

R-13 E.

T.
7
S.

U.S. HWY. NO. 30

11

110
131
32
205

TO HAGERMAN

(.33' over
1 ft V weir)

PD
12
14 galvanized

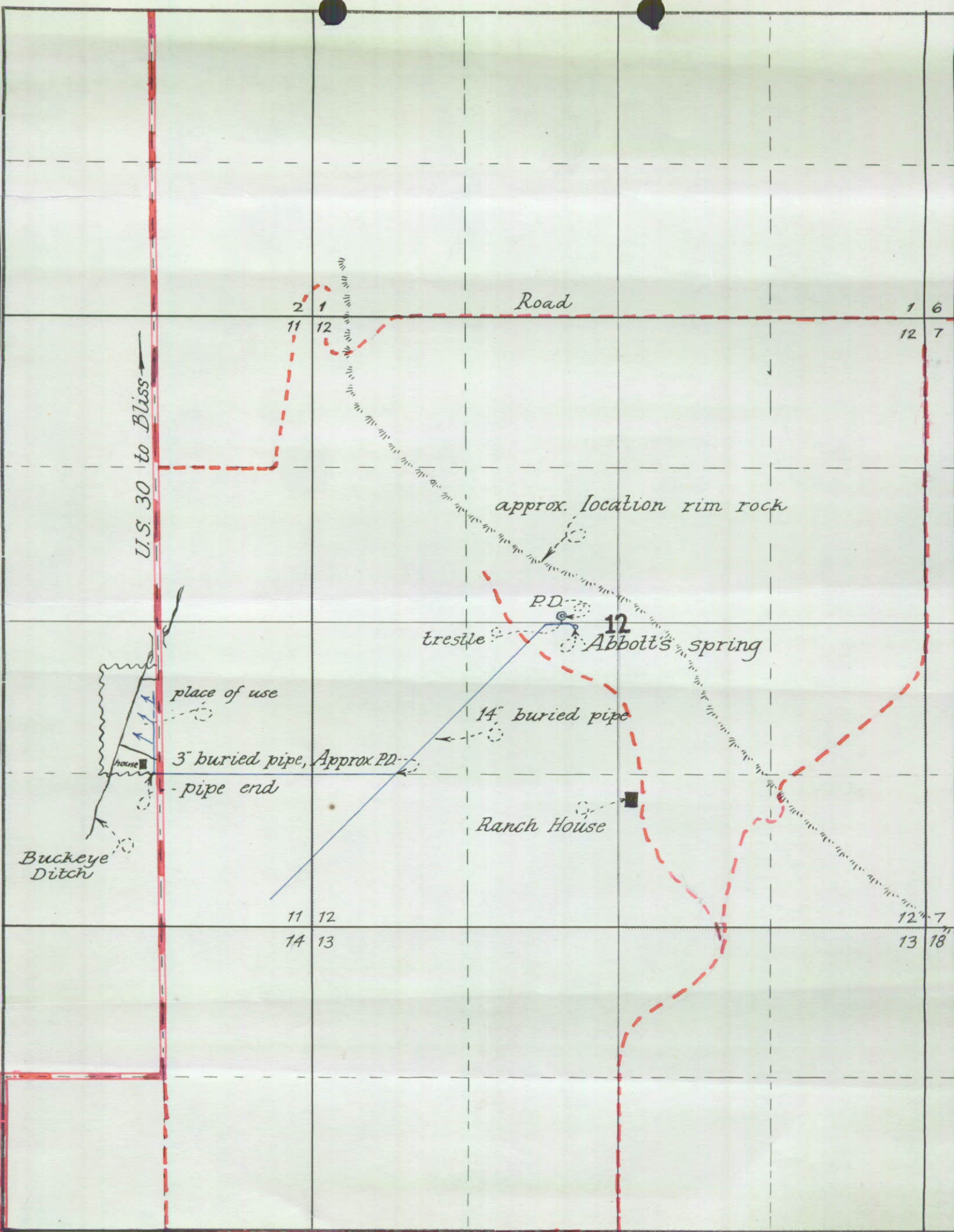
Area Irrigated = 7.5

$Q = .159 \text{ cfs. or } 7.95 \text{ allow } 8$
 $Q = \text{144 cfs or } 7.35 \text{ inches}$
over triangular weir

water temp at property = 59.75°F

approx. 8 acres
allow 8 inches

P.D. in series.
ck on airplane map.



Hagerman

22754

AFFIDAVIT OF PUBLICATION

Notice for Publication NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a.m. on the 27th day of June, 1953, at Hagerman, County of Gooding, State of Idaho, before Emerson Pugmire, notary public, proof will be submitted of the application to beneficial use of .2 cubic foot per second of the waters of an un-named spring in accordance with the terms and conditions of Permit No. 22754 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 Charles C. Cary, Hagerman, Idaho;

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

The amount applied to beneficial use is .2 sec. ft. (10 inches);

The place where said water is used NW¼ SE¼ Sec. 11, Twp. 7 S. R. 13 E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is in part through the Abbott pipeline;

The right to take water from such works is based upon Permit No. 22754;

The source of supply from which such water is diverted is an un-named spring situate in NW portion of NE¼ SW¼ Sec. 12, Twp. 7 S. R. 13 E.B.M.

