, Cassia County, Idaho, at Sublett, Idaho for irrigation and domestic purposes? How long have you known him, and where does he reside?

Ans. About 16 years -- Sublett, Cassia County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 4953, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes.

About one and one half acre feet for the season to the acre.

It is a clay, sage brush loam formerly covered with a heavy growth of sage brush.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans.

Dam, lower slope 2 to 1, -- upper slope 3 to 1, -- Crown width 20 feet, --- riprapped on upper side with 6 inches of gravel covered with hand laid rock ~~one foot thick~~, height 40 feet, constructed of earth with concrete core, outlet consists of 36 inch reinforced concrete pipe of ample strength, the controlling works consist of concrete well and double gates and lifting devices, the reservoir above this dam has a capacity of 2592 acre feet. The canals or ditches (three in number) are about 6 feet wide on the ~~base~~ bottom, twelve feet wide on the top and three feet in depth with a heavy ~~grade~~ grade and each having a capacity of at least 20 second feet. The dams at the points of diversion from the said Sublett Creek are not notable ~~xxx~~ being in short a kind of flume crossing the creek with flash boards being easily controlled.

The stored and other waters are turned out of the reservoir which is in the channel of the said creek and allowed to run down to the points of diversion below in the channel of the said creek when they are turned out as desired.

The total cost of the said works being the cost of construction and engineering was about \$22,000.00 (exclusive of the cost of the site and other expenses which would run the grand total so far to approximately \$25,000.00)

4953

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 4953

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. John Mortenson, age 51 years, residence and post-office
address, Sublett, Cassia County, Idaho, farmer.

Ques. 2. Are you acquainted with Charles H. Powers, President, the
holder of Permit No. 4953, authorizing the diversion of 35.2 second-feet of the waters of
Sublett Creek, Cassia County, Idaho, at Sublett, Idaho
for irrigation and domestic purposes? How long have you known him, and where does he reside?

Ans. About 16 years -- Sublett, Cassia County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 4953, and are you familiar with its
terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated
under said permit? If so, describe same, state its character, and give your estimate of the amount of water
required for its profitable cultivation.

The amount of lands for which said water is available is 1760 acres, particularly described as follows: SE $\frac{1}{4}$ Sec. 33, Tp. 12 S. R. 28 E. B. M. E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 3, S $\frac{1}{2}$ SW $\frac{1}{4}$

(Sign here.)

John Mortenson

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, at my office in Matta, County

of Cassia, State of Idaho, on this 18th day of

July A. D. 1914

4953

Frank Riblett
Notary Public

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Charles H. Powers, age 42 years, residence and post-office address - Sublett, Cassia County, Idaho, occupation - farmer.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Sublett Creek Irrigation Company, - Sublett, Cassia County, Idaho.
President -- Authorized by vote of the Board of Directors of said
Company.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. No. 4953 -- date July 20, 1909-- 35 2/10 cubic feet per second
Sublett Creek, Cassia County, Idaho. - From cor. 5 sections 8th & 9th, 16th & 17th T. 13S. R. 29E. 13th W. - from a point of divergence between N. 30° 15' - 24° 31' but distant and W 85° 00' N. E. Cor. of -
S. 13th W. 138. R. 29E. 13th W. the lower point of divergence about 8 1/2 500 feet distant -
Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation and domestic purposes

6. The amount of lands for which said water is available is 1760 acres, particularly described as follows:—SE¹/₄ Sec. 33, Tp. 12 S. R. 28 E. B. M., SE¹/₄ NW¹/₄, S¹/₂ NE¹/₄ & SE¹/₄ S. c. 3, S¹/₂ SW¹/₄ Sec. 2, N¹/₂ NW¹/₄ & NE¹/₄ Sec. 11, W¹/₂ NW¹/₄, SE¹/₄ SW¹/₄ & NE¹/₄ SW¹/₄ & SE¹/₄ Sec. 12, Tp. 13 S. R. 28 E. B. M., S¹/₂ S. c. 7 SW¹/₄, N¹/₂ SE¹/₄, SW¹/₄ SE¹/₄ Sec. 8, and NW¹/₄ SW¹/₄ Sec. 9, Tp. 13 S. R. 29 E. B. M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes -- A limited amount was turned in to the ditches in 1913 and commencing about May 20, 1914 to date water has been running in the said ditches and will continue running in the said ditches to the end of this irrigation season to an average amount of 25 cubic feet per second.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes .

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Dam, lower slope 2 to 1,-- upper slope 3 to 1,-- Crown width 20 feet,----
 riprapped on upper side with 6 inches of gravel covered with hand laid rock
 one foot thick, height 40 feet, constructed of earth with concrete ~~core~~
 core, outlet consists of 36 inch reinforced concrete pipe of ample strength
 the controlling works consist of concrete well and double gates and lifting
 devices, the reservoir above this dam has a capacity of 2592 acre feet

The canals or ditches (three in number) are about 6 feet wide on the bottom, twelve feet wide on the top and three feet in depth with a heavy grade and each having a capacity of at least 20 second feet

The dams at the points of diversion from the said Sublett Creek are not notable ~~dams~~ being in short a kind of flume crossing the creek with flash boards being easily controlled.

The stored and other waters are turned out of the reservoir which is in the channel of the said creek and allowed to run down to the points of diversion below in the channel of the said creek when they are turned out as desired.

The total cost of the said works being the cost of construction and engineering was about \$22,000.00 (exclusive of the cost of the site and other expenses which would run the grand total so far to approximately \$25,000.00)

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Charles H. Powers, age 42 years, residence and post-office address - Sublett, Cassia County, Idaho, occupation - farmer.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Sublett Creek Irrigation Company, - Sublett, Cassia County, Idaho.
President -- Authorized by vote of the Board of Directors of said Company.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. No. 4953 -- date July 20, 1909 -- 35 2/10 cubic feet per second
Sublett Creek, Cassia County, Idaho. - From cor. to sections 8, 9, 16, 17, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 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622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 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2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156,

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 4953

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. John T. Burke, age 39 years residence and post-office address Sublett, Cassia County, Idaho, occupation Civil Engineer

Ques. 2. Are you acquainted with Charles H. Powers, President, the holder of Permit No. 4953, authorizing the diversion of 35.2 second-feet of the waters of Sublett Creek, Cassia County, Idaho, at Sublett, Idaho

for irrigation and domestic purposes? How long have you known him, and where does he reside?

Ans. Yes, About 11 years -- Sublett, Cassia County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 4953, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes

The soil is a clay, sage brush loam formerly covered with a dense growth of sage brush requiring from one acre foot ~~xxx~~ to the acre for grain and cultivated crops to a maximum of two acre feet to the acre for alfalfa.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans.

Dam, lower slope 2 to 1, -- upper slope 3 to 1, -- Crown width 20 feet, rippapped on upper side with 6 inches of gravel covered with hand laid rock ~~xxx~~ one foot thick, height 40 feet, constructed of earth with concrete ~~xxx~~ core, outlet consists of 36 inch reinforced concrete pipe of ample strength the controlling works consist of concrete well and double gates and lifting devices, the reservoir above this dam has a capacity of 2592 acre feet

The canals or ditches (three in number) are about 6 feet wide on the ~~xxx~~ bottom, twelve feet wide on the top and three feet in depth with a heavy ~~xxx~~ grade and each having a capacity of at least 20 second feet

The dams at the points of diversion from the said Sublett Creek are not notable ~~xxx~~ being in short a kind of flume crossing the creek with flash boards being easily controlled.

The stored and other waters are turned out of the reservoir which is in the channel of the said creek and allowed to run down to the points of diversion below in the channel of the said creek when they are turned out as desired.

The total cost of the said works, being the cost of construction and engineering, was about \$22,000.00 (exclusive of the cost of the site and other expenses which would run the grand total so far to approximately \$25,000.00)

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 4953

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. John T. Burke, age 39 years residence and post-office address Sublett, Cassia County, Idaho, occupation Civil Engineer

Ques. 2. Are you acquainted with Charles H. Powers, President, the holder of Permit No. 4953, authorizing the diversion of 35.2 second-feet of the waters of Sublett Creek, Cassia County, Idaho, at Sublett, Idaho for irrigation & domestic purposes? How long have you known him, and where does he reside?

