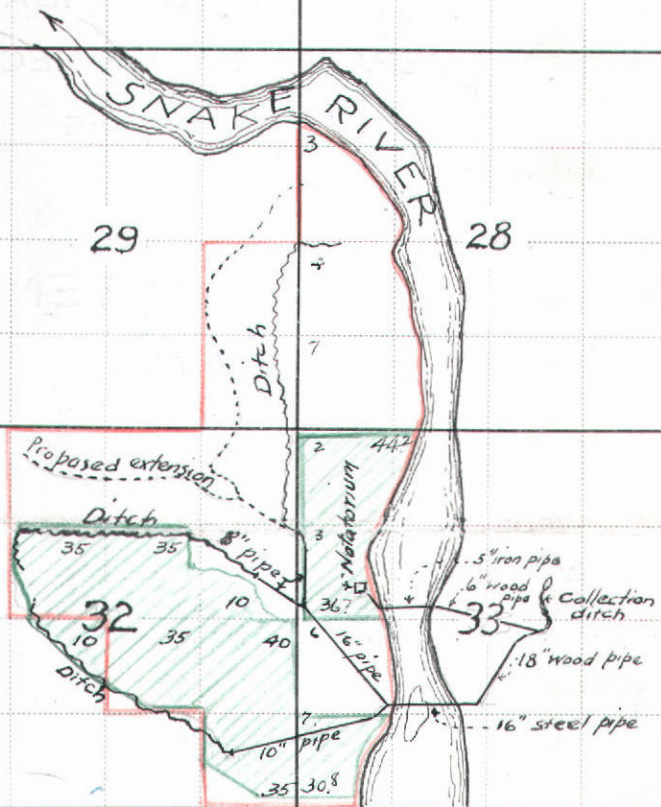


T. 8 S., R. 14 E



Land described in application for permit	Land now irrigated

SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

15650

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:30 on the 31st day of January, 1923, at Wendell, County of Gooding, State of Idaho, before L. A. Jones, a notary public, proof will be submitted of the completion of works for the diversion of $13\frac{1}{4}$ cubic feet per second of the waters of Blind Springs, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 15650, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name and post office address of the person or corporation, holding said permit, are J. W. Banbury, Wendell, Idaho.

2. 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 use, in accordance with the plans accompanying the application for such permit, is $13\frac{1}{4}$ cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes and the amount applied to beneficial use is $13\frac{1}{4}$ cubic feet per second.

4. The place where said water is used is Lots 3, 4, & 7 in Sec. 28; SE $\frac{1}{4}$ Sec. 29, NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 32, Lots 2, 3, 6, & 7, Sec. 33, all in Twp. 8 S., R. 14 E., B. M. and 1 second foot for Banbury Natatorium.

5. The date of priority which said user is prepared to establish is November 10, 1922.

W. G. SWENDSEN,
Commissioner of Reclamation.
d28-j18

Affidavit of Publication

State of Idaho, Gooding County, ss.

Charles O. Davis being duly sworn, says that he is of lawful age and is The Publisher of THE WENDELL IRRIGATIONIST, a weekly newspaper published at Wendell, in said County and State; that the printed copy of J. W. Banbury, Water Proof hereto annexed, was published in said newspaper once each week for 4 weeks, commencing on the 28th day of Dec. 1922 and ending on the 18th day of Jan. 1923; and that no publication was made in a supplement.

Charles O. Davis
Subscribed and sworn to before me this 18 day of January.

1923

L. A. Jones
Notary Public in and for said County and State, residing at Wendell, Idaho.

Dec 11/30

15650

STATE OF IDAHO

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. 15650 Amount 13-1/4 sec. feet
Water District No. 63 Priority 11-10-1922.

THIS IS TO CERTIFY that J. W. Banbury, of Wendell, County of Good^{ing}, State of Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 10, 1922; that Permit No. 15650 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 13-1/4 second feet, was issued thereunder on October 18, 1923, showing that said works were completed on the 31st day of January, 1923, and that on the 31st day of January, 1923, J. W. Banbury, of Wendell, County of Gooding, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of the State of Idaho, of a right to the use of the waters of Blind Springs, a tributary of Snake River, for the purpose of irrigation and domestic use, under Use Permit No. 15650, of the Commissioner of Reclamation of the State of Idaho, 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 the State of Idaho and entered of record in Volume 6 of Licenses, at page 3091, on the 18th day of October, 1923;

The right hereby confirmed dates from November 10, 1922;

The point of diversion is located in the SW¹/₄ of NE¹/₄ Sec. 33, Twp. 8 S., R. 14 E., B. M., Gooding 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 13-1/4 cubic feet per second.