The date of priority which said user is prepared to establish is April 10, 1952.

MARK R. KULP, State Reclamation Engineer. 30-33

STATE OF IDAHO }
COUNTY OF GOODING } ss.

I, *Leland G. Burress*, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was

published in said newspaper *Four (4)* consecutive weeks, the first publication having been made on the *4th* day of *June*,

195*3*, and the last publication having been made on the *25th* day of *June*, 195*3*, that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in *Gooding, Gooding County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress

Subscribed and sworn to before me this

25 day of *June*, 195*3*.

Franklin B. Burrell

Notary Public.

22754

All in Twp. 7 S. R. 13 E B M
Gooding County, Idaho.

Center Sec. 11

Center Sec. 12

This indicates land to
be irrigated, namely,
about 10 acres in SE
portion of NW $\frac{1}{4}$ SE $\frac{1}{4}$

Star indicates location
of spring from which diversion
to be made, and is in NW porti
of NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 12.

Sec. 11

Headworks to be constructed at spring
sufficient to deliver water into pipe line
to extend from spring to land to be irrigated.
Already there is a pipe line covering more than
one-half of the distance, leaving only about
1100 feet to be constructed new. Pipe line to
be underground.

Permit Map No. 22754
As Approved
MAY 6 1952
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 22754

Amount 0.16 second foot

Water District No.

Priority April 10, 1952

THIS IS TO CERTIFY that CHARLES C. CARY
of Hagerman, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 10, 1952; that Permit No. 22754
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.2 second foot, was issued thereunder on May 14, 1953, showing that said works
were completed on the 4th day of May, 1953; and that on the 27th
day of June, 1953,

CHARLES C. CARY

of Hagerman, 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
spring, a tributary of Billingsley Creek, for the purpose of irrigation and domestic
use, under Use Permit No. 22754 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 5163, on the 29th day of October, 1953;

The right hereby confirmed dates from April 10, 1952;

The Point of Diversion is located
in the SE 1/4 NW 1/4, Sec. 12, Tp. 7 S., R. 13 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 0.16 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	13 E.	11	NW 1/4 SE 1/4	24	7.5

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
29th day of October, 1953.

E. N. HUMPHREY
Deputy State Reclamation Engineer.

(SEAL)

36 2169

State of Idaho
License and Certificate of Water Right

Water License No. 22469
Water District No.

Amount 0.2 second foot
Priority November 13, 1951

THIS IS TO CERTIFY that LOUIS M. OLSON
of Genessee, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 13, 1951; that Permit No. 22469
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.2 second foot, was issued thereunder on January 6, 1953, showing that said works
were completed on the 30th day of December, 1952; and that on the 15th
day of December, 1952,

LOUIS M. OLSON
of Genessee, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Little Potlatch Creek
, a tributary of Potlatch River, for the purpose of pasture irrigation
, under Use Permit No. 22469 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 5164, on the 29th day of October, 1953;
The right hereby confirmed dates from November 13, 1951;

The Point of Diversion is located
in the SW 1/4 SW 1/4, Sec. 15, Tp. 38 N., R. 4 W., B. M. Latah 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 foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
38 N.	4 W.	15	SW 1/4 SW 1/4	10	11.5

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
29th day of October, 1953.

E. N. HUMPHREY
Deputy State Reclamation Engineer.

(SEAL)

N^o ~~2275~~ 36-2169

2275

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 30501
PERMIT No. 22754
DISTRICT No.

1. Name of Applicant: CHARLES C. CARY

Postoffice address: Hagerman

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: \$600.00

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources: Small ranch in Gooding County, to which water is to be diverted

2. Quantity of water claimed: 10 inches or 0.2 cubic feet per second.

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, T. 12 S., R. 13 E., B.M.

3. Source of water supply: An un-named spring in NW portion / which is a tributary of Billingsley Creek, and the latter Creek tributary to Snake River

4. Location of point of diversion: About 50 (S.E.) feet distant from the N. W. corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T. 7 S., R. 13 E., B. M., and is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T. 7 S., R. 13 E., B.M., County of Gooding.

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

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: \$1,200.00

8. Kind of works: Concrete head works and pipe line

9. Height of dam 3 feet; length of dam at top 4 feet; length of dam at bottom 3 feet; material used in dam or diversion works- Concrete

10. Size of headgate: Width Same as dam feet; height feet.

11. Ditch: Width at bottom None feet; width at water line feet; depth of water feet; dimensions of flume: Pipe line

Diameter of pipe 4 inches; length of conduit 1100 feet miles.
50 feet of fall over distance of 2600 feet.
Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is One additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Have no water now for this particular ten acres, which is above existing ditch from which other lands are irrigated. Purpose of this appropriation is to put in additional land that is above existing ditch.

