

330 yds + 1 mi East of W. line of S. 35

Quadrant shown
30 yds long 1/4 S.

T 9 S - R 18 E B.M.

4 mi. To Highway #25

26

25

← P.D.



35

36

← road.

house

← Co. road.

192 yds S. & N. line of

S. 35 & 36

10 acres.

Affidavit of Publication

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

Notice is hereby given that at 10:00 A. M. on the 12th day of May, 1951, at Jerome, County of Jerome, State of Idaho, before J. Shirley, Notary Public, proof will be submitted of the application to beneficial use of 0.3 cubic foot per second of the water of an unnamed stream in accordance with the terms and conditions of Permit No. 19843 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 William MacLeod, Eden, Idaho.

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

The amount applied to beneficial use is 0.3 cubic foot per second.

The place where said water is used SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, Township 9 South, Range 18 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is North Side Canal Co. irrigation system.

The right to take water from such works is based upon Permit No. 19843.

The source of supply from which such water is diversified is an unnamed stream.

The date of priority which said user is prepared to establish is June 5, 1946.

19843 MARK R. KULP,
State Reclamation Engineer.
(Pub. Apr. 19, 26; May 3, 10, '51)

Edna E. Pyne being first duly sworn according to law, says he is the Publisher—Manager of the FIRST SEGREGATION NEWS published weekly at Hazelton, Idaho; that said newspaper is of general circulation and had been published more than seventy-eight consecutive weeks prior to the first publication of attached notice; that notice attached hereto and made a part of this affidavit, was published in said newspaper for 4 consecutive weeks: that the first publication was on the 19 day of April, 1951 and the last publication was on the 10 day of May, 1951, that said notice was published in the entire issue of said newspaper each week during said period of time; that said notice was published in the said newspaper proper, and not in a supplement thereto.

Edna E. Pyne

Subscribed and sworn to before me this 16 day of May, 1951

James J. [Signature]

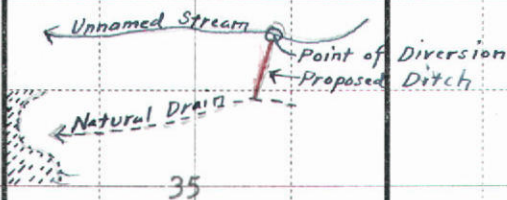
Notary Public in and for the State of Idaho, residing at Hazelton, Idaho.

Pd \$11 $\frac{25}{100}$ for Publishing
above notice by Wm MacLeod.
5-16-51

Edna E. Pyne

19843

T 9 S R 18 E B M
Section 35



Legend
Land to be irrigated [hatched box symbol]

MAP OF PROPOSED DITCH
TO ACCOMPANY APPLICATION FOR PERMIT

Permit Map No: 19843
As Approved
JUN 15 1946
MARK R. KULP
Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 19843

Amount 0.2 second foot

Water District No.

Priority June 5, 1946

THIS IS TO CERTIFY that

WILLIAM MAC LEOD

of Eden, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 5, 1946; that Permit No. 19843 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.3 second feet, was issued thereunder on April 5, 1951, showing that said works were completed on the 4th day of April, 1951; and that on the 12th day of May, 1951,

WILLIAM MAC LEOD

of Eden, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed stream, a tributary of Jerome, for the purpose of irrigation and domestic use, under Use Permit No. 19843 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4826, on the 5th day of October, 1951;

The right hereby confirmed dates from June 5, 1946;

The Point of Diversion is located

in the SE 1/4 SW 1/4, Sec. 25, Tp. 9 S., R. 18 E., B.M. Jerome County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	18 E.	35	SW 1/4 NW 1/4	15	10

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

5th day of October, 1951.

MARK R. KULP

State Reclamation Engineer

(SEAL)

36 2053

36-2053

No. 19843

APPLICATION FOR PERMIT To Appropriate the Public Waters of the State of Idaho

Application No. 27388
Permit No. 19843
District No.

1. Name of Applicant: WILLIAM MacLEOD

Postoffice address: Eden

County: Jerome

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 0.3

cubic feet per second.

3. Source of water supply: An unnamed stream

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B. M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 35 , T. 9 S. , R. 18 E. , B. M., County of Jerome

5. Water is to be used for Irrigation and domestic uses

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

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

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

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

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

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

7. Estimated cost of works: \$ 200.00

8. Kind of works: Earth dam and ditch

9. Height of dam 3 feet; length of dam at top 18 feet; length of dam at bottom 3
feet; material used in dam: Earth

10. Size of headgate: Width 2 feet; height 2 feet;

11. Ditch: Width at bottom 1 feet; width at water line 2 feet; depth of water 1 feet;
dimensions of flume:

Diameter of pipe inches; length of conduit 800 ft. miles.

Average grade per mile 14 feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Six (6) additional years.

