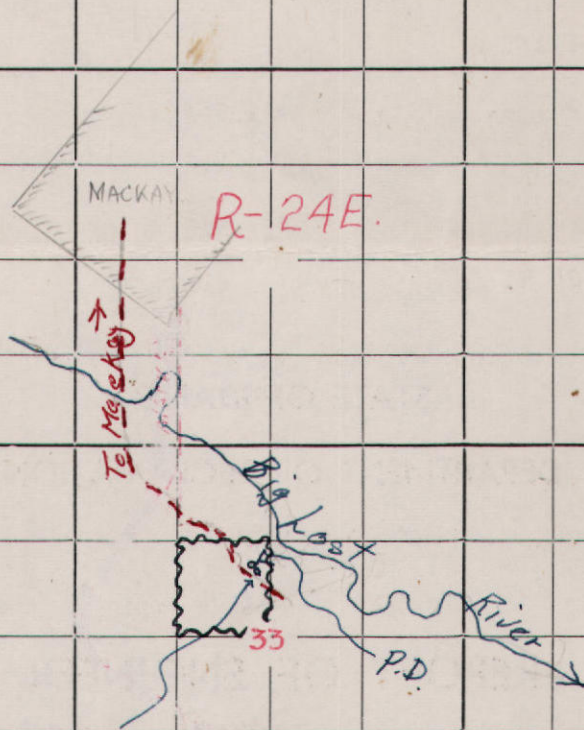


T.
7
N.



Subdivisions = One

Use = Stock water

Q = $\frac{1}{2}$ inch

**NOTICE OF PROOF
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 10:00 A. M. on the 6th day of September, 1955, at Mackay, County of Custer, State of Idaho, before Eugene H. Buster, Notary Public, proof will be submitted of the application to beneficial use of 1/50 cubic feet per second of the waters of a Spring in accordance with the terms and conditions of Permit No. 25151 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Verl S. Potts, Sr., Mackay, Idaho.

The use to which said water has been applied is Stock Water. The amount applied to beneficial use is 1/50 cubic feet per second.

The place where said water is used SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33, Township 7 North Range 24 East B. M.

The right to take water from such works is based upon Permit No. 25151.

The source of supply from which such water is diverted is an un-named Spring.

The date of priority which said user is prepared to establish is August 16, 1954.

MARK R. KULP,
State Reclamation Engineer

Publish August 4, 11, 18, 25 '55

Affidavit of Publication

State of Idaho

County of Custer

ss.

I, Ruth Hanawalt, Editor of THE MACKAY MINER, a weekly

newspaper of General Circulation published weekly at Mackay, Idaho,

continuously since February 16, 1906, do solemnly swear that a copy of

the notice, as per clipping attached, was published weekly in the regular

and entire issue of said newspaper and not in any supplement thereof,

for 4 consecutive weeks, commencing with the

issue dated Aug 4, 1955, and ending with

the issue dated Aug 25, 1955.

Ruth Hanawalt

Subscribed and sworn to before me this 27th day

of August, 1955.

Kenneth H. Deming

Notary Public

Mackay, Idaho

My Commission Expires 1/23/58

25151

State of Idaho
License and Certificate of Water Right

Water License No. 25151 Amount 0.01 second foot
Water District No. Priority August 16, 1954

THIS IS TO CERTIFY that VERL S. POTTS
of Mackay, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 16, 1954; that Permit No. 25151
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.02 second foot, was issued thereunder on July 22, 1955, showing that said works
were completed on the 20th day of July, 1955; and that on the 6th
day of September, 1955,

VERL S. POTTS
of Mackay, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of spring-unnamed
, a tributary of --, for the purpose of stock watering
, under Use Permit No. 25151 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
9 of Licenses at page 5838, on the 26th day of October, 1956;
The right hereby confirmed dates from August 16, 1954;

The Point of Diversion is located
in the SE 1/4 NW 1/4, Sec. 33, Tp. 7 N, R. 24 E., B. M. Custer 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 0.01 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 N.	24 E.	33	SE 1/4 NW 1/4	(Water to be used for	stock watering purposes)

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
26th day of October, 1956.