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

CHARLES C. CARY Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. April 10, 1952

Returned to applicant for correction: April 10, 1952

Corrected application received: April 30, 1952

Approval of State Reclamation Engineer

The number of this permit is 22754
Recorded in Book 81 Page 22754 Approved May 6, 1952
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 July 6, 1952 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 November 6, 1952
The whole of said work to be completed on or before May 6, 1953
Beneficial use of water appropriated in accordance herewith, to be made on or before May 6, 1954

WITNESS My hand this 6th day of May, 1952

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN, 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 6th day of May, 1952.

Countersigned: STATE OF IDAHO
(SEAL) By IRA H. MASTERS, Secretary of State. By LEN JORDAN, Governor.

REMARKS: (See attached Easement)

14.

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 $\frac{1}{4}$	
7 S.	13 E.	11					(SE ly 24 acres of said 40) CERTIFICATE OF COMPLETION OF WORKS								24				24
TO ALL WHOM IT MAY CONCERN: This is to certify that CHARLES C. CARY of Hagerman, County of Gooding, and State of Idaho, the holder of priority of April 10, 1952, authorizing the diversion of 0.2 second feet of the waters of an unnamed spring 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 10 inches or 0.2 second feet of the waters of said spring; that the point of diversion of said waters is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, township 7 South, range 13 east, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: ten acres in the Southeast portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, township 7 South, range 13 east, B.M. Witness my hand this 14th day of May, A.D. 1953. Proof of completion of works made May 4, 1953. Certificate of completion of works made May 14, 1953.																			
																			MARK R. KULP State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 22754

Comes now CHARLES C. CARY 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. 22754,

That the point of diversion is described in said permit as being located NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, Township 7 South, Range 13 East, B.M.

That he now requests that the point of diversion be changed to a point located SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12, Township 7 South, Range 13 East, B.M.

That his reasons for desiring to make such change are as follows: An error in running out the lines.

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

Signed at Hagerman, this 10th day of October, 1953.

CHARLES C. CARY

Date of receipt at Department of Reclamation October 16, 1953.

APPROVAL OF STATE RECLAMATION ENGINEER

I, E. N. HUMPHREY, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 22754. 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.

E. N. HUMPHREY
Deputy State Reclamation Engineer

LICENSE ISSUED FOR 0.16 SEC. FT.
pg. 5163

RECEIVED
OCT 16 1953
Department of Reclamation

Hagerman
Oct 10 - 53

Mark R Kulp
Reclamation Engineer

Dear Sir:

In answer to your letter of Oct 1st wish to say that I have contacted the party that owns the land where I wish to have my point of diversion changed to and he is agreeable and willing that the change be made.

Sincerely yours

Charles C Cary

Box 87

22754

October 1, 1953

RE: Permit No. 22754

Mr. Charles C. Cary
Hagerman
Idaho

Dear Mr. Cary:

The report of our field engineer on examination for beneficial use on your Permit No. 22754, shows that the location of the spring is actually in the SE¹₄ NW¹₄ Section 12, Township 7 South, Range 13 East, B.M., instead of the NE¹₄ SW¹₄ of said section as described in your application and permit.

We enclose a form of application for amendment which you should execute and return to this department for approval and record.

A license can be issued for 0.16 of a second foot, or 8 inches, of water from this spring for irrigation and domestic use on the NE¹₄ SE¹₄ Section 11, Township 7 South, Range 13 East, B.M. The fee for this will amount to \$2.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22754

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER.

PERMIT NO. _____

22754

REPORT ON PROOF OF Beneficial Use

CHARLES C. CARY, Hagerman, Idaho

.16 cfs
DNR

app 0.2 cfs

7.5 acres

R-13E.

T.
7
S.

U.S. HWY. NO. 30

~~4~~ - TO HARGERMAN.

110	
131	
32	
200	

12

(.33' over
1 ft ✓ zwei)

Area Irrigated = 7.5

$Q = 1.59 \text{ cts. or } 7.95 \text{ inches}$ allow @
 $Q = 1.47 \text{ cts or } 7.35 \text{ inches}$
over triangular well

water temp at property = 59.75°F

Approx. 8 acres
allow 8 inches

Pop. 100000000
 China 1000000000

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

Permit No. 22754

This proof is for Beneficial use In Water District No. _____

1. Name of applicant Charles C. Cary, Gooding, Idaho
2. Source of water supply: An un-named spring
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12
T. 7 S. R. 13 E. County of Gooding
4. Describe works as they exist, giving dimensions and capacities of same: unnamed spring, rises in several places, gathered by means of concrete sump with concrete wings. Water is carried thru 4" x 20' pipe to Abbott's 14" galvanized pipe. also a 4" pipe carries surplus water out of sump to ground. Water is re-diverted from Abbott's pipe at unknown location. (both pipelines buried.) re-diverted thru 3" pipe and carried to place of use. pipe line surface at corner of Cary property.
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):

NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, Township 7 South, Range 13 East, B. M.

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

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

Remarks:

domestic use and Cherry Orchard.

Water temp. at outlet of pipe on property = 59.75°F.

accompanied on inspection by Virgil Merwood of
Hagerman, Idaho.

Hagerman,

This examination was made on the 18th day of August, 19 53

Re-inspected 9/29/53

(Signed)

Guad. H. Rose, Jr.

Examiner.