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

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

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

WILLIAM MacLEOD

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. June 5, 1946

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19843

Recorded in Book 71 Page 19843 Approved June 15, 1946

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before August 15, 1946

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 15, 1948

The whole of said work to be completed on or before June 15, 1951

Beneficial use of water appropriated in accordance herewith, to be made on or before June 15, 1957

Witness my hand this 15th day of June, 1946

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ARNOLD WILLIAMS, Governor of the State of Idaho,

and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 15th

day of June, 1946

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS

By ARNOLD WILLIAMS

Governor

Remarks: Water is to be diverted from unnamed stream which is a natural drain. Due to sink holes in the course of this natural drain, the stream is not tributary to any other stream. Water will be taken by open ditch 800 feet to another natural drain which will convey it to the lands to be irrigated, which are arid in character and are located in the Southwest quarter of the 14. Northwest quarter of Section 35, Twp. 9 S., Range 18 E., B.M.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 S.	18 E.	35					15												15
14-A:			Existing water rights and/or valid permits appurtenant to the lands to be irrigated are..None																
			Permit No. 19843 CERTIFICATE OF COMPLETION OF WORKS																
TO ALL WHOM IT MAY CONCERN:																			
			This is to certify that WILLIAM MacLEOD of Eden, County of Jerome, and State of Idaho, the holder of Permit No. 19843, issued upon Application No. 27388 bearing date of priority of June 5, 1946, authorizing the diversion of 0.3 second foot of the waters of an unnamed stream, County of Jerome, 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 of completion of the works of diversion set out and described in said Permit; that said works are adequate for d and conveying to the place of intended use 0.3 second foot of the waters of said unnamed stream; that the point sion of said waters is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, Township 9 South, Range 18 East, B.M. and that the lands propo be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, Township 9 South, R East, B.M.																
			Witness my hand this 5th day of April, A. D. 1951.																
			MARK R. KULP State Reclamation Engineer																
Proof of Completion of Works made April 4, 1951. Certificate of Completion of Works issued April 5, 1951.																			
			LICENSE ISSUED FOR <u>0.2</u> SEC. FT. ~~0.3~~ 4826																

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 19843

Comes now William MacLeod and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 19843;

That the point of diversion is described in said Permit as being located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, Twp. 9 South, Range 18 East, B.M.

That he now requests that the point of diversion be changed to a point located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, Twp. 9 South Range 18 East, B.M.

That his reasons for desiring to make such change are as follows: An error was made in the location as given in the original application and permit.

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

Signed at Eden this 3rd day of October, 1951.

WILLIAM MacLEOD

Date of receipt at Department of Reclamation Oct. 5, 1951

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 19843. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

This
Right has been
Decreed in the
SRBA.

August 31, 1956

Re: Permit No. 19843

Stephan, Stephan and Heap
Attorneys at Law
Twin Falls Bank and Trust Co. Building
Twin Falls, Idaho

ATTENTION: Mr. Robert W. Stephan

Dear Mr. Stephan:

We acknowledge receipt of your letter of August 30, 1956, with the check in the amount of \$5.00 enclosed, to cover costs of the copies in connection with the above captioned Permit, sent you as of August 28, 1956.

We enclose our departmental receipt No. 28132 in the sum of \$5.00 for same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

ROY W. THOMPSON
Office Manager

RWT:er
Enc.

19843

FRANK L. STEPHAN (1886-1952)
ROBERT W. STEPHAN
EDWARD H. HEAP

STEPHAN, STEPHAN AND HEAP
ATTORNEYS AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO

45-7000-512
RECEIVED
AUG 31 1956
Department of Reclamation

August 30, 1956

DEPARTMENT OF RECLAMATION
State Capitol Building
Boise, Idaho

Gentlemen:

Att: Mr. Roy W. Thompson
Office Manager
Re: Permit No. 19843

Thank you for your letter of August 28, 1956, in which you enclosed copies of Proof of Completion of Works, etc. with regard to the above numbered Permit. I am enclosing herewith check in the amount of \$5.00 to cover cost of such copies.

Thank you very much for your courtesies in this regard.

Very truly yours,

STEPHAN, STEPHAN AND HEAP

By

Robert W. Stephan
Robert W. Stephan

RWS:edb

Encl. 1

19843

August 28, 1956

RE: Permit No. 19843

Stephan, Stephan and Heap
Attorneys at Law
Twin Falls Bank and Trust Co. Building
Twin Falls, Idaho

ATT: Mr. Robert W. Stephan

Gentlemen:

In reply to your request of August 21, 1956, we are enclosing herewith various copies of documents from the file in connection with Permit No. 19843, filed in this Department as follows:-

- Copy - proof of Completion of Works
- " - proof of Application to Beneficial Use
- " - Engineers Report

Copies of letters attached thereto were inadvertently copied, therefore we are enclosing same without charge, thinking they may be of some value to you.

We are enclosing with the prints a Certification that said photo copies are the copies taken from the files in this Department in connection with Permit No. 19843.

Enclosed photo copies have been prepared for you at a cost of \$5.00, which same you may remit.

Hoping that said copies will meet your requirements, otherwise write us again.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:vm
Enc.

19843

STEPHAN, STEPHAN AND HEAP

ATTORNEYS AT LAW

TWIN FALLS BANK AND TRUST CO. BUILDING

TWIN FALLS, IDAHO

August 21, 1956

FRANK L. STEPHAN (1886-1952)
ROBERT W. STEPHAN
EDWARD H. HEAP

RECEIVED
AUG 22 1956
Department of Reclamation

DEPARTMENT OF RECLAMATION
State Capitol Building
Boise, Idaho

Att: Mr. Roy W. Thompson
Supervisor of Water Distribution

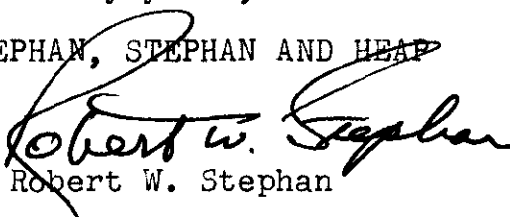
Dear Mr. Thompson:

Thank you for your letter of August 20th in regard to License No. 19843. I believe you are correct in regard to the acceptability of a certified copy of the proofs and Engineers Reports so I would appreciate it if you would have your office prepare the same and send them to me and please advise me what the charge is and I will be happy to mail the same to you immediately. Thank you very much for your cooperation in this matter.