Description and location of use:

Twp. Rge. Sec. Forty-acre Tract		No. Acres Described in Permit	No. Acres Actually Irrigated
8 S. 14 E. 28	Lot 3	34.9	34.9
	Lot 4	42.9	42.9
	Lot 7	48.7	48.7
29	NE ¹ / ₄ SE ¹ / ₄	30.0	30.0
	SE ¹ / ₄ SE ¹ / ₄	20.0	20.0
32	NE ¹ / ₄ NE ¹ / ₄	20.0	20.0
	NW ¹ / ₄ NE ¹ / ₄	20.0	20.0
	SW ¹ / ₄ NE ¹ / ₄	35.0	35.0
	SE ¹ / ₄ NE ¹ / ₄	35.0	35.0
	NE ¹ / ₄ NW ¹ / ₄	30.0	30.0
	SE ¹ / ₄ NW ¹ / ₄	35.0	35.0
	NE ¹ / ₄ SW ¹ / ₄	10.0	10.0
	NE ¹ / ₄ SE ¹ / ₄	40.0	40.0
	NW ¹ / ₄ SE ¹ / ₄	35.0	35.0
	SE ¹ / ₄ SE ¹ / ₄	35.0	35.0

Twp. Rge. Sec.	Forty-Acre Tract	No. Acres	
		Described in Permit	Actually Irrigated
8 S. 14 E. 33	Lot 2	44.2	44.2
	Lot 3	36.7	36.7
	Lot 6	38.1	38.1
	Lot 7	30.8	30.8
		621.30	

Water is also to be used at the Banbury Natatorium, located in Lot 3, Sec. 33, Twp. 8 S., R. 14 E., B. M.

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

WITNESS the seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 18th day of October, 1923.

(SEAL)

W. G. SWENDSEN,

Commissioner of Reclamation.

36 2028

APPLICATION FOR PERMIT **36-2038**

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 22236
Permit No. 15650
District No. 63

1. Name of Applicant: J. W. Banbury,
Postoffice address: Wendell, County: Gooding, State: Idaho.
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation:
 (b) Amount of capital stock:
 (c) Amount paid in:
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are:
 (a) Cash on hand:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: 13-1/4 cubic feet per second.
3. Source of water supply: Blind Springs which is a tributary of Snake River.
4. Location of point of diversion: feet distant from the
 corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$
 of Section 33 , T. 8 S. , R. 14 E. , B. M., County of Gooding.
5. Water is to be used for: Irrigation and domestic purposes.
6. If for mining, milling, power or manufacturing purposes, give:
 (a) Point of use of water: feet distant from corner of Section
 T. , R. , B. M., in the of Section , T. , R. , B. M.
 (b) Amount of power generated: H. P., under feet head.
 (c) Water is to be returned to at a point feet
 distant from the corner of Section , T. , R. , B. M., in the
 of Section , T. , R. , B. M.
7. Estimated cost of works: \$ 20,000.00
8. Kind of works: Pipes and ditches.
9. Height of dam feet; length of dam at top feet; length of dam at bottom
 feet; material used in dam
10. Size of headgate: width feet; height feet
11. Ditch: Width at bottom two feet; width at water line three feet; depth of water one
 feet; dimensions of flume
 Diameter of pipe 8 to 18 inches; length of conduit two miles.
 Average grade per mile 300 feet
12. The time required for the completion of such work is six months years.
13. The time required for the complete application of the water to the proposed use is no additional years.
14. The land to be irrigated is described in the following tabulation: See Remarks.

15650

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.

J. W. Banbury

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation. 4:30 P. M. November 10, 1922.

Returned to applicant for correction.

Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 15650

Recorded in Book 58 Page 15650 Approved December 6, 1922.

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 February 5, 1923, 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 March 6, 1923,

The whole of said work to be completed on or before June 6, 1923.

Beneficial use of water appropriated in accordance herewith, to be made on or before June 6, 1923.

Witness my hand this 6th day of December, 1922.

W. G. SWENDSEN.
Commissioner of Reclamation.

Remarks: Water is used in an amount of one cubic foot per second at Natatorium in Lot 3,
(SW $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 33, T. 8 S., R. 14 E., B. M.,

14 Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
8 S.	14 E.	28							Lot 3 34.9											126.5
		29																		50
		32	20	20	35	35	30			35								30	20	285
									L-2 Lot 3 44.2 36.7									40	35	35
		33																		149.8
			Total Number of Acres to be Irrigated *****																610.3	
Application For Amendment																				
To Permit to appropriate the Public Waters of the State of																				
Idaho, No. 15650																				
Comes now J. W. Banbury, and represents to the Commissioner of Reclamation 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. 15650, and requests that the list of lands to be irrigated as described in said permit, be changed to read as follows:																				
To include the NE¼SW¼ Sec. 32, Twp. 8 S., R. 14 E., B. M., with the other lands described in the permit, making a total of 650.3 acres.																				
That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.																				
Signed at Boise, Idaho, this 18th day of October, 1923.																				
J. W. Banbury,																				
Date of receipt at Office of Department of Reclamation October 18, 1923.																				

Approval of Commissioner of Reclamation

I, W. G. Swendsen, Commissioner of Reclamation 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. 15650. 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.