Guad. H. Rose, Jr.

22754

Charles C. Cary
Hagerman, Idaho

Permit No. 22754

Examination for Beneficial use

County Gooding

12-75-13E

Q = 0.2 c.f.s.

S = Un-named spring

P.D. = NE NE SW. Sec. 12, T. 75. - R. 13E

Use = Irrigation & Domestic

Run pipe (Albott) then out
three 4" pipe to property

Recheck

Priority = April 10, 1952
Due = May 6, 1954

W. = 5-14-53

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.

Cherry tree.
Water tank at pipe
Outlet = 59.75°F
32 ft over fountain
water main 7.35" water
as before mentioned
to ground, other into pipe
one take surplus water out
two outlets, 4" pipe
convert pump, four angles
gather by means of a
three secure places, cut in
water come from spring
to pump property.
into 3" pipe and then
in unknown point (down)
Albott by pipe. re-check
90' long and then into
spring then 4" pipe approach
water in taken from
pipe line 14" 15" gathered.
then Albott own by

Hagerman, Idaho
July 20, 1953

Dept. of Reclamation
Boise,
Idaho.

RECEIVED
JUL 22 1953
Department of Reclamation

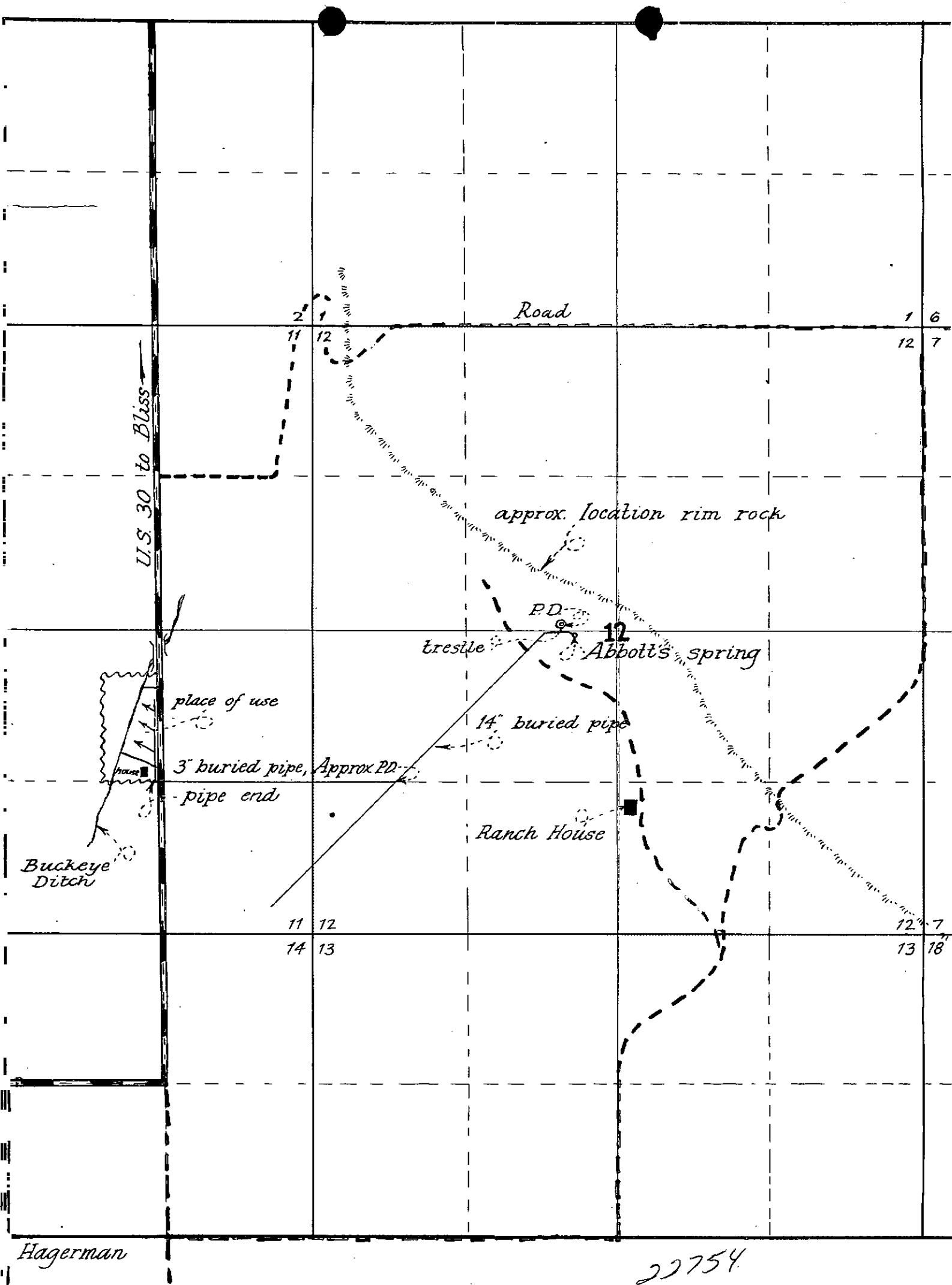
Mark P Kulp
Dear Sir.