Sincerely yours,

STEPHAN, STEPHAN AND HEAP

By


Robert W. Stephan

RWS:edb

19843

August 20, 1956

RE: License No. 19843

Messrs. Stephan, Stephan & Heap
Attorneys At Law
Twin Falls Bank & Trust Co. Bldg.
Twin Falls, Idaho

ATTENTION: Mr. Robert W. Stephan

Dear Mr. Stephan:

Acknowledging your letter of August 17, 1956, in reference to the above stated Permit to which License has been issued by the State Department of Reclamation for 0.8 cubic foot per second and made appurtenant to the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, Township 9 South, Range 18 East, B. M.

In reference to your inquiry we will state that the filings in this Department disclose sworn forms from the Holder and each of two Witnesses to the effect that certain work was completed according to the terms of the Permit also that Mr. E. N. Humphrey, Deputy State Reclamation Engineer, has filed an Engineers Report stating somewhat in detail a completion of the works in connection with said Permit and the amount of water applied to Beneficial Use and the number of acres irrigated within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, Township 9 South, Range 18 East.

In answer, to what would be the most convenient way for you to obtain this information out of this Office, the writer is somewhat reluctant to answer said question although the writer believes that a certified copy of the proofs and Engineers Reports should suffice as evidence of work completed and water put to Beneficial Use.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

Treu

19843

STEPHAN, STEPHAN AND HEAP

FRANK L. STEPHAN (1886-1952)
ROBERT W. STEPHAN
EDWARD H. HEAP

ATTORNEYS AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO

RECEIVED
AUG 20 1956
Department of Reclamation

August 17, 1956

MR. MARK R. KULP
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Mr. Kulp:

On August 5, 1951, your office issued Water License No. 19843 with a priority June 5, 1946, to appropriate 0.2 cubic feet per second of water out of an unnamed stream, and use it on the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, Township 9 South, Range 18 E.B.M., Jerome County, Idaho.

There has arisen an argument between users of water out of this unnamed stream and it becomes important to show whether or not there was any water on this forty acre tract sometime after 1946. Could you please advise me what your records show in regard to whether or not an examination of the above described land was made, the works constructed by Mr. MacLeod, and the date of said examination and the extent of the flow of water.

I represent William MacLeod and if the information you give me shows what I hope it does, in case this matter comes to a trial, what would be the most convenient way for me to obtain this information out of your office - a deposition, use of interrogatories, or have someone testify out of your office in Court at Jerome?

Sincerely yours,

STEPHAN, STEPHAN AND HEAP

By *Robert W. Stephan*
Robert W. Stephan

RWS:bh

19843

✓
October 9, 1951

RE: Permit No. 19843

Mr. William MacLeod
Eden
Idaho

Dear Mr. MacLeod:

We return your application for amendment to the point of diversion as described in Permit No. 19843, which has been approved by the State Reclamation Engineer, and duly recorded.

We also enclose license and certificate of water right issued under this permit, confirming your right to the use of 0.2 of a second foot of water from an unnamed stream, with priority of June 5, 1946, for irrigation and domestic use on the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, Township 9 South, Range 18 East, B.M.

We also enclose departmental receipt No. 23810 for the \$2.00 fee in connection with these proofs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

19843

✓
October 1, 1951

RE: Permit No. 19843

Mr. William MacLeod
Eden
Idaho

Dear Mr. MacLeod:

We are in receipt of the \$2.00 fee in connection with proof of beneficial use on Permit No. 19843.

However, in rechecking the engineer's report, we find that the correct point of diversion is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, Township 9 South, Range 18 East, B.M., instead of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35 as described in the permit.

Before license can be issued, it will be necessary to amend the permit to show the correct point of diversion, and we enclose a form of application for amendment herewith. This should be signed and returned promptly to this department, for approval and record.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fs
Enc.

19843



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

September 22, 1951

RE: Permit No. 19843

Mr. William MacLeod
Eden
Idaho

Dear Mr. MacLeod:

We now have the report of our field engineer on examination for beneficial use under Permit No. 19843.

This report shows that you have irrigated 10 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, Township 9 South, Range 18 East, B.M.

Therefore, upon the receipt of the statutory fee of \$2.00, a license will be issued for 0.2 of a second foot, or 10 inches of water from an unnamed stream with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, Township 9 South, Range 18 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By *Jeannie L. Anderson*
Chief Clerk

A:fg

RECEIVED
SEP 27 1951
Department of Reclamation

*I am enclosing M.O. for
\$2.00 in payment for License
for use of water*

William MacLeod
19843

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19843

REPORT ON PROOF OF Beneficial use

WILLIAM MAC LEOD, Eden, Idaho

.2 cfs
max

app. 0.3 c.f.s.

10 acres.

320 ft. 1/2 mile East of W. 1/2 Sec 25

T 9S - R 18E BM.

4 mi. To Highway #25

26

25

PD

10

35

36

road.

house

Co. road.