W. G. Swendsen,
Commissioner of Reclamation

Proof of Completion of Works made January 31, 1923.
Certificate of Completion of Works issued October 18, 1923.

Permit No. 15650

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that J. W. Banbury of Wendell, County of Gooding, and State of Idaho, the holder of Permit No. 15650, issued upon Application No. 22236, bearing date of priority of November 10, 1922, authorizing the diversion of 13-1/4 second feet of the waters of Blind Springs, County of Gooding, 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 13-1/4 second feet of the waters of Blind Springs; that the point of diversion of said waters is in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 33, Twp. 8 S., R. 14 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Lots 3, 4 and 7, Sec. 28; NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29; NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32; Lots 2, 3, 6 and 7, Sec. 33, all in Twp. 8 S., Range 14 E., B. M.

Witness my hand this 18th day of October, A. D. 1923.

W. G. SWENDSEN,
Commissioner of Reclamation

License issued for 13-1/4 second feet
Page 3091 of 222.

This
Right has been
Decreed in the
SRBA.

MEMORANDUM

TO: File 36-2038

FROM: L. Glen Saxton *LS*

DATE: January 6, 1983

The Banbury Irrigation Company visited the Southern Regional Office of the Department to review their water rights. The region discovered that the field exam does not match the license. In fact, the license shows almost no change from the permit, whereas the field exam very clearly shows that not all of the acres shown in the permit were irrigated at the time of the exam. It appears that the license should have been issued for not more than 10.5 cfs (approximate capacity of the 2 pipes across the Snake River) for irrigation of 311.7 acres plus domestic use (natural supply) rather than 13.25 cfs for irrigation of 621.3 acres and domestic use. (Permit shows 611.3 acres, but 10 acres were added by amendment).

In a discussion with the administrator of Resource Administration Division, we concluded the extent of water right 36-2038 could not be greater than the extent of use found during the examination conducted on April 19, 1923. We also concluded that an amended license would not be issued.

The Banbury Irrigation Company should be advised to file claims on land developed since the 1923 examination if said land is not adequately included and recorded in other existing rights of the Banbury Irrigation Co.

cc: Southern Region - Terry Blau

MICROFILMED

36-2038

CHARTER NO. 11076

The Farmers National Bank

BOX 392

BUHL, IDAHO 83316

May 22, 1986

RECEIVED
MAY 29 1986

Department of Water Resources

Department of Water Resources
State of Idaho
Boise, Idaho

Re: Banbury Pipeline
Water Filing No. 15650

(36-2038)

Gentlemen:

This letter is to serve as notice to the Department of Water Resources that the above water filing has been pledged to The Farmers National Bank, Buhl, Idaho as collateral for a Mirror Bond and loan to the Banbury Pipeline Company.

The pipeline company and bank hereby requests and directs the Department of Water Resources to refuse acceptance of any sales, transfers or assignments until the above indebtedness is paid and the Water Resources Department is notified by the bank that the above Mirror Bond loan has been fully paid.

The Farmers National Bank

Banbury Pipeline, Inc.

[Signature]

By *[Signature]* Pres.

By *[Signature]* V-Pres.

By *[Signature]* Secr.

[Signature]
[Signature]

MICROFILMED

Fido License # Nov. 3-976
15650-36-2038

Dear Mr. Fleenor,

My husband and I want to thank
you for being so kind and staying
past work hours to help us on Tues,
Nov. 16.

We are in the process of making out
the forms for claim to water right and
have not yet received the photostats of
those original papers + diagrams
submitted by Mr. Barbary in 1923(?)
that you said you would have your

secretary to and send to us.
If we have anything for the copies, please
put a bill in with copies.
Thank you.

Sincerely
Blanche Duell (Mrs Herbert)
Harry Huttons
Barbury Hot Springs
Route 3
Buhl, Idaho 83316.

NEW AMERICAN
SONGBIRD NOTE CARDS
BOHEMIAN WAXWING

Current, Inc.

COLORADO SPRINGS, COLORADO 80941

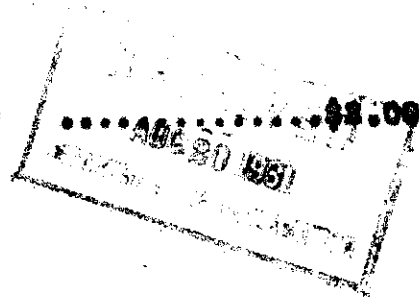
Ray W. Banbury
Sec. & Treas. Banbury Pipe Co.
Buhl, Idaho

to

R. W. Faris
Commissioner of Reclamation
Boise, Idaho

Dr.

Certified copy Permit 15650



15650

Buhl, Idaho. Aug. 17, 1931.

State Engineer's Office,
Boise, Ida.