MARK R. KULP
State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-25057 Amount 1.54 second feet
Water District No. Priority July 14, 1954

THIS IS TO CERTIFY that MARJORIE E. McCLELLAN
of Rupert, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 14, 1954; that Permit No. G-25057
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.54 second feet, was issued thereunder on October 26, 1956, showing that said works
were completed on the 23rd day of July, 1956; and that on the 23rd
day of July, 1956,
MARJORIE E. McCLELLAN
of Rupert, Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
in the SE 1/4 NE 1/4, Sec. 6, Tp. 9 S., R. 22 E., B. M. Minidoka County
(subterranean flow), for the purpose of irrigation and domestic
use, under Use Permit No. G-25057 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
9 of Licenses at page 5837, on the 26th day of October, 1956;
The right hereby confirmed dates from July 14, 1954;
The Point of Diversion is located
in the SE 1/4 NE 1/4, Sec. 6, Tp. 9 S., R. 22 E., B. M. Minidoka 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 1.54 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	22 E.	6	NW 1/4 NW 1/4	40	20
			SW 1/4 NW 1/4	40	30
			NE 1/4 SW 1/4	40	27
			NW 1/4 SW 1/4	40	--
Total Number of Acres Actually Irrigated - -					77

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
26th day of October, 1956.

(SEAL) MARK R. KULP
State Reclamation Engineer.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 32980
 PERMIT No. 25151
 DISTRICT No.

34-2314

1. Name of Applicant: VERL S. POTTS, SR.

Postoffice address: Box 282, Mackay

County: Custer

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 1 inch

cubic feet per second.

3. Source of water supply: Spring - unnamed

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B. M., and is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 33 , T. 7 N. , R. 24 E. , B.M., County of Custer

5. Water is to be used for Livestock watering

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 SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33 , T. 7 N. , R. 24 E. , B.M.

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

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

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

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

7. Estimated cost of works: \$ 200.00

8. Kind of works: Latereal - French Rocking - Pipe and Trough

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

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

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

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is 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:

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 $\frac{1}{4}$	
			Permit No. 25151 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that VERL S. POTTS, Sr. of Mackay, County of Custer, and State of Idaho, the holder of Permit No. 25151, issued upon Application No. 32980, bearing date of priority of August 16, 1954, authorizing the diversion of one inch of the waters of an unnamed spring, County of Custer, State of Idaho, for stock watering 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 one inch of the waters of said spring; that the point of diversion of said waters is in the SE$\frac{1}{4}$ NW$\frac{1}{4}$ Section 33, Township 7 North, Range 24 East, B.M. and that the place of use of said water is also in the SE$\frac{1}{4}$ NW$\frac{1}{4}$ Section 33, Township 7 North, Range 24 East, B.M. Witness my hand this 22nd day of July, A. D. 1955. MARK R. KULP State Reclamation Engineer Proof of completion of works made July 20, 1955 Certificate of Completion of Works issued July 22, 1955 ORIGINAL ISSUED FOR 0.01 ACRES Page 5838																

October 26, 1956

RE: Permit No. 25151

Mr. Verl S. Potts
Mackay
Idaho

Dear Mr. Potts:

We enclose License and Certificate of Water Right issued under your Permit No. 25151 confirming your right to the use of 0.01 second foot of the waters of spring-unnamed, with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, Township 7 North, Range 24 East, B.M., with priority of August 16, 1954, for stock watering purposes in the same subdivision.

We also enclose departmental receipt No. 28225 for the \$5.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Rshll
Enc.

25151

October 19, 1956

RE: Permit No. 25151

Mr. Verl S. Potts
Mackay
Idaho

Dear Mr. Potts:

We now have on file the report of our field engineer on examination for beneficial use on your permit No. 25151 which shows that you have used .01 second foot of water from an un-named spring located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, Township 7 North, Range 2 $\frac{1}{2}$ East, B.M., for stock watering purposes in the same subdivision.

A License can, therefore, be issued for .01 second foot of water upon receipt of the statutory license fee of \$5.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

25151

Mackay Idaho
Oct 20 1958

Department of Reclamation

Boise Idaho

Edna P. Rutledge

Dear Madam

Please find inclosed check
for 5⁰⁰ to cover cost of license
fee.

