

State of Idaho
License and Certificate of Water Right

Water License No. 19189 Amount One second foot
Water District No. Priority July 31, 1941

THIS IS TO CERTIFY that W. O. PUTNAM, RODNEY A PEARSON, E. PUTNAM AND WALLACE THAYNE of Moore, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 31, 1941; that Permit No. 19189 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2 second feet, was issued thereunder on July 22, 1946, showing that said works were completed on the 10th day of July, 1946; and that on the 3rd day of September, 1946, FRED R. PEARSON (Assignee), RODNEY A PEARSON, E. PUTNAM and WALLACE THAYNE of Moore, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Warm Creek, a tributary of --, for the purpose of irrigation and domestic use, under Use Permit No. 19189 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 7

of Licenses at page 4321, on the 31st day of January, 1947;
The right hereby confirmed dates from July 31, 1941;
The Point of Diversion is located in the NE 1/4 SE 1/4, Sec. 21, Tp. 4 N., R. 25 E., B. M. Butte 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 One (1) cubic feet per second.

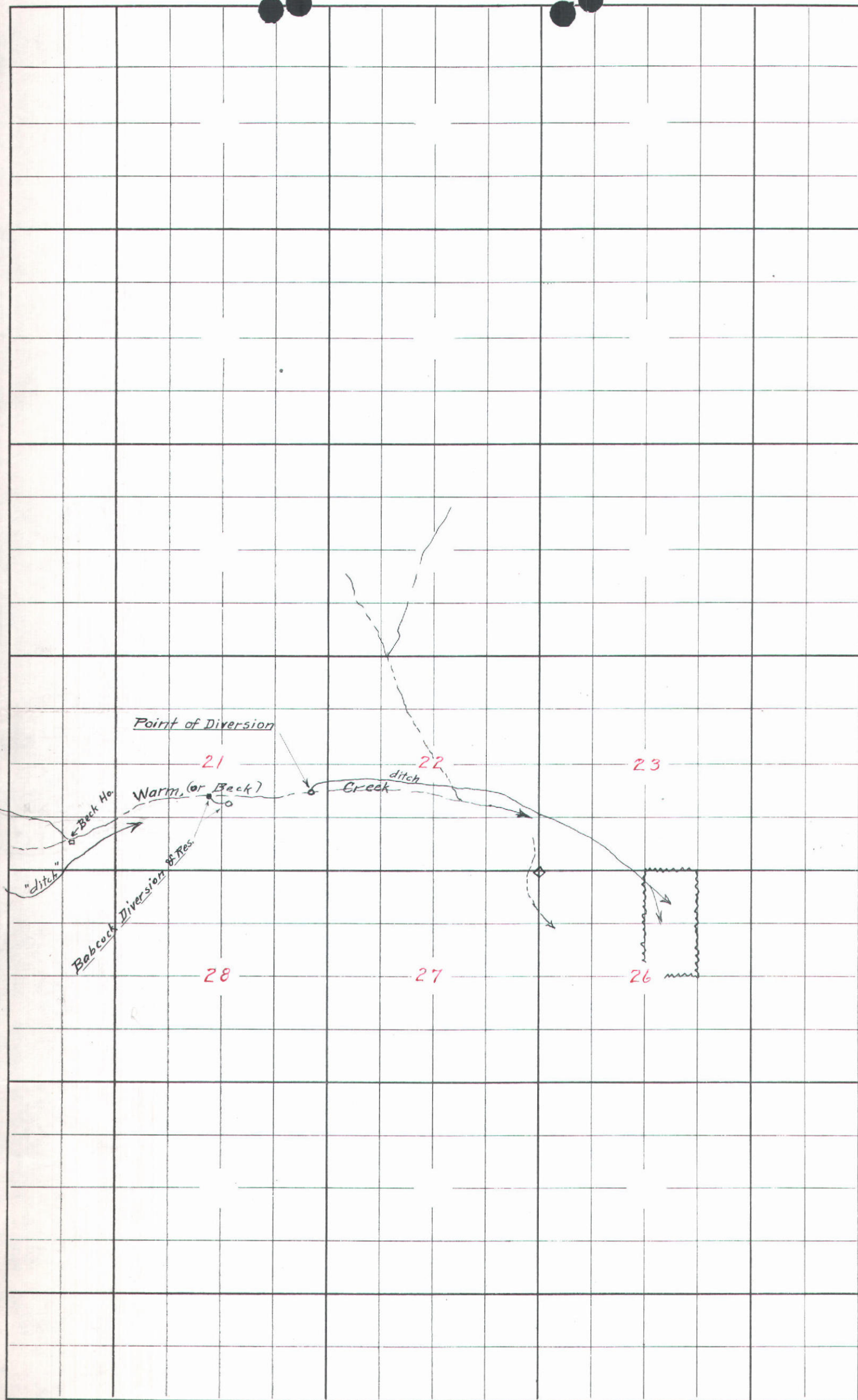
Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated		
4 N.	25 E.	22	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	-		
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	-		
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	-		
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	-		
		26	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40)	20		
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40)			
			Number of acres actually irrigated			-	20
			0.4 second foot to be used for irrigation				
		0.6 " " " " " domestic 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 31st day of January, 1947.