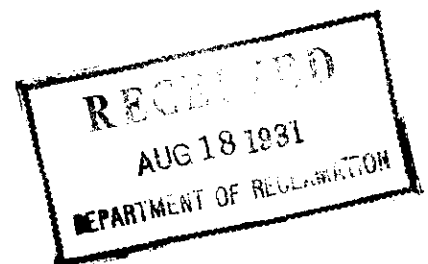
Gentlemen:

The U.S.Land Office at Blackfoot, Ida. is asking the Banbury Pipe Co. for a certified copy of Permit No.15650 and a certified copy of the license issued thereon. Will you kindly furnish these papers to us that we can send them in with other records they ask for. I do not find the originals in our files. Will pay any charges that there might be.

Respectfully,

Ray W. Banbury
Ray W. Banbury.
Sec. & Treas. Banbury Pipe Co.

15650



October 22, 1923.

Re: Permit No. 15650.

Mr. J. W. Sanbury,
Wendall, Idaho.

Dear Sir:-

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

Your application for amendment to lands is also returned for your files, the same having been approved and placed of record in this office.

Very truly yours,
W. G. SWENDEEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

CCW-WI-R2350-AA

15650

May 2, 1923.

Re: Permit No. 13450

Mr. J. W. Banbury,
Wendell, Idaho

Dear Sir:

I am returning you herewith your check for \$15.00 which you forwarded to us to defray the expenses of a special examination of your permit.

We have received Mr. Darlington's report, which indicates that your permit is in such shape that certificates of completion of works and license can be issued upon receipt of the required fees which are for certificates of completion of works \$14.75, and for license \$20.00.

I believe you have previously been notified by the chief clerk in this office of the amount of fees due.

Nothing else is delaying the issuance of these certificates.

Very truly yours,

W. G. STENHISEN
Commissioner of Reclamation

By

Assistant

GMC:P

15650

April 21, 1925.

Re: Permit No. 15650.

Mr. J. W. Banbury,
Wendell, Idaho.

Dear Sir:-

Mr. E. B. Darlington, who made the examination for proof under your permit, has just filed his report. This report shows parts of ten forty-acre tracts under cultivation, including the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 32, T. 8 S., R. 14, E..B.M. which is not included in the original permit. If you desire this subdivision included in the certificate and license, it will be necessary to file an application for amendment upon the form enclosed, such application to be accompanied by maps in duplicate.

The fees due this department for completion of works will be \$14.75, being \$5.00 for the first ten second feet capacity and thirty cents additional for each additional second foot, or fraction.

The fees for proof of beneficial use of water, for irrigation purposes, will amount to \$20.00, if the ten legal subdivisions are included or \$12. if the extra forty is left out. The fee for beneficial use proof for water for the matatorium is \$5.00.

The total fees due will, therefore, amount to \$39.00, or \$37.75 with the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.32, left out.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

15650

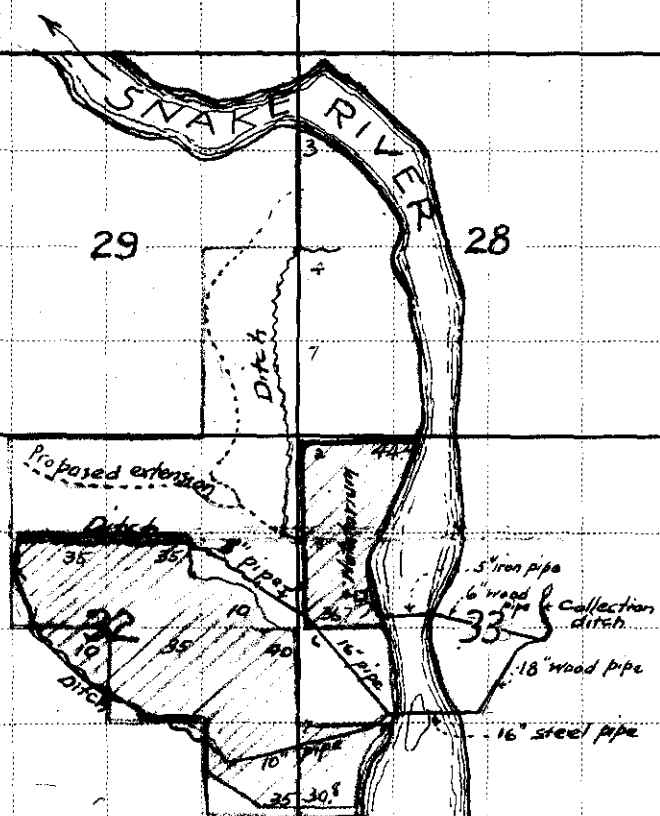
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 15650