10 Acres

1/2 Sec 25

1/2 Sec 25

10 Acres

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

Permit No. 19843This proof is for Beneficial use

In Water District No. _____

1. Name of applicant William MacLeod, Eden, Idaho
2. Source of water supply: An unnamed stream
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35
T. 9 S. R. 18 E. County of Jerome
4. Describe works as they exist, giving dimensions and capacities of same: There is a small
diversion dam approximately 30 yds. long extending No. and So. and approximately
2 ft. high across a swale in the lavas that carries some waste water from the irrigation
project. Location of point of diversion is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township
9 South Range 18 E.B.M. Water is carried ^{partly} by ditch, but mostly through natural depressions
in the lavas to the point of use.
5. Water is used for: Irrigation and domestic purposes.
6. State whether or not water has been turned into works of diversion: Yes

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

SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, Township 9 South, Range 18 East, B. M.

Approximately 10 acres of ground in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35 has had water
applied to improve the pasture.

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

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

Remarks: The principle reason for this application was to be sure to have water for
livestock running in the pasture. The owner intended to put in a low dam and capture
the waste water for irrigation of pasture. There is a good dam site. A low dam
would impound a considerable volume of water. A low dam was put in and it was dis-
covered that the water sinks in the lava, and can not be impounded at that site.

Has herd of 60 head of Hereford cattle

This examination was made on the 20th day of September, 19 51.(Signed) E. M. Humphrey Examiner.

19843

William MacLeod
Eden, Idaho

Permit No. 19643

Examination for Beneficial use

County Jerome

35-98-18E

$Q = 1.340 \text{ or } 15''$

$d = 2 \text{ in. round } 2 \text{ in. } 15''$

P.D. = NW NE S 35

P. = Spring & Area

Area = 15' a

SW NW - S 35

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
SEP 21 1951

Department of Reclamation

May 18, 1951

Re: Permit No. 19843

Mr. William MacLeod
Eden, Idaho

Dear Mr. MacLeod:

We have received from Mr. J. Shirley, Notary Public, the depositions of yourself and two witnesses, also Affidavit of Publication in the First Segregation News, all submitted in Proof of Beneficial Use under Permit No. 19843.

Before final action is taken in the matter, the law requires that a field examination be made by an Engineer from this Department.

We cannot say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, he will try to contact you at the time the examination is made so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

CC: Mr. J. Shirley.

19843

Affidavit of Publication

NOTICE FOR PUBLICATION NOTICE OF PERMIT APPLICATION OF WATER TO DOMESTIC USE

Notice is hereby given that at 10:00 A. M. on the 15th day of May, 1951, at Jerome, County of Blaine, State of Idaho, before J. S. [illegible], Notary Public, present and acting in the presence of [illegible], one of the owners of said water, of the water of said [illegible] in accordance with the terms and conditions of Permit No. [illegible] issued by the Department of Reclamation of the State of Idaho. The name and position of each of the person or corporation holding said permit are William MacLean, [illegible], [illegible].

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

The amount applied to beneficial use is [illegible] cubic foot per [illegible].

The place where said water is used is [illegible] Section [illegible] Township [illegible] Range [illegible] N. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is North Side Canal Co. Irrigation System.

The right to take water from such works is based upon Permit No. 19843.

The source of supply from which such water is diverted is an unnamed stream.

The date of priority which said user is prepared to establish is June 5, 1944.

19843 MARK R. ELLIS
State Reclamation Engineer.
(Pub. Agr. 19, 20, May 1, 1950)

Edna E. Lyle being first duly sworn according to law, says he is the Publisher—Manager of the FIRST SEGREGATION NEWS published weekly at Hazelton, Idaho; that said newspaper is of general circulation and had been published more than seventy-eight consecutive weeks prior to the first publication of attached notice; that notice attached hereto and made a part of this affidavit, was published in said newspaper for 4 consecutive weeks: that the first publication was on the 19 day of April, 1951 and the last publication was on the 30 day of May, 1951, that said notice was published in the entire issue of said newspaper each week during said period of time; that said notice was published in the said newspaper proper, and not in a supplement thereto.

Edna E. Lyle

Subscribed and sworn to before me this 16 day of May, 1951

James P. [illegible]

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

Pd \$11.25 for Publishing
above notice by Wm MacLean.
5-16-51

Edna E. Lyle
19843

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

MAY 18 1951
Department of Reclamation

Permit No. 19843

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. William MacLeod Farming
Eden, 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. _____

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

Ans. 19843 June 5 - 1946

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

Ans. unnamed stream - waste water North
side Canal Co system

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. in NWNE 35-9-50-18E BM 1. foot of water
no well - diverted by earth fill dam

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. used for irrigation & stock & domestic water
used for pasturage on NWNE 35-9-50-18E BM.
seeded to clover

19843

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

Ans. ✓

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

Ans. 3 ft.

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. ✓

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

Ans. Since 1947 - used as described in question #6

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. At times - water available as exceeded 3 feet

(Sign)

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 _____, County of _____, State of Idaho, on this _____ day of _____, A. D. 19____,

(Signed)

William MacLeod

My commission expires.....

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 Jerome, Jerome County, Idaho on May 12, 1951.

Notary Public

My Commission expires
November 1, 1954

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19843

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. Elmer W. Ehlers 35 years 35 years
Eden, Idaho. farming;

Ques. 2. Are you acquainted with William MacLeod, the holder of Permit No. 19843 yes? How long have you known him and where does he reside?