(SEAL) MARK R. KULP State Reclamation Engineer



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

19189

Mr. Willard H. Sorensen
Moore, Idaho

Dear Mr. Sorensen:

We wishto acknowledge receipt of your letter of Oct. 28th relative to water rights on Warm Creek in Beck Canyon.

We have the following water permits recorded in this Department on Warm Creek in Beck Canyon.

Applicant, W. O. Putman, Rodney A. Pearson, E. Putman, Wallace Thayne; permit number, 19189; amount, 3.2 c.f.s.; source, Warm Creek in Beck Canyon; point of diversion, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Twp. 4 N., Rge. 25 E., B. M.; purpose, irrigation and domestic; application received, July 31, 1941.

Applicant, Ross Babcock; permit number, 19190; amount, 1. c.f.s.; source, Warm Creek in Beck Canyon; point of diversion, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21; Twp. 4 N., Rge. 25 E., B. M.; purpose, stock, domestic, and irrigation; application received, July 31, 1941.

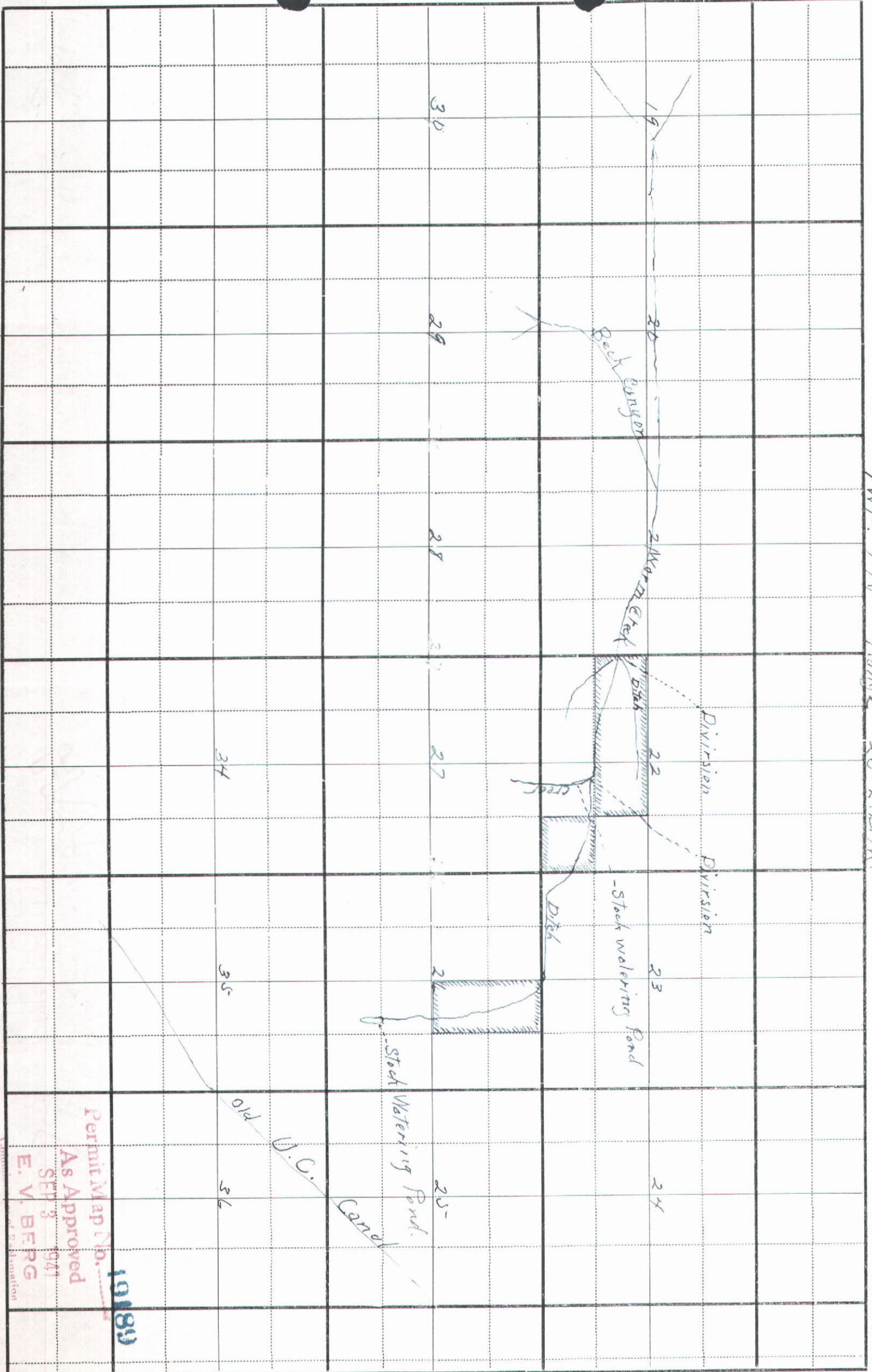
The two above described permits are the only water filings we have of record on Warm Creek in Beck Canyon.