REPORT ON PROOF OF Comp. of Works & Ben. May

T. 8 S., R. 14 E



Land described in application
for permit
Land now irrigated



STATE OF IDAHO DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 15650

This proof is for COMP. WORKS & BEN. USE. In Water District No. 63

1. Name of applicant: J. W. Banbury, Wendell, Idaho.
2. Source of water supply: Blind Springs
3. Location of point of diversion: Is in the SW¹NE¹ of Section: 33
T. 8 S. R. 14 E. B.M. County of Gooding
4. Describe works as they exist, giving dimensions and capacities of same: Ditch for collection of Blind Springs, cap. 10-11 sec. ft.; concrete penstock; 1800 ft. 18" wood pipe, cap. 15 sec. ft.; 680 ft. 16" steel pipe supported on concrete piers, cap. 9.5 sec. ft.; 2200 ft. 10" wood pipe lateral, cap. 3.5 sec. ft.; 400 ft. 8" wood pipe lateral, cap. 1.9 sec. ft.; 800 ft. 8" wood pipe, cap. 1.9 sec. ft.; 3 miles ditch lateral cap. 4-6 sec. ft.; 1400 ft. 6" wood pipe Nat. supply, cap. 2 sec. ft.; 500 ft. 5" iron pipe, cap 1 sec. ft.
5. Water is used for: Irrigation and domestic purposes (Nat. supply)
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 for other than irrigation) Lots 3, 4 & 7, Sec. 28; SE¹ Sec. 29; NE¹, NW¹, SE¹, Sec. 32; Lots 2, 3, 6 & 7, Sec. 33, Twp. 8 S., R. 14 E., B.M. Also, 1 sec. ft. to be used for Banbury Natatorium.

To be Irrigated	Area	Area Now Cultivated	
Sec. 28-8-14.			
Lot 3	34.9 A.	None	
" 4	42.9 "	"	
" 7	48.7 "	"	
Sec. 29-8-14			
NE SE	30	"	
SE SE	20	"	t
Sec. 32-8-14			
NE NE	20	"	
NW NE	20	"	
SW NE	35	35 A	
SE NE	35	10 "	
NE NW	30	None	
SE NW	35	35 A	
NE SE	40	40 "	
NW SE	35	35	
SE SE	35	35	
* NE SW	10	10	
Sec. 33-8-14			
Lot 2	44.2	44.2	
" 3	36.7	36.7	
" 6	38.1	None	
" 7	30.8	30.8	
	<u>611.3</u>	<u>311.7</u>	

15650

* Not described in application for water but acres now in alfalfa and irrigated from this system. Examiner

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

Permit No. 15650

This report is for COMP. WORKS & BEN. USE. In Water District No. 62

1. Name of applicant: J. W. Barbury, Wendell, Idaho.

2. Source of water supply: Blind Springs

15650

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

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

Remarks: Siphon for land supply has an effective head of about 15 ft.

per 1000 ft.; siphon for Natatorium supply has an effective head of about

80 ft. per 1000 ft.

Land in cultivation is sandy loam of good quality; most of

it is in alfalfa, but parts of Lots 2, 3 and 7, Sec. 33-8-14, are too

rocky for plowing and are irrigated for pasture.

It is planned to discharge water at a higher elevation and

cover additional land, as shown on map, but the works for such extension

have not been completed nor any land additional to that herein described

and indicated on map put under cultivation.

This examination was made on the 19th day of April 1922

(Signed)

15650

Examiner.

Permit No. 15650

Examination for COMP. Works &

BEN. USE WATER

County Gooding

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.

APR 21 1923

Permit No. 15650

Examination for COMP. Works &

BEN. USE WATER

County Gooding

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.

RECORDED

1923

April 17, 1923.

Re: Permit No. 15650

Mr. J. W. Banbury,
Wendell, Idaho

Dear Sir:

To date it has been impossible to examine your permit. Since writing you last I have been away from the office a considerable portion of the time and our only other field man is in the northern part of the State.

We have, therefore, requested that Mr. E. B. Darlington, an engineer of Jerome, make this examination for you and have forwarded him all necessary papers.

I assume that you will settle with Mr. Darlington direct for whatever his charges and expenses may be in connection with this work.

We are holding your check for \$15.00 made payable to the Department of Reclamation and if same is not used by this office, it will be returned to you.

Very truly yours,

Assistant Commissioner
of Reclamation

GNC:P
cc Gov. Moore.

15650

April 17, 1923

Re: Permit No. 15650

Mr. E. B. Darlington,
Jerome, Idaho

Dear Mr. Darlington:

We have pending for examination for proof of completion of work and beneficial use, Permit No. 15650. The holder of this permit is very anxious to have same examined immediately and as it is impossible at this time for a representative from this office to make the examination, we are enclosing you the report blank with the request that you proceed to examine this permit as soon as you are able to do so.

Being in the nature of a special examination, the permit holder, Mr. Banbury, has agreed to pay all expenses in connection therewith; therefore, if, when you have completed this work, you will present your bill to Mr. Banbury, I am certain that he will pay you direct. He has already forwarded a check for \$15.00 to us to partially defray the expenses.