Ans. 20 yrs. Eden, Idaho

Ques. 3. Have you read or heard read said Permit No. 19843, 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. unnamed stream; Snake River; via North Side
Canal system
earth fill dam in NW 1/4 NE 1/4, Section 35, Township 9-S., Range 18 EBM

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. 1 foot of water; 1 foot

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. no pump

19843

Ques. 7. 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. used for irrigation of pasture; and for stock; on
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, Township 9-S, Range 18 EBM
seeded to clover

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. -----

Ques. 9. (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. rough and rocky
cannot be cultivated profitably; pasturage only

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. none

Ques. 11. 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. water has been diverted since 1947; and land has been
grazed each year - clover seeded

(Signed) Elmer W. Eilers

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 Jerome,
County of Jerome, State of Idaho, on this 12th day of May,
A. D. 19 51.

Shirley
Notary Public.

My commission expires November 1, 1954

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19843

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. Murdo MacLeon, 87 60 yrs.

Eden, Idaho. farming;

Ques. 2. Are you acquainted with William MacLeod, the holder of Permit No. 19843 yes? How long have you known him and where does he reside?

Ans. yes 55 years Eden, Idaho

Ques. 3. Have you read or heard read said Permit No. 19843, 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. unnamed stream; Snake River; via North Side

Canal system

earth fill dam in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, Township 9-S. Range 18 EBM

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. 1 foot of water; 1 foot

3-4

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. no pump

19843

Ques. 7. 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. used for irrigation of pasture; and for stock; on
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, Township 9-S, Range 18 EBM
seeded to clover

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. -----

Ques. 9. (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. rough and rocky
cannot be cultivated profitably; pasturage only

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. none

Ques. 11. 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. water has been diverted since 1947; and land has been
grazed each year - clover seeded

(Signed) Murdo MacLeod

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 Jerome,
County of Jerome, State of Idaho, on this 12th day of May,
A. D. 1951.

Shirley
Notary Public.

My commission expires November 1, 1954

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 23, 1951

(P. O.) Jerome, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
First Segregation News of Hazelton, Idaho published in
the county in which the works are situated.

William MacLeod

(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.

19843

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

Notice is hereby given that at 10:00 A. M. on the 12th day of May, 1951,
at Jerome, County of Jerome, State of Idaho, before
J. Shirley, Notary Public, proof will be submitted of the
application to beneficial use of 0.3 cubic feet per second of the waters of unnamed stream
in accordance with the terms and conditions of Permit No. 19843
heretofore issued by the State Reclamation Engineer of the State of Idaho.

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

William MacLeod, Eden, Idaho

The use to which said water has been applied is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35,
Township 9-S, Range 18 East, B.M. 849

The amount applied to beneficial use is 0.3

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, Township 9-South, Range 18 East, B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is North Side Canal Co. irrigation system

The right to take water from such works is based upon Permit No. 19843

The source of supply from which such water is diverted is Snake River, Idaho, via
canal of North Side Canal Co. Ltd.

The date of priority which said user is prepared to establish is June 5, 1946

State Reclamation Engineer.

19843

Acknowledgements. April 16-1951

This is to acknowledge receipt
of your legal notice dated April 12-51
D^{rs} McKeed, Edin, & Lake,

Thank you
First Degregation News

19843

Edward
Hagelton, Idaho

RECEIVED

APR 19 1951

Department of Reclamation

THIS SIDE OF CARD IS FOR ADDRESS

State of Idaho
Department of Reclamation
Boise, Idaho



Mr. Jimmie L. Anderson

19843

✓
April 12, 1951

Re: Permit No. 19843

Mr. J. Shirley
Jerome, Idaho

Dear Mr. Shirley:

We have sent to the First Segregation News of Hazelton, copy of Notice of Beneficial Use Proof to be made before you as Notary Public on May 12, 1951, on Permit No. 19843 in the name of William MacLeod.

We have instructed the paper to publish this notice once a week for four consecutive weeks prior to May 12, and to send Mr. MacLeod the Affidavit of Publication, together with statement of costs.

We enclose the necessary forms of deposition to be used in making this proof, consisting of one for Mr. MacLeod and one for each of two witnesses, and at the time set, he should appear before you, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the depositions.

The Affidavit of Publication should be returned with the proofs as it is a necessary part of such proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

19843

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 19843

Date: April 12, 1951

First Segregation News

Hazelton, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to May 12, 1951 the date set for proof, the expense of the publication to be paid by the applicant, William MacLeod of Eden, 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, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

19843

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

Notice is hereby given that at ~~10:00~~ A. M. on the ~~12th~~ day of ~~May~~, 19 ~~51~~
at ~~Jerome~~, County of ~~Jerome~~, State of Idaho, before
~~J. Shirley, Notary Public,~~ proof will be submitted of the
application to beneficial use of ~~0.3~~ cubic ~~foot~~ per second of the waters of ~~an unnamed~~
~~stream~~ in accordance with the terms and conditions of Permit No. ~~19843~~
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.....

~~William MacLeod, Eden, Idaho~~

The use to which said water has been applied is ~~irrigation and domestic uses.~~

The amount applied to beneficial use is ~~0.3 cubic foot per second.~~

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) ~~SW 1/4 NW 1/4 Section 35, Township 9 South, Range 18 East, B. M.~~

The name of the canal or ditch or other works by which said water is conducted to such place of
use is ~~North Side Canal Co. irrigation system.~~

The right to take water from such works is based upon Permit No. ~~19843~~

The source of supply from which such water is diverted is ~~an unnamed stream~~

The date of priority which said user is prepared to establish is ~~June 5, 1946~~

MARK R. KULP

State Reclamation Engineer.