Regarding examination of
your field engineer's work being done on
Permit No. 22754. Will write you that
I am working away from home and will
not be here for sometime.

Mrs. Cary will be here except
part time she works at Owsley's Grocery store.
She will get some one to show work, or
Virgil Norwood is prepared to show
work, Telephone No. 2071.

Yours truly
Charles C Cary

22754



June 29, 1953

RE: Permit No. 22754

Mr. Charles C. Cary
Hagerman, Idaho

Dear Mr. Cary:

We now have on file the depositions of yourself and two witnesses, also affidavit of publication in the Gooding Reader all submitted in proof of beneficial use on the Permit No. 22754.

Before final action is taken the law required that a field examination be made by an engineer from this department.

We cannot say just when this examination will be made, but our field engineer will contact you at the time he makes the examination in order that you may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj

22754

AFFIDAVIT OF PUBLICATION

Notice for Publication NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a.m. on the 27th day of June, 1953, at Hagerman, County of Gooding, State of Idaho, before Emerson Pugmire, notary public, proof will be submitted of the application to beneficial use of .2 cubic foot per second of the waters of an un-named spring in accordance with the terms and conditions of Permit No. 22754 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 Charles C. Cary, Hagerman, Idaho;

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

The amount applied to beneficial use is .2 sec. ft. (10 inches);

The place where said water is used NW¼ SE¼ Sec. 11, Twp. 7 S. R. 13 E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is in part through the Abbott pipeline;

The right to take water from such works is based upon Permit No. 22754;

The source of supply from which such water is diverted is an un-named spring situate in NW portion of NE¼ SW¼ Sec. 12, Twp. 7 S. R. 13 E.B.M.

The date of priority which said user is prepared to establish is April 10, 1952.

MARK R. KULP, State Reclamation Engineer. 30-33

STATE OF IDAHO }
COUNTY OF GOODING } SS.

I, *Leland G. Burrese*, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was

published in said newspaper *Four (4)* consecutive weeks, the first publication having

been made on the *4th* day of *June*,

195*3*, and the last publication having been

made on the *25th* day of *June*, 195*3*,

that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in *Gooding, Gooding County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burrese

Subscribed and sworn to before me this

25 day of *June*, 195*3*.

Franklin B. Burrese

Notary Public.

22754

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 22754

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. Virgil Norwood, age 46, of Hagerman, Idaho
occupation, farming.

Ques. 2. Are you acquainted with Chas. C. Cary, the holder of Permit No. 22754? How long have you known him and where does he reside?

Ans. yes, I have known him 5 years, he resides at Hagerman, Idaho

Ques. 3. Have you read or heard read said Permit No. 22754, yes, 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 spring in NW part of NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, Twp 7 S. R 13 E
diverted at spring into pipe connecting with Abbott's line, through
that a distance and then into a short line about 1500 feet onto Cary's
land where his home is located on NW SE 11/7/13

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. .2 sec ft (10 inches)

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. used for irrigation of portion (about 10 acres) of NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11
Twp. 7 S R. 13 E~~BM~~ lying above the Buckeye ditch which crosses
said tract, also used for domestic uses, the home of the Carys' being
on said forty.

22754

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

Ans. Only used other than for irrigation, for domestic use of
Cary family

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. Land is arid in nature, and in my judgment the full 10 inches
are needed for irrigating said land and for domestic use

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. Helped work on installation of headworks and pipes, and have
been on land many times, more than dozen, and seen water being applied
from said spring, through said pipes, and onto said land for irrigation
thereof, also such water is used for domestic uses, the pipe line termi-
nating on lawn of Cary home.

(Signed)

Virgil A. Norwood

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 Hagerman,

County of Gooding, State of Idaho, on this 27 day of June,

A. D. 19 53.

My commission expires 12-20-53

Emerson R. [Signature]
Notary Public,
Hagerman, Idaho

22754

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 22754

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. William D. Hurley, age 47, of Hagerman, Idaho
accountant.

Ques. 2. Are you acquainted with Chas C. Cary, the holder of Permit No. 22754? How long have you known him and where does he reside?

Ans. yes, 25 years, he resides 1 mile north of Hagerman

Ques. 3. Have you read or heard read said Permit No. 22754, 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. small spring in NW portion of NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, T. 7 S. R. 13
EBM; diverted at spring by means of concrete heading, thence into
pipe which dumps into Abbotts' pipe line, is carried for distance,
and thence into Cary's private line, the latter line leads for
about 1500 feet onto place of use, terminating on lawn of Cary home

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. answer to each question is .2 sec ft (10 inches

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. use for domestic use, and also to irrigate 10 acres of land, being
part of NW $\frac{1}{4}$ SE $\frac{1}{4}$ 11-7-13 above Buckeye ditch

22754

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

Ans. not used for power

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. land is reclaimed sage brush land, requires irrigation for production of crops = full 10 inches necessary for proper irrigation

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. Have been on property frequently, have seen headworks and pipe lines, and have seen water taken through said works and pipes and used for domestic use at Cary home and for irrigation of the portion of said forty above the Buckeye ditch.