Ans. Yes, About 11 years -- Sublett, Cassia County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 4953, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable use.

(Sign here.)

John T. Burke

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, at my office in Mallett, County of Cassia, State of Idaho, on this 18th day of July A. D. 1914.

Frank Riblett
Notary Public
4956

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF CASSIA. } SS

I, S. D. PARKE, do solemnly swear that I am
the publisher of the BURLEY BULLETIN, a weekly newspaper of general circula-
tion, published once each week at BURLEY, IDAHO; that the notice at-
tached hereto and which is a part of this affidavit and 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 26 th day of June, 1914, and the last publication having
been made on the 17th day of July, 1914; that the said notice was pub-
lished 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 and not in a supplement.

Subscribed and sworn to before me this 18th day of July, 1914.

S. D. Parke
Charles A. Johnson
Notary Public
My Commission Expires October 25, 1915.

NOTICE FOR PUBLICATION

Notice is hereby given that at ten o'clock a. m. on the 18th day of July, 1914, at Malta, County of Cassia, State of Idaho, before Frank Riblett, Notary Public, proof will be submitted of the completion of works for the diversion of 25 cubic feet per second of the waters of Sublett Creek, Cassia county, Idaho, in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Sublett Creek Irrigation Company.

2. The postoffice address of such person or principal place of business of such corporation is Sublett, County of Cassia, State of Idaho.

3. The number of such permit is 4953, and the date set for the completion of such work is July 20, 1914.

4. Said water to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 25 cubic feet per second.

6. The amount of lands for which said water is available is 1760 acres, particularly described as follows: SE $\frac{1}{4}$ Sec. 23, Tp. 12 S. R. 28 E. B. M. E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 3, S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 2, N $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ Sec. 11, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Sec. 12, Tp. 13 S. R. 28 E. B. M. S $\frac{1}{2}$ Sec. 7 SW $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9, Tp. 13 S. R. 28 E. B. M.

F. P. KING, State Engineer.

I, the undersigned, Register of the United States Land Office at Hailey, Idaho, do hereby certify that a notice, a printed copy of which is hereunto annexed, was by me posted in a conspicuous place in my office for a period of thirty days, I having posted said notice on the day of, 190

Register.

RECEIVED

JUL 20 1914

OFFICE OF STATE ENGINEER

4953

REPORT OF ENGINEER

1. State name of applicant and number of permit: Sublette Creek Irr. Co.-Permit 4953
2. State source of water supply: Sublette Creek
3. Location of point of diversion: Main diversion point bears N. 30°15' E. 2431 ft. from the corner to Secs. 8 & 9, 16 & 17, T.15 S., R. 29 EBM.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:

Yes

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 4" 3 canals or main laterals
- (b) Width at water line: 7'
- (c) Depth of water: 2'
- (d) Grade per mile: 20'
- (e) Capacity of ditch: Capacity of 3 canals 35.2 second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent: Yes

To full extent

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each

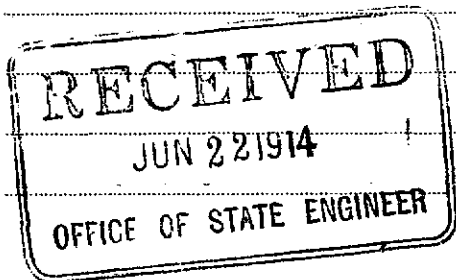
forty acre tract: SE 1/4 S 33 T 12 S, R 28 E, E 1/2 NW 1/4 S 1/2 NW 1/4 & SE 1/4 S 3

S 1/2 SW 1/4 S 2, N 1/2 NW 1/4 & NE 1/4 S 11, W 1/2 NW, SE 1/4 NW 1/4, NE 1/4 SW 1/4 & SE S 12
T 13 S, R 28 E, S 1/2 S 7, the SW 1/4 & N 1/2 SE 1/4, SW 1/4 SE 1/4 S 8, NW 1/4 SW 1/4
S 9, T 13 S R 29 E

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: For plans and specifications of dam see

Sublet Cr Irr Co Dam, Sublet Cr Cassia Co, Dam
File



J. M. Burkett
June 7, 14

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.