Very truly yours,

W. G. SWENDESEN
Commissioner of Reclamation

By

Assistant

GNC:P
cc Gov. Moore
Mr. Banbury

15650

Wendell Idaho Mar 24th/25

Dept. Reclamation
Boise Idaho:

Gentlemen

I am inclosing etc
for \$15.00 to cover expenses of your
Inspector here and will pay
him return expenses when he
is ready to leave. He can take
the Twin Falls stage and the
driver will let him off at the
Bonbury "Nat" sign south of
Hagerman and he can
walk over to the "Nat" where we
will be working or we will meet
him if we know when he
would be there. It is important
that we have this examination made
as soon as possible.

Faithfully

J.W. Bonbury

P.S. If there should be one or two other
cases this way they would help
reduce expenses.

Mr Carter I hope you can see your
way clear to do this now.

15454-
15650

filed Mar 4, 1922
for 13 1/4

610 a - Dec. 6 - 1922

March 22, 1923.

Re: Permit No. 15650.

Mr. J. W. Banbury,
Wendell, Idaho

Dear Sir:

We are in receipt of your letter of March 17th regarding an immediate examination of your permit, upon which you have recently made proof of completion of works and beneficial use of water.

It will probably not be possible for us to make a special trip to that locality to examine this one permit. Ordinarily, we let these examinations accumulate until there is a goodly number in one locality or else so located that they can be covered in one trip. The expense incident to the examination of this permit alone if the trip were made from Boise, would possibly amount to about \$30.00, whereas five or ten permits could be examined for approximately the same amount.

Therefore, we could not see our way clear to examine this permit until such time as we can make a regular trip into that locality.

Very truly yours,

W. G. SWEIDSEN
Commissioner of Reclamation
By

Assistant

GNC:P

15650

Wendell Idaho Mar 17th 1923

Department of Reclamation
Boise Idaho

Gentlemen

Your last letter stated
your inspector would follow
my recent deposition on com-
pletion of works, made before
Notary Public L. A. Jones of Wendell.
I wish you could make it convenient
to have this done as soon as possible
as I have had the burden of maintenance
of the Bambury Pipe line for the past
two years and I want to turn it over
to the Water Users Co.,

Faithfully
J W Bambury

February 6, 1923.

Re: Permit No. 15650.

Mr. J. W. Banbury,
Wendell, Idaho.

Dear Sir:-

We are in receipt of depositions and affidavit of publication for proof of use of water under the above permit. These will be placed on file pending the examination and report of our engineer later in the spring, at which time you will be advised as to fees due before issuing the certificate and license.

Very truly yours,

W. G. STENSDEN,

Commissioner of
Reclamation.

By Chief Clerk.

15650

Affidavit of Publication

State of Idaho, Gooding County, ss.

Charles O. Davis being duly sworn, says that he is of lawful age and is The Publisher of THE WENDELL IRRIGATIONIST, a weekly newspaper published at Wendell, in said County and State; that the printed copy of J. W. Bombarry, Water Proof hereto annexed, was published in said newspaper once each week for 4 weeks, commencing on the 28th day of Dec. 1922 and ending on the 18th day of Jan. 1923; and that no publication was made in a supplement.

Charles O. Davis
Subscribed and sworn to before me this 18. day of January.
1923 E. A. Jones

Notary Public in and for said County and State, residing at Wendell, Idaho.

8/130

15650

PERMIT NO. 15650

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. J W Banbury 64 yrs sec 33-8-14 farmer
P.O. Wendell Idaho

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. private owner

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

Ans. 15650 Dec 6th 1922

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 use 611.3 acres
126.5 ac in sec 28, 50 ac in sec 29, 285 ac in sec 32 and
149.8 ac in sec 33 to 8 R. 14 E. and 1 sec ft to Kalatoomun

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 in 1920 up to 8 or 9 second feet

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.

Ans. Converging ditch at springs emptying into 18 inch pipe
to river thence through 10 inch and 7 1/2 inch pipe lines

(Sign here.)

J W Banbury

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 Wendell, County of

Gooding, State of Idaho, on this 31st day of

January, A. D. 1923

L. A. Jones

Notary Public.

My Commission expires Jan 23-1926.

15650

PERMIT NO. 15650

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans.

Frank J. Keenan; 37; 8 mi. north
of Buhl; Buhl Post Office R. F. D. III.

Ques. 2. Are you acquainted with J. W. Banbury, the

holder of Permit No. 15650 authorizing the diversion of 13.25 second-feet of the waters of

Blind Springs, at Sec 33 - 8 - 14
irrigation and
for domestic purposes? How long have you known him, and where does he reside?

Ans.

Yes. 5 years; 1 mi north east of my place

Ques. 3. Have you read or heard read said Permit No. 15650, 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, 126.5 acres Sec 28, 50 acres Sec 29
285 acres Sec 32, 149.8 acres in Sec 33.
Sandy & gritty loam. One inch per acre. ^{one second foot} for metatatorium

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.

18" pipe down to river, then 16" & 10" pipe.