Very truly yours

W. H. Peters

25151



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER
BOISE

RECEIVED
OCT 23 1956
Department of Reclamation

October 19, 1956

RE: Permit No. 25151

Mr. Verl S. Potts
Mackay
Idaho

Dear Mr. Potts:

We now have on file the report of our field engineer on examination for beneficial use on your permit No. 25151 which shows that you have used .01 second foot of water from an un-named spring located in the SE¹/₄ NW¹/₄ Section 33, Township 7 North, Range 24 East, B.M., for stock watering purposes in the same subdivision.

A License can, therefore, be issued for .01 second foot of water upon receipt of the statutory license fee of \$5.00.

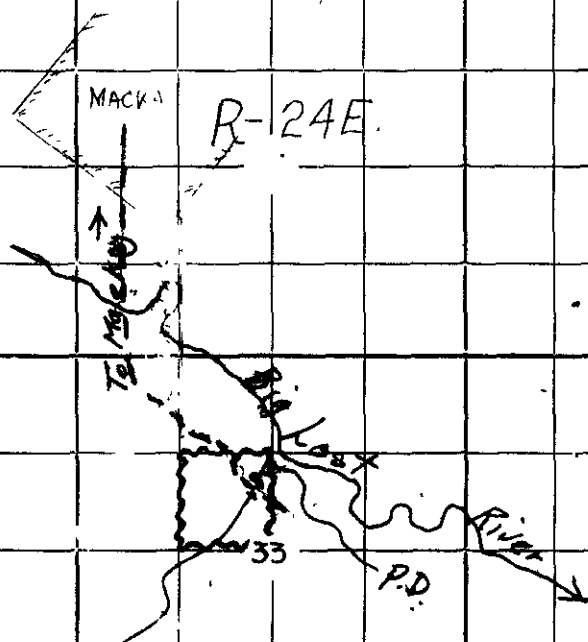
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna D. Rutledge
Chief Clerk

R:hll

25151



Place of use = Water trough For stock

Subdivisions = One

Use = Stock water

Q. = $\frac{1}{2}$ inch

T.
7
N.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 25151

REPORT ON PROOF OF Beneficial Use

VERL S. POTTS, Mackay, Idaho

.01 cfs
max

app. 1 inch
for 1 inch
sub
for stock watering

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

Permit No. 25151

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Verl S. Potts, Mackay, Idaho

2. Source of water supply: An un-named spring

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33

T. 7 N. R. 24 E. County of Custer

4. Describe works as they exist, giving dimensions and capacities of same: This was formerly a kind of bog. There are now three trenches each built up with flat rocks so water drains to a central point. There is a head box made of 2" material. Short planks have been treated and driven into the earth and a lid built over same 60' pipe line to water trough.

5. Water is used for: Stock water

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):

Place of use: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, Twp. 7 N., Range 24 E., B.M.

Trenches are 10' - 15' - & 20' long each 3' to 4' deep. Filled with flat stones and covered over with sod. All is fenced in with aspen poles. Pipe line is 1" to $\frac{3}{4}$ " to $\frac{1}{2}$ ". Spring flows approx $\frac{1}{2}$ " of water.

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

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

Remarks: Water trough was made by cutting three oil drums lengthwise and welding together six lengths.

This examination was made on the 1st day of October, 1956

(Signed) E. N. Humphrey Examiner.

25151

Verl S. Potts
Mackay, Idaho

Permit No. 25151

Examination for Beneficial Use

County Custer

33-7N.-24E.

Q₂ 1.0 incl

S = Spring (unnamed)

P.D. = SE. 1/4, Sec. 33, T. 7N. - R. 24E.

Use = livestock watering

7N 24E.

29 / 28
32 / 32

Priority = Aug. 16, 1954
Due = Sept. 3, 1955

C/W = 7-22-55

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.

water trough 17' x 25' x 12"
made from
oil drums

60' iron pipe for
to trough 1' to 3/4" x 1/2"

6'4" x 3'w x 2'6" h. box
made of plank to keep
leaves out of feed line

There is a ditch 7' spacing
10' 1/2" - 20' long.
3' deep 4' w. x 18' w.
all rocked up with
1.5' rock
covered with sod.

September 20, 1956

RE: Permit No. 25151

Mr. Verl S. Potts
Mackay
Idaho

Dear Mr. Potts:

Inspection is required on any permit being brought to license in the State of Idaho.