(Signed)

William D. Hurley

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 Hagerman,

County of Gooding, State of Idaho, on this 27 day of June,

A. D. 19 53

My commission expires 12-20-53 Hagerman, Idaho

Notary Public

22754

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 29 1953
Department of Reclamation

Permit No. 22754

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Chas. C. Cary, Hagerman, 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. 22754 April 10, 1952. priority April 10, 1952

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

Ans. unnamed spring in NW portion NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, Twp 7 S. R. 13 EBM Gooding County, Idaho, 50 feet SE from NW corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ said Sec. 12

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. Concrete headworks at spring, 6 inch steel pipe leads from said headworks south about 40 feet to connect with Abbott pipe line (already established and in use by others); water goes about 1800 feet in Abbott pipe line, then taken out in individual 4-inch pipe, which is about 1500 feet and onto land being irrigated

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 use, land irrigated NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11 Twp. 7 S. R. 13 EBM, Gooding County, Idaho

22754

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

Ans. My home is on the land so being irrigated, and some of the water is used for domestic use

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

Ans. .2 sec. ft (10 inches)

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. All has been used for irrigation and domestic use continuously since May 15th, 1953.

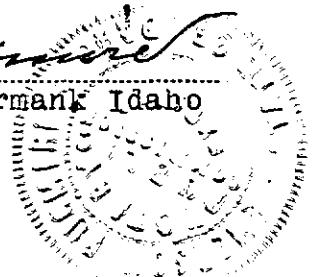
Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. 17 acres of said forty, which is below Buckeye ditch is watered from Buckeye ditch; the land on which the said 10 inches is being used is above the Buckeye ditch; there are ten acres above B. ditch being irrigated from said 10-inch right; oerhaps more correct description of land being irrigated would be that part of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ above B. ditch
(Sign) Charles C. Cary

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 Hagerman, County of Gooding, State of Idaho, on this 27th day of June, A. D. 19 53;

My commission expires 12-20-53

Emerson Eugene
Notary public, Hagerman, Idaho



22754

May 26, 1953

RE: Permit No. 22754

Mr. Charles C. Cary
Hagerman
Idaho

Dear Mr. Cary:

We have sent to the Gooding Leader notice of beneficial use proof to be made on Permit No. 22754 on June 27, 1953, with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set you should appear before Mr. Emerson Pugmire, Notary Public, 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 enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

2 2754

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Re: Permit No. 22754

Date: May 26, 1953

Gooding Leader

Gooding, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **June 27, 1953** the date set for proof, the expense of the publication to be paid by the applicant, **Charles C. Cary** of **Hagerman, 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

22754

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

Notice is hereby given that at 10:00 A. M. on the 27th day of June, 1953,
at Hagerman, County of Gooding, State of Idaho, before
Emerson Pugmire, notary public, proof will be submitted of the
application to beneficial use of .2 cubic feet per second of the waters of an un-named
spring in accordance with the terms and conditions of Permit No. 22754
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

Charles C. Cary, Hagerman, Idaho;

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

The amount applied to beneficial use is .2 sec. ft. (10 inches);

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

NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11, Twp. 7 S. R. 13 E. B. M.

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

in part through the Abbott pipeline;

The right to take water from such works is based upon Permit No. 22754;

The source of supply from which such water is diverted is an un-named spring situate
in NW portion of NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, Twp. 7 S. R. 13 E.B.M.

The date of priority which said user is prepared to establish is April 10, 1952.

MARK R. KULP

State Reclamation Engineer.

22754

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)..... May 25th, 1953

(P. O.)..... Hagerman, 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
..... Gooding Leader of Gooding, Idaho published in
the county in which the works are situated.

..... Charles C. Cary

(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.

22754

May 23, 1953

RE: Permit No. 22754

Mr. Charles C. Cary
Hagerman
Idaho

Dear Mr. Cary:

We have your letter of May 22, 1953, stating that you are prepared to make proof of beneficial use on Permit No. 22754.

Before this proof is made the law requires publication of a notice once a week for four weeks in a county newspaper, setting time and place and naming the Notary Public before whom the proof is to be made.

This notice should be made in duplicate on Form 10 enclosed, and both copies returned to this department together with Form 11, which is your authorization for us to have the notice published at your expense in the designated county newspaper.

The date should be set sufficiently far ahead to allow for four weeks publication and the proof may be made at any place convenient for you and your two witnesses.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22754

RECEIVED
MAY 23 1953
Department of Reclamation

Hagerman Ida
May 22 - 53

State of Idaho
Dept. of Reclamation

Dear Sirs:-

I received Permit No
22 754 Certificate of Completion of Works.

I understand that I am still required
to make proof of use of this water if
so will you please send me the proper
form or any information I need.

Sincerely
Charles C Cary

22754

May 15, 1953

RE: Permit No. 22754

Mr. Charles C. Cary
Hagerman
Idaho

Dear Mr. Cary:

We enclose Certificate of Completion of Works issued on Permit No. 22754 for the diversion of 10 inches, or 0.2 second foot of water from an unnamed spring in the NE¹/₄ SW¹/₄ Section 12, Township 7 South, Range 13 East, B.M., for irrigation and domestic use on the NW¹/₄ SE¹/₄ Section 11, Township 7 South, Range 13 East, B.M.