(Sign here.)

Frank J. Keenan

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 Wendell, County

of

Gooding
January

State of Idaho, on this 31.20 day of

A. D. 1923

L. A. Jones
Notary Public. Wendell, Ida.

PERMIT NO. 15650

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. David Ford, 57 years old, Buhl, Ida
Farmer, Buhl P.O.

Ques. 2. Are you acquainted with J. W. Banbury, the
holder of Permit No. 15650, authorizing the diversion of 13.25 second-feet of the waters of
Blind Springs, at Sec 33 - 8 - 14
for irrigation and domestic purposes? How long have you known him, and where does he reside?

Ans. Yes, 15 years, 8 miles north of Buhl

Ques. 3. Have you read or heard read said Permit No. 15650, 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, 126.5^{acres} in Sec 28, 50 acres in Sec 29
285 acres in Sec 32, 149.8 acres in Sec 33.
Sandy & gritty loam. One inch per acre. One second ft for
irrigation.

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. 18" pipe down to river, then 16" & 10" pipe.

(Sign here.) David Ford

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 Wendell, County

of Gooding, State of Idaho, on this 31st day of

January, A. D. 1923.

L. A. Jones
Notary Public, Wendell, Ida.

15650

PERMIT No. 15650**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. J. W. Banbury 64 yrs P.O. Wendell Idaho
occupation farmer residence sec 33 tp 8 R 14 E

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. private owner

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

Ans. 15650 Dec 6th 1922

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

Ans. Blind Springs NW of SE sec 33-8-14

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. Concrete reservoir into 18 inch pipe
capacity 15 second feet
Water conducted through pipe line

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 and domestic uses
Land mostly cultivated. Lands using as ready
for use of water lot 7¹/₂ and NWSE sec 32-8-14 E, S¹/₂ SE¹/₄ NW¹/₄
sec 32-8-14 E lots 2, 3 & 6 sec 33-8-14 E, lots 3, 4 & 7 sec 28-8-14 E
and 1 sec for natatorium

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 use specified above?

Ans. at the second feet 38.3 inches and sec ft for Natatorium

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. _____

15650

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

Ans.

*Either used or ready for use 383 acres
and 1 second foot for Natatorium amounting
to 8 3/4 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)

J. W. Baubury

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 *Windele*, County of

Gooding State of Idaho, on this *31st* day of *January*
A. D. 19*23*

L. A. Jones
Notary Public, *Windele, Ida.*

15650

Permit No. 15650

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans.

David Ford; 57 years old; Residence
Buhl; Farmer; Buhl Post Office.

Ques. 2. Are you acquainted with J. W. Bunbury, the holder of Permit No. 15650? How long have you known him and where does he reside?

Ans.

Yes; 15 years; 8 miles north of
Buhl on Snake river.

Ques. 3. Have you read or heard read said Permit No. 15650, 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.

Blind Springs, Sec 33 - 8 - 14
18" pipe down to river, 16" & 10" pipe to
ends

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.

Estimate is 15 second ft. Have seen ^{about} 8 second ft.

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

Ans.

Irrigation & "Nat."

TWP	Range	Sub	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	Totals
8 S	14 E	28	28	29	32	20	20	35	35	30	126.5
											50
											285
											149.8

Also 1 sec for natatorium in lot 3, (SW 1/4) Sec 33 T8 S - R 14 E.

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

Ans.

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

Ans.

Sand & gritty loam.
One inch to the acre.

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. Last summer (1922); Farmed part of the land, and have seen water on the bal.

(Sign)

David Ford

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 Windell, County of Gooding, State of Idaho, on this 31st day of January, A. D. 1923.

L. A. Jones
Notary Public.

My commission expires

Jan 23 - 1926.

15650

RECORDED
FEB - 9 1923

Permit No. 15650**Proof of Application of Water to Beneficial Use****DEPOSITION OF WITNESS**

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

Ans. Frank J. Keenan; 37 years old; 8 miles north of Buhl; farmer; Buhl P.O. R. F. D. IIIQues. 2. Are you acquainted with J. W. Bambury, the holder of Permit No. 15650? How long have you known him and where does he reside?Ans. Yes. Five years. One mile north east of my place.Ques. 3. Have you read or heard read said Permit No. 15650, 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. Blind Springs, Sec 33-8-14
18" pipe down to river, then 16" & 10" pipe.

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. 15 second feet; 8 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. Irrigation for cotton, NW 1/4

Range	Sec	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	Total
8-2	14E	28	29	34	42.9	48.7	30	20	80.5	126.5
		32	20	20	35	35	30	40	35	285
		33			44.2	36.7	38.1	30.8		149.8
										611.3

Water used for cotton in lot 3 (SW 1/4) 33-8-14.

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

Ans. _____

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

Ans. Sandy & gritty loam.
One inch to the acre.

15650

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

Ans.

I have contracted to buy 150 inches of water.

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.

Have used water from this system 1920, 1921, 1922.