I intend to make inspection in connection with your Permit on Monday, October 1, as soon as I can drive to Mackay from Boise.

Please meet me at the Texaco Station in Mackay about 1:00 in the afternoon and be prepared to accompany me on the inspection.

Very truly yours,

MARK R. YULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

25151

✓
September 14, 1955

RE: Permit No. 25151

Mr. Verl S. Potts
Mackay
Idaho

Dear Mr. Potts:

We acknowledge receipt of the corrected depositions of yourself and two witnesses in proof of beneficial use on Permit No. 25151.

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

We cannot tell just when this examination will be made but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

25151

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 9 1955
Department of Reclamation

Permit No. 25151

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. VERL S. Potts Mackay, Farmer
Mackay 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. 25151 - July 10, 1954 Date of Priority Aug. 16, 1954

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

Ans. Spring Located S.E. 4 N.W. 4 Sec. 33
T. 7. N. R. 24. E.

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. French rock Lattrels and pipe to
trough delivering 1 inch water.
60' of 1" pipe.
45' of lateral Ditcher 26" by 14"

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. Live Stock Water Used.
on S.E. 4 N.W. 4 Sec 33 T. 7. N. R. 24. E

25151

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

Ans. None

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

Ans. One inch

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. _____

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. _____

(Sign) Verdell L. Potter, Jr.

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 Markay, County of Custer, State of Idaho, on this 6th day of September, A. D. 1955,

My commission expires January 17, 1957

25151

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25151

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 _____

Ques 2 Are you acquainted with Victor J. Smith, the holder of Permit No 25151? How long have you known him and where does he reside?

Ans _____

Ques 3 Have you read or heard read said Permit No 25151, 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 Spring - S.E. 1/4 Sec. 33 T. 7 N. R. 24 E

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

Ans about 6000 cfs

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 pure stock water brought to the point from outlet of spring on S.E. 1/4 Sec. 33 T. 7 N. R. 24 E.

25151

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

Ans. None

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. _____

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

Ans. 220

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 seen to Spring and have
the operation at its best

(Signed) Earl

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 Maskay

County of Custer, State of Idaho, on this 6th day of September
A D 1955

My commission expires January 17, 1957

Eugene H. Butler
Notary Public.

25151

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25151

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 Iron Hardy age 22 Leake Idaho
Box 42

Ques 2 Are you acquainted with Verl S. Potts, the holder of Permit No 25151? How long have you known him and where does he reside?

Ans 2 years

Ques. 3 Have you read or heard read said Permit No 25151, 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 Spring - S.E. 1/4 N.W. 1/4 of Sec. 33 T. 7 N.
R. 24 E

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

Ans About one inch.

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 I use stock water trough used
S.E. 1/4 N.W. 1/4 Sec. 33 T. 7 N. R. 24 E.

25151

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

Ans. None

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 _____

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

Ans. No

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

Ans I have been to Spring and saw the operation

(Signed) _____

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 Mackay

County of Custer, State of Idaho, on this 6th day of September, A. D. 1955

My commission expires January 17, 1957

Eugene H. Smith
Notary Public.

25151

**NOTICE OF PROOF
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 10:00 A.M. on the 6th day of September, 1955, at Mackay, County of Custer, State of Idaho, before Eugene H. Buster, Notary Public, proof will be submitted of the application to beneficial use of 1/50 cubic feet per second of the waters of a Spring in accordance with the terms and conditions of Permit No. 25151 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Verl S. Burt, Sr., Mackay, Idaho.

The place to which said water is diverted is ~~the waters of a Spring~~ Water. The amount applied to beneficial use is 1/50 cubic feet per second.

The place where said water is used is ~~the waters of a Spring~~ Sec. 33, Township 7 North Range 24 East B. M.

The right to take water from such works is based upon Permit No. 25151.

The source of supply from which such water is diverted is an un-named Spring.

The date of priority which said user is prepared to establish is August 16, 1954.

MARK R. KULP,
State Reclamation Engineer

Publish August 4, 11, 18, 25 '55

Affidavit of Publication

State of Idaho }
County of Custer } ss.

I, Ruth Hanawalt
~~P. A. S. S. S.~~, Editor of THE MACKAY MINER, a weekly newspaper of General Circulation published weekly at Mackay, Idaho, continuously since February 16, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated Aug 4, 1955, and ending with the issue dated Aug 25, 1955.