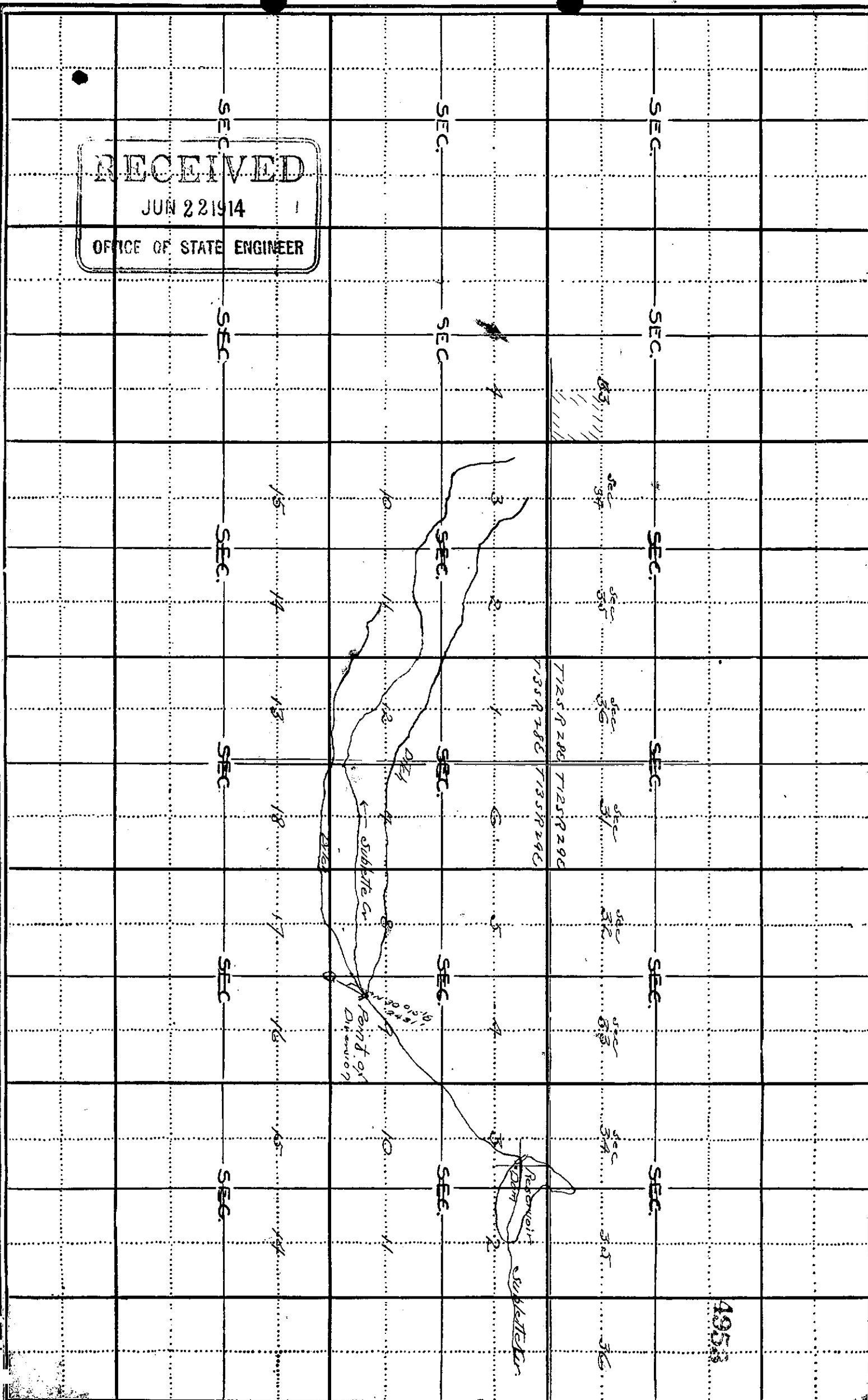
Subscribed and sworn to before me this _____ day of _____ 191_____

My Commission Expires _____

Notary Public.

4953

RECEIVED
JUN 22 1914
OFFICE OF STATE ENGINEER



State of Idaho

A. E. ROBINSON
STATE ENGINEER

ENGINEERING DEPARTMENT BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Chas. H. Powers,
Pres. Sublette Irr. Co.,
Sublette, Idaho.