(Sign)

Frank J. Keenan

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 Windell County of Gordonia State of Idaho, on this 31st day of January A. D. 1923.

Notary Public.

My commission expires

Jan 23 - 1926.

15650

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS
AND
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, **January 12, 1923.**

J. W. Banbury,
c/o Mr. L. A. Jones,
Notary Public,
Wendell, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works and beneficial use of water under Permit No. **15650.**

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 **January 11, 1923,** the date set for proof, the enclosed forms (two for permit holder and two each for two disinterested witnesses) should be filled out and sworn to, at

Wendell, before **L. A. Jones, 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,

W. G. SHEDDEN,
Commissioner of Registration.
State Engineer.

15650

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DATE December 22, 1922.

Publisher, The Irrigationist,
Wendell, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to
.....January 31, 1923....., the date set for proof, the expense of the publication to be paid
by the applicant,.....J. W. Banbury, of Wendell....., to whom you should
furnish proof of publication on or prior to the date set for proof.

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

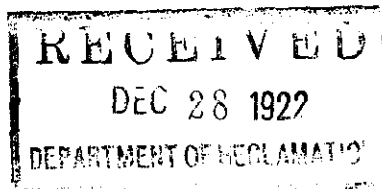
Very truly yours,

W. G. Swendsen,

Mr. W. G. Swendsen,
Boise, Ida.

Dear Sir:-I acknowledge receipt of the above referred to ^{Commissioner of Reclamation.}
notice and assure you that it will have my attention during its
life of publication,

Yours truly,
Chas. J. Davis.



15650

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DATE ~~October 22, 1922~~

Publisher, The Irrigationist,
Punnett, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to
~~January 31, 1923~~, the date set for proof, the expense of the publication to be paid
by the applicant, ~~J. W. Sanbury, of Punnett~~, to whom you should
furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

W. G. Swenson,

Commissioner of Reclamation.

1-31-23

15650

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 on the 31st day of January, 1923, at Wendell, County of Lewiston, State of Idaho, before L. A. Jones, notary public, proof will be submitted of the completion of works for the diversion of 13 1/4 cubic feet per second of the waters of Blind Springs and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 15650, heretofore issued by the Com. of Reclamation of the State of Idaho.

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

J. W. Banbury
Wendell, Idaho

2. 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 use, in accordance with the plans accompanying the application for such permit, is 13 1/4 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes and the amount applied to beneficial use is 13 1/4 cubic feet per second.

4. The place where said water is used is Lots 3, 4 and 7 in sec 28

SE 1/4 sec 29, NE 1/4 the NW 1/4, the SE 1/4 sec 32

Lots 2, 3, 6 and 7 sec 33 all in T8S R14E B.M.
and one second foot for Banbury Natatorium

5. The date of priority which said user is prepared to establish is Nov. 10 - 1922

SW NE - 33 - 85 - 149
- 63 -

J. L. Simonsen
Commissioner of Reclamation

15650

December 22, 1922.

Re: Permit No. 15650.

Mr. J. W. Banbury,
Wendell, Idaho.

Dear Sir:-

Relative to your notice of proof of ~~beneficial~~ use of works and beneficial use of water under the above permit would say that January 31, 1923, has been as date for proof, to be made at Wendell before Mr. L. A. Jones, a notary public. A copy of the notice has today been mailed to the Wendell Irrigationist for the required publication prior to the date set for proof. If the date for making the proof is not satisfactory to you, please notify the publisher of the paper and advise this office of the change.

Deposition blanks, ~~one~~ for yourself and ~~one~~ each for two witnesses, will be mailed to you in time for proof to be made as advertised.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

15650

Wendell Idaho Dec 18th 1920

Reclamation Dept

State House Boise Idaho
Gentlemen:

Am inclosing
application to make proof
of completion of works and
beneficial use of water re permit
15-650.

I wish to have this proof made
at the earliest possible date
so as not to interfere with
the beginning of irrigation season
of 1923 through the system
referred to

Faithfully
W B Danbury

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Re: Permit No. 15650

Mr. J. W. Banbury,
Wendell, Idaho.

Boise, Idaho,
December 11, 1922.

Dear Sir:

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

W. G. SWENDSEN.
Commissioner of Reclamation.

15650

December 5, 1922

Re Application 22236

Mr. J. W. Banbury,
Wendell, Idaho.

Dear Sir:-

The above numbered application standing in your name is now being recorded and should be returned to you in permit form within the week.

There has been an unusual delay in getting the accumulated applications passed to permit during the last month, which accounts for the delay in issuing your permit.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

15650

Wendell, Idaho, Nov 30th 1922

State Reclamation

Boise Idaho

On Nov 10th I made application
for water right for about 13 second
feet. Since that time I have received
nothing from you. Will you
kindly let me know the status
of the case and see if you cannot
hurry it along as I want to
get all ground up by spring.

Faithfully
J. W. Banting