Ruth Hanawalt

Subscribed and sworn to before me this 27th day of August, 1955.

Kenneth H. Deming
Notary Public

Mackay, Idaho

My Commission Expires 1/23/58

25151

✓
September 9, 1965

RE: Permit No. 25151

Mr. Verl S. Potts
Mackay
Idaho

Dear Mr. Potts:

We return the depositions of yourself and two witnesses offered in proof of Beneficial Use on Permit No. 25151 for the following corrections:

(1) Question 4 of your own deposition should give the location of the Spring to the 40 acre subdivision, section, township and range.

(2) Question 6 of all the depositions should give the legal description of the land where the water has been used.

(3) Question 5 of your own deposition should give the size and length of the pipe and ditches.

The Affidavit of Publication is a necessary part of the proof and the Mackay Miner was instructed to send this to you. If you have not received it we suggest that you take the matter up with them at once.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

25151

✓
August 3, 1955

RE: Permit No. 25151

Mr. Verl S. Potts, Sr.
Mackay
Idaho

Dear Mr. Potts:

We have sent to the Mackay Miner notice of proof of Beneficial Use to be made on your Permit No. 25151 at 10:00 A. M., September 6, 1955, 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. Eugene H. Bester, 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:cu
Enc.

25151

August 2, 1955

Re: Permit No.25151

Mackay Miner
Mackay, Idaho

Gentlemen:

Earlier today we sent you a notice for publication, in the name of Verl S. Potts, Sr.

In re-checking, we find that this notice was incomplete, as it did not give the name of the Notary Public before whom the proof was to be made.

Please complete the notice by inserting the words, "Eugene H. Buster, Notary Public" after the word "before" at the end of the second line of the notice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

25151

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 25151

Date: August 2, 1955

Mackay Miner

Mackay, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **September 6, 1955** the date set for proof, the expense of the publication to be paid by the applicant, **Verl S. Potts, Sr.** of **Mackay 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

25151

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

Notice is hereby given that at ~~10:00~~ ^{6th} ~~12~~ ^{September} day of ~~1954~~, 19~~54~~⁵⁵,
at ~~Mackay~~, County of ~~Ouster~~, State of Idaho, before
Eugene H. Buster, Notary Public, proof will be submitted of the
application to beneficial use of ~~1/50~~ cubic feet per second of the waters of Spring
in accordance with the terms and conditions of Permit No. 25151
heretofore issued by the ~~Department of Reclamation~~ of the State of Idaho.

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

Verl S. Potts, Sr. Mackay, Idaho

The use to which said water has been applied is Stock water

The amount applied to beneficial use is 1/50 cubic feet per second

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

S.E. 4 N.W. 4

Sec 33/33 Township 7 N Range 24 East

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

The right to take water from such works is based upon Permit No. 25151

The source of supply from which such water is diverted is unnamed Spring

The date of priority which said user is prepared to establish is July 18
~~October~~ August 16, 19~~54~~⁵⁵

MARK R. KULP
State Reclamation Engineer.

25151

Mackay Idaho

August 1, 1955

Department of Reclamation

Boise Idaho

Dear Sir:

In regard to permit on spring No 25151 we could set the date for making proof up to Sept 6 1955 which should give you time to publish for weeks as our paper goes to press Thursday of each week and the notary will be Gene Buster

Verl Statts.

RECEIVED
AUG 21 1955
Department of Reclamation

25151

✓
July 26, 1955

RE: Permit No. 25151

Mr. Verl S. Potts, Sr.
Mackay
Idaho

Dear Mr. Potts:

We enclose Certificate of Completion of Works issued on Permit No. 25151 for the diversion of 1 inch of water from an un-named spring in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, Township 7 North, Range 24 East, B.M. for stock watering purposes on the same subdivision.

We also enclose departmental receipt No. 27462 for the \$5.00 fee in connection with completion of works.

Your notice for beneficial use on this Permit sets the date for making proof as July 18, 1955. Of course, this is an error as it did not reach us until July 21 and before proof is made, notice must be published once a week for four weeks in a county newspaper.