Boise, Idaho, June 20, 1914.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under your permit No. 4953.

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 your rights:

1. On July 18th, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Malta, before Frank Riblett, N.P.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$5.00, where amount claimed does not exceed 10 second feet. Where more than 10 second feet is claimed, the fee required is 30 cents per second foot. When these have been received, together with report of the examining engineer, if everything is properly executed, Certificate of Completion of Works will issue.

Yours truly,

F. P. KING, ~~XXXXXX~~ A. E. ROBINSON,
State Engineer.

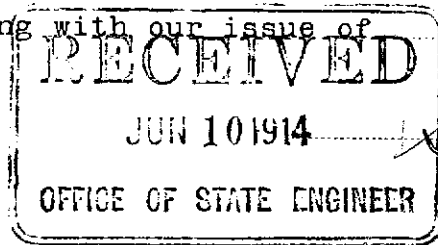
(P. O.) rley, Idaho

(Date) June 8, 1914

State Engineer, Boise.

Dear Sir:

I have your letter of June 3 enclosing Notice of Proof
of Completion of Works under Permit No. 4953 which will be published
as you request, beginning with our issue of June 12



L. D. Parke

4953

May 13, 1914.

Re examination
Permit 4953

Mr. J. M. Burkett,
c/o V. Bonney,
Burley, Idaho.

Sir:

We are just in receipt of notice of proof of completion of works of the Sublette Creek Irrigation Company, by Chas. H. Powers, President, of Sublette, and am enclosing you herewith report blank.

This proof is for completion of works for the diversion of 25 second feet of the waters of Sublette Creek, Cassia County. The lands are in T. 13 S., R. 28-29 EBM.

Very truly yours,

F. P. KING,

State Engineer.

RF

By _____

Malta, Cassia County, Idaho.

May 10th. 1914.

Hon. F. P. King

State Engineer

Boise, Idaho.

Dear Sir:

Enclosed find Notices for publication all filled out except Number of acres and the particular description of the lands to be irrigated.

Mr. Powers did not bring his permit down and the space on the notice seems limited for a complete description of the lands, hardly half enough. He thought perhaps you could have written in what should be necessary and charge to the Sublette Creek Irrigation Company with the rest of the fees, which they will remit to you as soon as you inform them as to the amount.

Not having the permit could not give the number of acres. He says-- that the number of acres and the description of the lands (Government subdivisions and all that is necessary) are the same as those given in the body of the permit.

Respectfully Yours,

RECEIVED

MAY 13 1914

OFFICE OF STATE ENGINEER

Frank Riblett
Notary Public.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 9th, 1914.

(P. O.) Sublette, Cassia County, Idaho.

To the State Engineer,
Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Burley Bulletin, of Burley, Cassia Co. Idaho published in the
county in which the works are situated.

Charles H. Powers
President, Sublette Creek Irrigation
Company.

(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.

Notice of Publication

Notice is hereby given that at 10 A. M., on the 18th day of July 1914, at Malta County of Cassia, State of Idaho, before Frank Riblett, Notary Public proof will be submitted of the completion of works for the diversion of 25 cubic feet per second of the waters of Sublette Creek, Cassia County, Idaho in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Sublette Creek Irrigation Company
2. The postoffice address of such person or principal place of business of such corporation is Sublette, County of Cassia, State of Idaho.
3. The number of such Permit is 4953, and the date set for the completion of such work is July 20 1914
4. Said water to be used for Irrigation and Domestic purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 25 cubic feet per second.

6. The amount of lands for which said water is available is 1760 acres, particularly described as follows: SE $\frac{1}{4}$ Sec. 33, Tp. 12 SR 28 EBM, E $\frac{1}{2}$ NW $\frac{1}{4}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 3, S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 2, N $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ Sec. 11, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Sec. 12, Tp. 13 S. R. 28 EBM, S $\frac{1}{2}$ Sec. 7, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 8, and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9, Tp. 13 S. R. 29 E. B. M.

RECEIVED

MAY 13 1914

OFFICE OF STATE ENGINEER

F. P. KING, State Engineer.

4953

Boise, Idaho, May 12, 1914.