19843

✓

April 6, 1951

Re: Permit No. 19843

Mr. J. Shirley
Jerome, Idaho

Dear Mr. Shirley:

We enclose Certificate of Completion of Works issued under Permit No. 19843 in the name of William MacLeod, for the diversion of 0.3 of a second foot of water from an unnamed stream, with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, Township 9 South, Range 18 East, B.M., for irrigation and domestic use on the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section.

We also enclose Departmental Receipt No. 23240 for the \$5.00 fee paid in connection with this proof.

Beneficial Use Proof requires publication of a notice once a week for four weeks prior to making proof. This notice should be made in duplicate on Form 10 enclosed, setting time and place and naming the Notary Public before whom the proof is to be made. The time should be set sufficiently far ahead to allow for the four weeks publication and the proof may be made at any place convenient for the Permit Holder and his two witnesses.

Both copies of Form 10 are to be returned to this Department together with Form 11 which is authorization for us to have the notice published at Permit Holder's expense in the designated county newspaper. We shall then send a copy of the notice to the newspaper with instructions in regard to publishing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A:bn
Enc.
CC: Mr. William MacLeod.

Chief Clerk

19843

Permit No. 19843

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
APR 5 1951
Department of Reclamation

STATE OF IDAHO

County of Jerome

ss.

William MacLeod, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 19843, and that his postoffice address is Eden,

State of Idaho.

Second: That the name of the stream which said water is to be directed is unnamed

Third: That the point of diversion of said water is ~~NW 1/4 NE 1/4~~ NW 1/4 NE 1/4
Section 35, Township 9-S, Range 18 East, B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 15, 1951.

Fifth: That the use for which said water is intended is farming (irrigation).

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Diversion dam
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 2.5 feet, length of dam at top 200 feet, length of dam at bottom 10 feet. Material used in construction earth fill

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir ----- acre feet.

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

(d) Conduit ----- width at bottom ----- feet, width at water line -----
(State whether ditch, flume or pipe)

feet, depth of water ----- feet; diameter of pipe ----- inches, average grade per mile is ----- feet. Length of conduit is ----- miles.

Seventh: That said works are capable of conducting to the place of intended use -----
3 second feet of water.Eighth: That water appropriated under said permit is available for 25 acres
acres of land described as follows:

in SW 1/4 NW 1/4, Section 35, Township 9-S, Range 18 EBM

Ninth: Remarks: That said land has been used for pasture
for the past 4 years.William MacLeod
(Sign Here)

Subscribed and sworn to before me this 4th day of April, 1951

My commission expires Nov. 1, 1954

Notary Public.

19843

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

*Please send
necessary papers to
show beneficial use
Hendry*

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. William MacLeod
Eden, Idaho

Boise, Idaho April 2, 1951

Dear Sir:-

Under the terms of your permit No. 19843 you are required to complete your diversion works on or before June 15, 1951. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

19843

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. William MacLeod
Eden, Idaho

Boise, Idaho **April 2, 1951**

Dear Sir:-

Under the terms of your permit No.---~~19043~~---you are required to complete your diversion works on or before---~~June 15, 1951~~---. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

19843

✓
July 22, 1947

Re: Permit No. 19843

Mr. Frank L. Stephen
Twin Falls Bank and Trust Company Bldg.
Twin Falls, Idaho

Dear Mr. Stephen:

In reply to your letter of July 19th,
we enclose two copies of permit No. 19843 in the
name of William MacLeod, one of which is certi-
fied.

We also enclose departmental receipt
No. 20068 for the \$2.50 fees.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FS

Encls.

19843

FRANK L. STEPHAN
ATTORNEY AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO

July 19, 1947

HONORABLE MARK R. KULP
State Reclamation Engineer
Capital Building
Boise, Idaho

Dear Sir:

Re: Permit no. 19843

I wish to thank you for your letter of July 14th regarding the above numbered permit. Mr. William MacLeod has decided to go ahead on the above numbered permit and therefore, I would like to have you forward to me two copies, one certified, of the above numbered permit. I am enclosing herewith my check for \$2.50 to cover the cost of said copies.

Thank you for your courtesies and with kind regards,
I am,

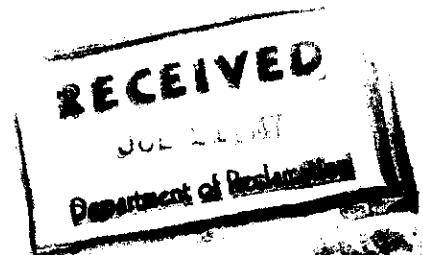
Very truly yours,

Frank L. Stephan

Frank L. Stephan

FLS:LN

Enc. 1



19843

July 15, 1947

Re: Permit No. 19843

Mr. Frank L. Stephan
Twin Falls Bank & Trust Co. Building
Twin Falls, Idaho

Dear Mr. Stephan:

We return herewith the above numbered
permit, which was omitted from yesterday's letter
by error.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19843

July 14, 1947

Re: Permit No. 19843

Mr. Frank L. Stephan
Twin Falls Bank & Trust Co. Building
Twin Falls, Idaho

Dear Mr. Stephan:

We acknowledge receipt of your letter of July 8th, enclosing Permit No. 19843, and the application of the Permit holder, William MacLeod, for extension of time within which to commence work thereunder.