We also enclose departmental receipt No. 25906 for the \$5.00 fee paid in connection therewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

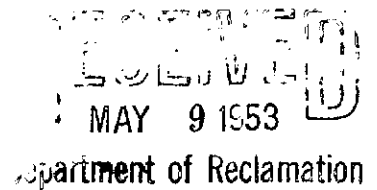
22754

Hagerman Idaho

May 8, 53.

Department of Reclamation

Base Idaho



Dear Sirs:-

Am enclosing Proof
of completion of works for water
Permit 22754.

I failed to get this in my letter
to you by yesterday's mail.

Sincerely yours

Charles C Cary

Hagerman

Box 87 22754

RECEIVED
MAY 8 1953
Department of Reclamation

Hagerman, Idaho
May 4, 1953

Department of Reclamation
State House
Boise, Idaho

Re: Permit No. 22754

Gentlemen:

As suggested by your letter of March 2, 1953 you will find enclosed Proof of Completion of Works, and my check for \$5.00.

As has been discussed with a member of your department, for about 1800 feet of the distance this water is being conveyed I have made arrangements to take my water through the pipeline of Mrs. Abbott. Her consent to this proposition has been signed by her before a notary and a duplicate thereof is enclosed. A like copy of this agreement is being recorded in Gooding County.

Hoping this will enable you to issue the license,
I am

Sincerely yours,

Encls.

Charles C Cary
=====

Charles C. Cary

22754

RIGHT OF WAY

THIS AGREEMENT and RIGHT OF WAY Made May 4, 1953 between Bessie B. Abbott, a widow, first party and Charles C. Cary, second party, both of Hagerman, Idaho.

For value first party gives and grants to second party a right of way and easement to convey approximately 10 inches of water through first party's pipeline for a distance of approximately 1800 feet. Second party shall have the right to turn his water into said pipeline at a point approximately where said pipeline crosses the west line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 12, Twp. 7 S., R. 13 E.B.M., Gooding County, Idaho, and may be transported in said pipe on its westerly course for a distance of approximately 1800 feet, that is, across Billingsly Creek. The purpose of this is to enable second party to get his water across Billingsly Creek without the necessity of having to construct a pipeline across such creek. Second party shall have the right to install and maintain such connections and fittings as may be necessary and proper to enable him to put his water into said pipeline and take it out at the respective points above indicated.

It is understood that first party conveys a substantial amount of water through the same pipe across Billingsly Creek. Henceforth, second party shall be a tenant in common in the use of said pipeline, and he agrees to pay his proportionate share of maintenance and upkeep of the pipeline so to be used by him.

It is understood and agreed that second party's water so to be conveyed through said pipeline is for the irrigation of and domestic use on the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11, Twp. 7 S., R. 13 E.B.M.

This agreement shall be binding upon and inure to the benefit of the heirs and successors in interest of the respective parties.

IN WITNESS WHEREOF, the contracting parties have hereunto set their hands as of the day and year first above written.

22754

	<u>Bessie B. Abbott</u> First Party
	<u>Charles C. Cary</u> Second Party

STATE OF IDAHO)
) ss.
County of Gooding)

On this 7 day of May, 1953, before me, the undersigned,
a notary public in and for said county, personally appeared
Bessie B. Abbott and Charles C. Cary, known to me to be the persons
whose names are subscribed to the within instrument, and acknowledged
to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal as of the day and year first above written.

(seal)


Notary Public, Hagerman, Idaho

22754

Permit No. 22754STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Gooding

ss.

Charles C. Cary, 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. 22754, and that his postoffice address is Hagerman, Idaho
State of IdahoSecond: That the name of the stream from which said water is to be diverted is unnamed spring in NW portion of NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, Twp. 7 S. R. 13 EBMThird: That the point of diversion of said water is NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, Twp. 7 S. R. 13 EBMFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 6th, 19 53.Fifth: That the use for which said water is intended is irrigation & domestic use

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

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

II. Dimensions of work:

(a) Height of dam 3 feet, length of dam at top 5 feet, length of dam at bottom 3 $\frac{1}{2}$ feet. Material used in construction concrete

(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 10" second feet of water.Eighth: That water appropriated under said permit is available for 10 acres of land described as follows:
10 acres in SE portion of NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11, Twp. 5 S. R. 13 EBMNinth: Remarks: That All work completed and water being used as planned.Charles C Cary
(Sign Here)Subscribed and sworn to before me this 4th day of May, 19 53.My commission expires 1955Branch Bess
Notary Public.

22754

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. Charles C. Cary

Boise, Idaho **March 2, 1953**

Hagerman, Idaho

Dear Sir:-

Under the terms of your Permit No. 22754.....you are required to complete your diversion works on or before.....May 6, 1953..... 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

22754

May 13, 1952

RE: Permit No. 22754

Mr. Branch Bird
First Security Bank Building
Gooding, Idaho

Dear Mr. Bird:

We enclose Permit No. 22754 in the name of Chas. C. Cary and direct his attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 24417 for the \$5.00 filing fee and return the easement from Bessie B. Abbott to said Chas. C. Cary, which accompanied the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22754

All in Twp. 7 S. R. 13 E B M
Gooding County, Idaho.