If you will set a later date far enough ahead to allow for four weeks publication and name the Notary Public before whom the proof will be made, we can complete the notice and send a copy to the Mackay Miner with instructions in regard to publishing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

25151

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

(P. O.)

July 18 - 1955
Mackay 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

Mackay Miner

of

Mackay Idaho

published in

the county in which the works are situated

Carl S. Potter Sr.

(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

25151

Permit No. 25151STATE OF IDAHO
Department of ReclamationJUL 21 1955
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Custer } ss.

....., 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. 25151, and that his postoffice address is Mockay State of IdahoSecond: That the name of the stream from which said water is to be diverted is SpringThird: That the point of diversion of said water is SE 4 NW 4 Sec 33 T. 7. North Range 24 E.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by September 3, 1955Fifth: That the use for which said water is intended is Stock Water

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: pipe and trough
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 2.5 feet, length of dam at top 12 feet, length of dam at bottom 12 feet. Material used in construction 60' 1" pipe 18' steel watering trough
(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 one inch second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows:

Ninth: Remarks: That

Verdell Patten
(Sign Here)Subscribed and sworn to before me this 20th day of July, 1955My commission expires Jan. 23, 1958Kenneth H. Deming
Notary Public.

25151

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Mr. Verl S. Potts, Sr.
Box 282
Mackay, Idaho

BOISE
July 1, 1955

Dear Sir:

Under the terms of your permit No. 25151 you are required to complete your diversion works and make proof of beneficial use on or before September 3, 1955.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public or 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 of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is September 3, 1955, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

25151

Permit # 25151

March 22, 1955

Mr. Verl S. Potts
Mackay
Idaho

Dear Mr. Potts:

In reply to your request of March 19, we enclose a form of application for permit to appropriate subterranean water from a well together with a pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application.

In order to complete your water right, proofs of completion of works and application of the water to beneficial use are required. The time required for making these proofs should be indicated under Question 10.

Very truly yours,

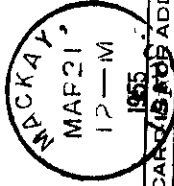
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

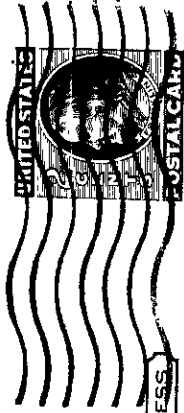
Ashll
Enc.

25151

RECEIVED
MAR 22 1955
Department of Recognition



THIS SIDE OF CARD IS FOR ADDRESS



Department of Recognition
Jackie
date
25151

Mon. Camp Idaho
March 19-

Sup't of Reclamation
Boise Idaho

Gentlemen Please
send me an
application blank
for permit to
drill deep well
for irrigation

Thank you
Very Sincerely

Markus
Idaho

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

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

B O I S E

Permit No. 25151

Date September 16, 1954

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

Mr. Verl S. Fotta, Sr.
Box 282
Mackay, Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Receipt No. 25896

25151

NAME OF APPLICANT

Ver. S. Latta & Co.

Form No. 0

Sec. 33
T-7-N. 24E
□ ← Spring

Permit Map No. ... 25151
As Approved
SEP 2 1997
MARK R. KULP
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

25151

Address all communications to:

(Form No. 3)

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G

Permit No. G

District No.

1. Name of applicant: Verl S. Potter Sr.
Post office address: Box 282 County Custer State Idaho
2. Quantity of water claimed: 1"
(a) Rate of withdrawal in cubic feet per second 1/50 or Idaho Miner's
inches _____ or gallons per minute 9
(b) Annual withdrawal in acre feet per annum _____
3. Source of water supply: Spring - unnamed
4. Location of point of diversion or well is in the _____ % of the _____ % of Section 33,
Twp. 7, Rge. 24 E B. M., County of Custer
5. Water is to be used for: Livestock watering
6. If for municipal, industrial or recreational purposes give:
(a) Point of use of water is in the SE % of the NW % of Section 33,
Twp. 7, Rge. 24 E B. M.
(b) Waste water or sewage effluent is to be returned to _____
at a point in the _____ % of the _____ % of Section _____, Twp. _____, Rge. _____, B. M.
7. Kind of Works: Latent - French Rocking - pipe + Trough
8. Estimated cost of works: \$ 200.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir: _____
10. The time required for the completion of such work and complete application of the water to the proposed use is
90 days years.