There is no provision for extension of time for commencing work as required under Section 41-204, I. C. A.. However it is not the custom of this department to police these permits in order to see that all of the statutory requirements are fulfilled, and no inspection by this department is required until final completion or application to beneficial use.

There will be no question raised by this department in regard to the time the actual construction was commenced, although there is, of course, a possibility that such delay might form a basis for protest by other interested parties. So, if your client would prefer, he might file a new application to take the place of this one. The new filing would, of course, have a later priority date, but since no filings have been made on this stream subsequent to Permit No. 19843, there would be nothing lost in the way of relative priority.

In reference to your request for a certified copy of the permit, to be used in filing on the land, the U. S. Land Office requires two copies, one certified. We shall be glad to furnish such copy, or copies, of either Permit No. 19843, or the new permit, if you elect to make a new filing. The cost is \$1.50 for the certified copy, and \$1.00 for the other.

Very truly yours,

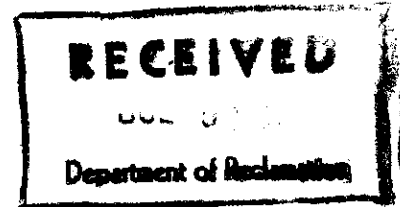
MARK R. KULP
State Reclamation Engineer

K:A

19843

FRANK L. STEPHAN
ATTORNEY AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO

July 8, 1947



HONORABLE MARK R. KULP
State Reclamation Engineer
Capital Building
Boise, Idaho

Dear Mr. Kulp:

Re: Permit No. 19843

I am enclosing herewith an application made by William MacLeod, the owner and holder of the above numbered permit, for an extension of time within which to commence the diversion work under the above numbered permit. You will note by the enclosed Affidavit that Mr. MacLeod suffered a nervous break down and has been ill for several months. However, he feels that he is now in a position to commence the work and would like an extension of time on the permit.

I am enclosing herewith the permit in question and if the extension of time may be granted it will be appreciated if the extension may be endorsed on the permit. Also will you please forward to me a certified copy of the permit with the extension of time endorsed thereon. Mr. MacLeod would like to use the certified copy in filing on the land on which the water is to be used.

Very truly yours,

A handwritten signature in cursive script that reads "Frank L. Stephan".

Frank L. Stephan

FLS:LN

Enc. 3

19843

APPLICATION FOR EXTENSION OF TIME TO COMMENCE WORK ON THE
APPROPRIATION OF PUBLIC WATERS OF THE STATE OF IDAHO UNDER
PERMIT NUMBER 19843.

STATE OF IDAHO,)
COUNTY OF TWIN FALLS,) SS.

WILLIAM MacLEOD, being first duly sworn, deposes and says:

That he is the owner and holder of Permit Number 19843 to appropriate certain waste water for irrigation of approximately Fifteen (15) acres located in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Thirty-five (35), Township Nine (9) South, Range Eighteen (18) E. B. M, Jerome County, Idaho.

That said permit was issued by Mark R. Kulp, State Reclamation Engineer of the State of Idaho under date of June 15th, 1946, and said permit required that work be commenced on the earth dam and ditch required for diversion of the water covered by said permit on or before August 15, 1946. That said work was not commenced on said date and has not been commenced up to the present time for the following reasons:

That shortly after the issuance of the above numbered permit to this affiant, affiant suffered a nervous break down and became so ill that it was necessary for him to go to Compton, California, to a sanitarium for treatment. That affiant was ill in said sanitarium for a period of several months and was released from the said sanitarium on or about the 19th day of January, 1947. That since his release from said sanitarium affiant has been unable to do any physical labor but now feels that within a short time he will be in a position to commence the work on the above numbered Permit and this application is filed for an extension of a reasonable length of time on said permit within which to commence said diversion work and affiant respectfully requests

19843

the State Reclamation Engineer to grant him an extension to August 15, 1947, within which to commence said work.

William MacLeod

SUBSCRIBED and SWORN to before me this 8th day of July, 1947.

J. Blandford
Notary Public for Idaho,
Residing at Twin Falls, Idaho.

14843

APPLICATION FOR EXTENSION OF TIME TO COMMENCE WORK ON THE
APPROPRIATION OF PUBLIC WATERS OF THE STATE OF IDAHO UNDER
PERMIT NUMBER 19843.

STATE OF IDAHO,)
COUNTY OF TWIN FALLS,) SS.

WILLIAM MacLEOD, being first duly sworn, deposes and says:

That he is the owner and holder of Permit Number 19843 to appropriate certain waste water for irrigation of approximately Fifteen (15) acres located in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Thirty-five (35), Township Nine (9) South, Range Eighteen (18) E. B. M, Jerome County, Idaho. That said permit was issued by Mark R. Kulp, State Reclamation Engineer of the State of Idaho under date of June 15th, 1946, and said permit required that work be commenced on the earth dam and ditch required for diversion of the water covered by said permit on or before August 15, 1946. That said work was not commenced on said date and has not been commenced up to the present time for the following reasons:

That shortly after the issuance of the above numbered permit to this affiant, affiant suffered a nervous break down and became so ill that it was necessary for him to go to Compton, California, to a sanitarium for treatment. That affiant was ill in said sanitarium for a period of several months and was released from the said sanitarium on or about the 10th day of January, 1947. That since his release from said sanitarium affiant has been unable to do any physical labor but now feels that within a short time he will be in a position to commence the work on the above numbered Permit and this application is filed for an extension of a reasonable length of time on said permit within which to commence said diversion work and affiant respectfully requests

19843

the State Reclamation Engineer to grant him an extension to August 15, 1947, within which to commence said work.