Center Sec. 11

Center Sec. 12

This indicates land to
be irrigated, namely,
about 10 acres in SE
portion of NW $\frac{1}{4}$ SE $\frac{1}{4}$

Star indicates location
of spring from which diversion
to be made, and is in NW port
of NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 12.

Sec. 11

Headworks to be constructed at spring
sufficient to deliver water into pipe line
to extend from spring to land to be irrigated.
Already there is a pipe line covering more than
one-half of the distance, leaving only about
1100 feet to be constructed new. Pipe line to
be underground.

Permit Map No. 22754
As Approved
MAY 6 1952
MARK R. KULP
State Reclamation Engineer

LAW OFFICES
BRANCH BIRD
1ST. SECURITY BANK BLDG
GOODING, IDAHO

BRANCH BIRD
CECIL D. HOBDEY

April 29, 1952

RECEIVED
APR 30 1952
1:48 PM
Department of Reclamation

Department of Reclamation
Boise, Idaho

Re: Chas. C. Cary

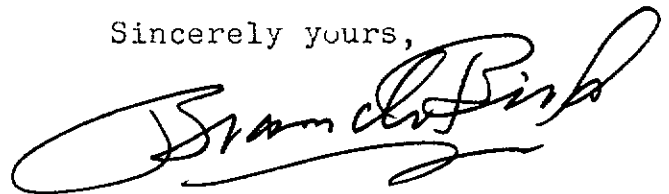
Gentlemen:

At the request of Mr. Cary we return his application for permit. You will note he has changed the amount of the water claimed to 10 inches (formerly 15).

Your letter of April 10th requests that he have the affidavit for permission to file on springs filled out and signed. We had previously prepared and Mrs. Abbott has now signed and we enclose an easement giving Mr. Cary the right to enter upon her land for the purpose of diverting this water and maintaining his pipeline, which we hope is sufficient for the purposes in mind.

If not, please advise us.

Sincerely yours,



BB:ei
Enc

22754

E A S E M E N T

IN CONSIDERATION of the sum of \$1.00 and other valuable considerations the undersigned Bessie B. Abbott, a widow, of Hagerman, Idaho, hereby gives and grants to Chas. C. Cary of Hagerman, Idaho, a right of way and easement for the purpose of constructing and maintaining head and diversion works in the NW portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12 T. 7 S., R. 13 E.B.M., Gooding County, Idaho, and for the purpose of connecting and installing to said headworks, a pipeline which shall extend in a westerly course across the said Sec. 12. It is understood and agreed that said pipeline shall be underground at sufficient depth to permit all reasonable cultivation and farming operations that are customarily carried on in that area. There is also granted to said Cary the right of ingress and egress for the purpose of maintenance, repair and upkeep of said pipeline and diversion works.

It is understood that all such construction and maintenance work will be done by Chas. C. Cary at such time and in such manner as to damage and interfere with the property as little as possible.

In the event said Cary or his successor in interest discontinues the use of said works he agrees to remove the same and leave the property as near in its original state as reasonably possible.

It is understood that the purpose of said works and pipeline is to convey water for irrigation and domestic use on the lands of Chas. C. Cary located in the SE $\frac{1}{4}$ portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11 T. 7 S., R. 13 E.B.M., Gooding County, Idaho.

The terms and conditions hereof shall constitute covenants running with the land, and shall be binding upon the successors in interest of the contracting parties.

BESSIE B. ABBOTT

22754

STATE OF IDAHO)
) ss.
County of Gooding)

On this 28 day of April, in the year 1952, before me, the undersigned, a notary public in and for said county personally appeared Bessie B. Abbott, a widow, known to me to be the person whose name is subscribed to the within easement, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

EMERSON FUGI IRE
Notary Public in and for
the State of Idaho (SEAL)
residing at

22754

April 10, 1952

Mr. Charles C. Cary
Hagerman
Idaho

Dear Mr. Cary:

We are this morning in receipt of your letter dated March 18, 1952, and enclosing application for permit to appropriate 15 inches of water from an unnamed spring, accompanied by your check for the \$5.00 filing fee.

We return the application in order that you may show under remarks the ownership of the land on which the spring is located and if in private ownership other than yourself, the affidavit of permission on the bottom of the third page must be executed by the owner.

We note that you only expect to irrigate 10 acres of land, in which case your application can only be approved for 10 inches, as the statutes set a maximum of 1 inch per acre for irrigation purposes.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22754

RECEIVED
APR 10 1952
Department of Reclamation

Hagerman, Idaho
March 18, 1952

Department of Reclamation
Boise, Idaho

Gentlemen:

Enclosed please find application for permit with plat in duplicate showing the point of diversion, course of the pipeline and approximate lands to be irrigated.

Check for \$5.00 is also enclosed.

If anything further is needed, please advise.

Sincerely yours,

Charles C. Cady

Encls.

22854