25151

SE + NW +

I. (a) Date and place of incorporation. _____
 (b) Amount of capital stock \$_____ (c) Amount paid in: \$_____
 (d) Names and addresses of directors: _____

(d) Other resources: _____

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

(b) _____ (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: _____

[illegible]

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

Applicant

By _____, Agent

Approval of State Reclamation Engineer

The number of this permit is G.....

Recorded in Book..... Page..... Approved

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 before.....

Work to begin on or before, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before

Witness my hand this..... day of....., 195.....

Mark R. Kulp

State Reclamation Engineer

IN TESTIMONY WHEREOF, We....., Governor of the State of Idaho, and....., 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..... day of....., 195.....

Countersigned:

STATE OF IDAHO

By
Secretary of State

By
Governor.

No. G.....

PERMIT

Date of first receipt at office of State
Reclamation Engineer

Oct 11 1911

Returned to applicant for correction

Corrected application received

Fees, \$.....

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00 •

For each additional Sec Ft. or Fraction

Thereof 25

August 16, 1954

Mr. Verl S. Potts, Sr.
Box 282
Mackay, Idaho

Dear Mr. Potts:

We are this morning in receipt of the application for permit to appropriate water from a spring, accompanied by your check for the \$5.00 filing fee.

However, this application is made on the form used for filing on subterranean water so we have re-written it on the correct form which we return for completion as follows:

1. Question 4 should give the 40 acre subdivision in which the spring is located, which we infer from the sketch map is the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, Township 7 North, Range 24 East B.M.
2. The application should be signed on the line indicated on the third page.
3. Under "Remarks" state the ownership of the land on which the spring is located. If other than yourself the affidavit of permission on the bottom of the third page should be executed by the owner.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Amll
Enc.

25151

July 22, 1954

Mr. Verl S. Potts
Box 282
Mackay, Idaho

Dear Mr. Potts:

In reply to your post card of July 21, we enclose a form of application for Permit to appropriate the public water of the State of Idaho together with a pamphlet giving regulations and instructions in regard to filing same. Your special attention is directed to Paragraph 11 of the pamphlet in regard to filing on springs.

Please state under "Remarks", the ownership of the land on which the springs are located. If in private ownership other than yourself, the Affidavit of Permission on the bottom of the third page of the application must be executed by the owner.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right, two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense, and at the time set for proof, depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under Question 13 in the application.

Very truly yours,

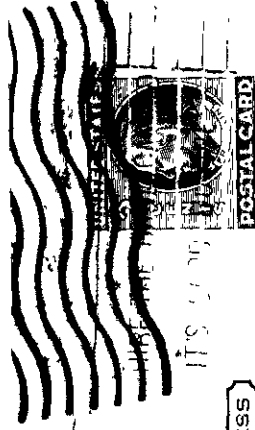
MARK R. KULP
State Reclamation Engineer
By

25151

Chief Clerk

A:hl1
Enc.

RECEIVED
JUL 22 1954
Department of Reclamation



THE SIZE OF CARD IS FOR ADDRESS

Department of Reclamation
Boise Idaho

25151

11.
Mackay & Co.
July 20, 1954
Dear Sirs

Please send me

information on

how to file one

spring-

Thank you

Yours Sincerely

Mackay & Co.

15151

**NOTICE OF PROOF
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 10:00 A. M. on the 6th day of September, 1955, at Mackay, County of Custer, State of Idaho, before Eugene H. Buster, Notary Public, proof will be submitted of the application to beneficial use of 1/50 cubic feet per second of the waters of a Spring in accordance with the terms and conditions of Permit No. 25151 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Verl S. Potts, Sr., Mackay, Idaho.

The use to which said water has been applied is Stock Water.

The amount applied to beneficial use is 1/50 cubic feet per second.

The place where said water is used SE¼NW¼ Sec. 33, Township 7 North Range 24 East B. M.

The right to take water from such works is based upon Permit No. 25151.

The source of supply from which such water is diverted is an un-named Spring.

The date of priority which said user is prepared to establish is August 16, 1954.

MARK R. KULP,

State Reclamation Engineer
Publish August 4, ~~11, 10, 26~~ '55