William MacLeish

SUBSCRIBED and SWORN to before me this 8th day of July, 1947.

J. A. Blandford
Notary Public for Idaho,
Residing at Twin Falls, Idaho.

19843

S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

B O I S E

Permit No. ~~19043~~

Date ~~June 21, 1946~~

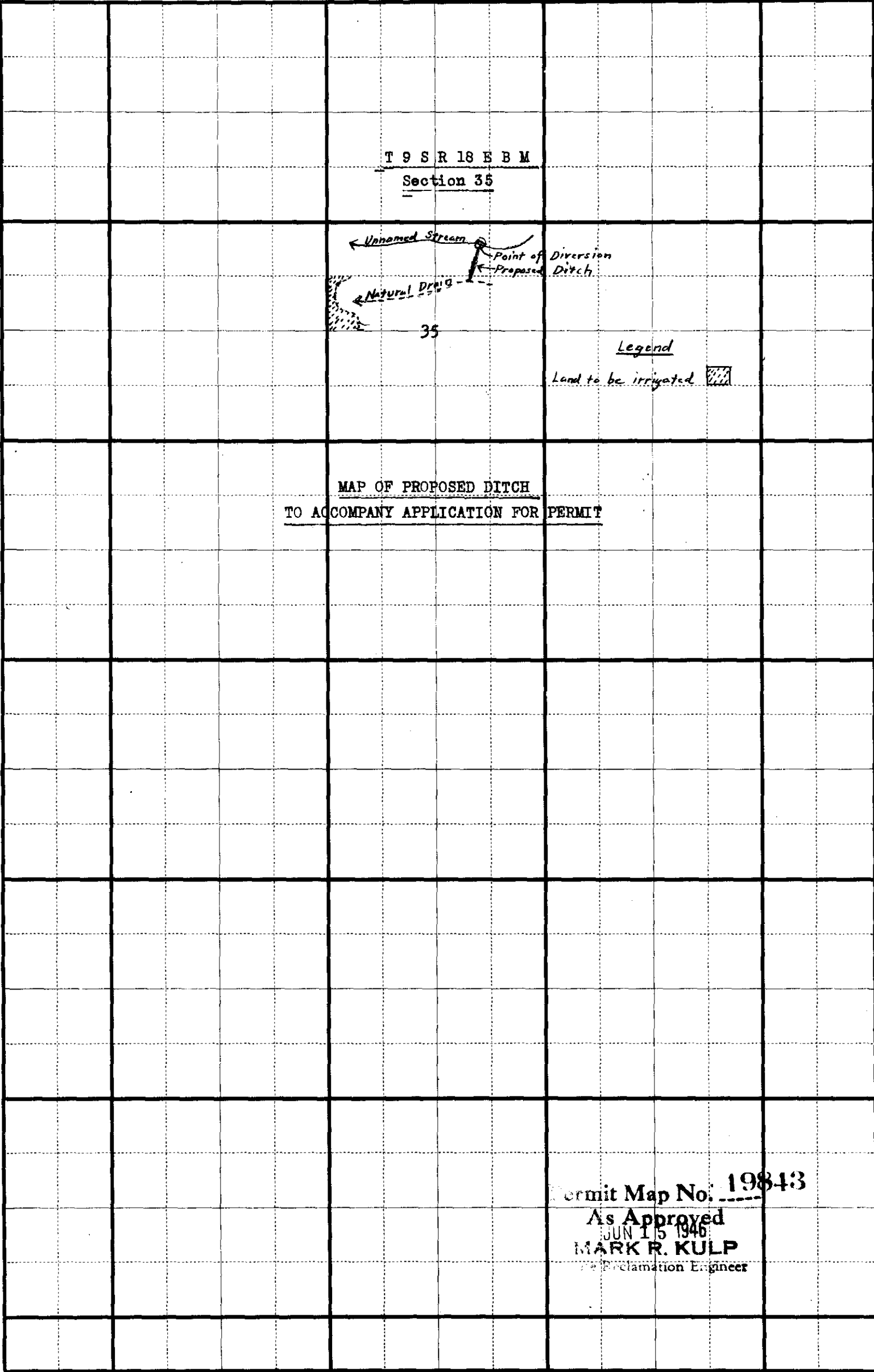
Dear Sir:

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. William MacLeod
C/o Mr. Frank L. Stephan
Twin Falls B. & T. Co. Bldg.
Twin Falls, Idaho
Enc. Receipt # 19469

MARK R. KULP
State Reclamation Engineer

19843



FRANK L. STEPHAN
ATTORNEY AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO

June 3, 1946

STATE OF IDAHO
Department of Reclamation
Boise, Idaho

Gentlemen:

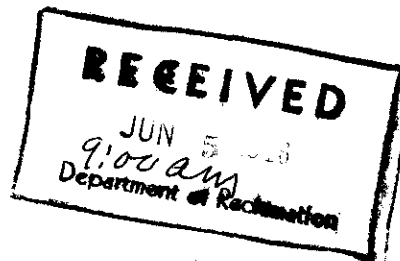
I am enclosing herewith Application of William Mac-Leod for Permit to appropriate the public waters of the State of Idaho, together with map of the proposed ditch for said waters, to be filed with your Department.

I am also enclosing herewith my check for \$5.00, which is your fee for filing the same.

Very truly yours,

Frank L. Stephan
Frank L. Stephan

FLS r
Enc 3



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