Permit 4953.

Mr. Chas. H. Powers, President,
Sublet Irrigation Company,
Malta, Idaho.

Sir:--

Replying to yours of the second inst., in the above, would say that if additional waters are desired it will be necessary to file another application and take out a new permit. Furthermore, plans and specifications of all dams exceeding 10 feet in height must be filed with the State Engineer before commencement of work.

Very truly yours,

F. P. KING,

State Engineer.

By _____

Enc. FFR. 9163.

W/G.

4953

4953

Malta, Cassia County, Idaho

May 2d. 1914.--

Hon. F. P. King

State Engineer

Boise, Idaho.

Dear Sir:

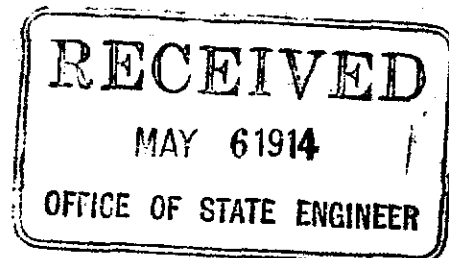
Will you please send us some blanks to make our proof of Completion of Works on the Sublette Creek Irrigation System under Permit No.----- 4943. We have in some inconceivable way lost ~~xx~~ those you sent us-- before and would appreciate very much your kindness in ^{sending} them again.

Also would you give us some instructions as to how to proceed to get another permit to raise the dam and to enlarge the capacity of these -- works. Will we have to have some more engineering done and file additional plats and plans ?

Respectfully Yours,

Chas. H. Powers.

President of The Sublette Creek
Irrigation Company.



4953

State of Idaho
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Sublet Creek Irr. Co.

Charles H. Powers,
Sublette, Idaho.

Boise Idaho, April 1, 1914.

Dear Sir:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 4953.

This form should be filled out and mailed to the State Engineer at least 60 days before the date upon which it is to be submitted, which proof MUST be made on or before July 20, 1914.

Upon receipt of this blank properly filled out, notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a Notary Public or other officer authorized to administer oaths.

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,

F. P. KING,

State Engineer

Boise, Idaho, October 29, 1909.

Permit 4953.
Submet Creek Irrigation Company.

Louis A. Bauman, Lawyer,
Albion, Idaho.

Sir:--

Replying to yours of the 27th inst. in the
above would say that the bond~~in~~ question
was duly approved on the 29th of September,
last.

Very truly yours,

State Engineer.

By _____

W/G.

4953

Louis A. Bauman
Attorney-at-Law
Albion, Idaho

Oct 27/09

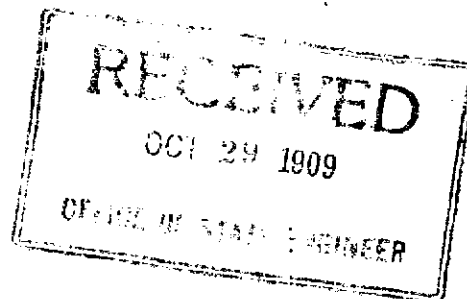
Mr. Stephen C. Coy
Boise,

In Re Public Creek L. Co.

Dear Sir:- I am in receipt of your
letter acknowledging receipt of bond
in above matter. Kindly let me
know if same has been approved,
so I can report accordingly to my client.

Very truly yours,
Louis A. Bauman

G 4953
20th 29



4953

Boise, Idaho, September 18, 1909.

Permit 4953.
Sublet Creek Irrigation Co.

Louis A. Bauman,
Albion, Idaho.

Sir:--

In checking over bond in the above we discovered that you have ~~undated~~ error in inserting the number of this application instead of the permit number. The number of the application is 6714 ~~but~~ the number of the permit based upon the application is 4953. The bond should be corrected as to this point.

Very truly yours,

State Engineer.

By _____

Enc. Bond.

W/G.

4953

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

NOTE

That in order to keep this permit in force a bond in the sum of \$ 1,000 must be filed in the office of the State Engineer on or before September 19, 1909 conditioned upon faithfully carrying to completion the works of diversion as specified in said permit and in the application therefor.

JAS. STEPHENSON, JR.,

State Engineer.

4953

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.
STATE ENGINEER

Permit No. 4958
Frank Riblett,
Albion, Idaho

Boise, Idaho, August 7, 1909

Dear Sir:

I enclose herewith above numbered permit. Be sure to note limitations and conditions of same as given under approval of State Engineer on the third page.

JAS. STEPHENSON, Jr.,
State Engineer.

4953

B O N D .

KNOW ALL MEN BY THESE PRESENTS: That THE SUBLETT CREEK IRRIGATION COMPANY, a Corporation duly organized under the laws of Idaho, with its principal office at Sublett, Cassia County, Idaho, as principal, and the undersigned, Andrew Lumsbury and Joseph Parks, as sureties, are jointly and severally held and firmly bound unto the State of Idaho, in the sum of One Thousand (\$1000.00) Dollars, for the payment of which well and truly to be made, we bind ourselves, our successors, our heirs, executors and administrators, jointly and severally, firmly by these presents. To which we have affixed our hands and seals this 14th day of September, A.D. 1909.

The condition of the above bond is such, that, whereas, the above bound principal, The Sublett Creek Irrigation Company, received Permit Number 4953 from the State Engineer to appropriate the equivalent of a continuous flow of 35.2 cubic feet per second of the public waters of Sublett Creek and tributaries, which said permit was approved by said Engineer on July 20th, 1909, and Whereas, said Engineer has fixed the amount of the bond at One Thousand (\$1000.00) Dollars, as required by Section 3254 of the Revised Codes of Idaho.

NOW, THEREFORE, the condition of this obligation is such that if the said Sublett Irrigation Company shall well and truly and faithfully carry to completion the works of diversion as specified in the above mentioned permit and as required by law, then the above bond shall be void, otherwise to be and remain in full force and effect.

Witnessed by

J. H. Wright
P. W. Nelson

Sublett Creek Irrigation Co
By John A. Bannan
Agent.
Andrew Lumsbury
Joseph Parks

APPROVED

DATE

Sept 29 1909

J. H. Stephenson Jr
STATE ENGINEER.

4953

State of Idaho,) SS.

County of Cassia.)

Andrew Lounsbury and Joseph Parks,
the sureties whose names are subscribed to the above undertaking
being severally duly sworn, each for himself, says that he is a resi-
dent and freeholder in said county and state, and is worth the sum
in the undertaking specified as the penalty thereof, over and above
all his just debts and liabilities, exclusive of property exempt from
execution.

Andrew Lounsbury
Joseph Parks

Subscribed and sworn to before me this 14th day of September, 1909.

Joe J. Huighs
County Recorder

Druid
Insect
Creek
Ingration
Cauldery.

Received and filed for record in the
of the State Engineer at Boise, Idaho.
240 M. SEP 17 1909
Geo. H. H. H. H. H.

Boise, Idaho, September 17, 1909.

4953
Permit 6711.

Sublet Creek Irrigation Co.

Louis A. Bauman,
Albion, Idaho.

Sir:--

We are in receipt of yours of the 15th inst.
in the above enclosing bond thereunder. Same
will be presented to Mr. Stephenson for his
consideration as soon as he returns to Boise,
probably tomorrow.

Very truly yours,

~~Charles H. Harker~~

4953

Louis A. Bauman
Attorney-at-Law
Albion, Idaho

Sept. 15, 1909.

State Engineer,

Boise, Ida.

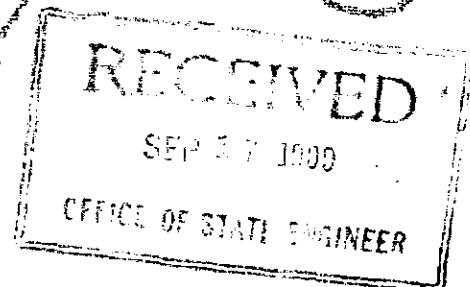
Dear Sir:-

Enclosed you will please find the Bond of the Sublett Irrigation Company. The Company requested me to sign the same as agent, saying that you were satisfied with such signature.

Hoping the same is alright and in due time, I am,
Very truly yours,

Louis A. Bauman

P 6714
4953



4953

04953

Q4953