You state in your letter that you have used the water from Beck Canyon for the past twenty years for watering stock, and that you have acquired title to same by use. Since you have no filing in this Department, of record, on the water of Beck Canyon, the only way for you to obtain a water right which will be of earlier priority than the rights as stated by permits listed above, will be for you to appeal to the Courts and try and establish a use right under Section 41-103 I.C.A., which is the only other method of obtaining a water right in Idaho except by filing with this department.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

BY: ROY W. THOMPSON
Deputy Commissioner.
RWT:ml.
cc: Roy Pearson, Moore, Idaho
cc: Ross Babcock, Moore, Idaho

19189



Twp. 4 N Range 25 E B.M.

Permit Map No.

As Approved

SEP 3 1941

E. V. BERG

10189

1324

State of Idaho

License and Certificate of Water Right

Water License No. 19189

Amount One second foot

Water District No.

Priority July 31, 1941

THIS IS TO CERTIFY that W. C. PUTNAM, RODNEY A PEARSON, E. PUTNAM AND WALLACE THAYNE of Moore, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 31, 1941; that Permit No. 19189 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2 second feet, was issued thereunder on July 22, 1946, showing that said works were completed on the 10th day of July, 1946; and that on the 3rd day of September, 1946, FRED R. PEARSON (Assignee), RODNEY A PEARSON, E. PUTNAM and WALLACE THAYNE

of Moore, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Warm Creek, a tributary of --, for the purpose of irrigation and domestic use, under Use Permit No. 19189 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 7

of Licenses at page 4321, on the 31st day of January, 1947;

The right hereby confirmed dates from July 31, 1941;

The Point of Diversion is located

in the NE 1/4 SE 1/4, Sec. 21, Twp. 4 N., R. 25 E., B. M. Butte 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 One (1) cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated		
4 N.	25 E.	22	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	-		
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	-		
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	-		
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	-		
		26	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40)	20		
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40)			
			Number of acres actually irrigated			-	20
			0.4 second foot to be used for irrigation				
		0.6 " " " " " domestic 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 31st day of January, 1947.

MARK R. KULP

State Reclamation Engineer

(SEAL)

34 2262

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 26654
Permit No. 19189
District No.

Assigned to

34-2262

Quit Claim

1. Name of Applicant: W. O. PUTMAN, RODNEY A. PEARSON, E. PUTMAN, WALLACE THAYNE
Postoffice address: Moore County: Butte 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: 3.2 cubic feet per second.

3. Source of water supply: Warm Creek which is a tributary of

4. Location of point of diversion: 300 feet distant from the NW $\frac{1}{4}$ SW $\frac{1}{4}$ corner of Section 22, T. 4 N, R. 25 E, B. M., and is the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T. 4 N, R. 25 E, B. M., County of Butte

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

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: \$ 100.00

8. Kind of works: 2 dams, 3 ditches

9. Height of dam 6 feet; length of dam at top 18 feet; length of dam at bottom 2 feet; material used in dam: earth, brush, rock

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

11. Ditch: Width at bottom 2 feet; width at water line 3 feet; depth of water 1 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 2 years.

13. The time required for the complete application of the water to the proposed use is none additional years.

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

15. (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 waters of the State of Idaho as herein set forth. W. O. PUTMAN, RODNEY A. PEARSON, E. PUTMAN, WALLACE THAYER

Applicant.

ROY C. PEARSON /s/
Agent.

By

Date of first receipt at Department of Reclamation: 11:00 A. M., July 31, 1941

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 19189
Recorded in Book 69 Page 19189 Approved Sept. 3, 1941
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 Oct. 2, 1941 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 Sept. 3, 1942
The whole of said work to be completed on or before Sept. 3, 1943
Beneficial use of water appropriated in accordance herewith, to be made on or before Sept. 3, 1943

Witness my hand this 3rd day of Sept., 1941

E. V. BERG.
Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We Chase A. Clark Governor of the State of Idaho, and Geo. H. Curtis Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and have caused the Great Seal of the State of Idaho to be hereunto affixed, this 3rd day of Sept. 19 41

Countersigned:

STATE OF IDAHO

(SEAL

By GEO. H. CURTIS
Secretary of State.

By CHASE A. CLARK
Governor.

Remarks: The run off from this stream consits mostly of early spring run off and will be used to fill the two stock watering ponds and the rest used to irrigate the pasture land.

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4 N	25 E	22 26		40	40						40	40			40		40		160 80 240
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, James Spofford, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public "aters of the State of Idaho, No. 19189, to September 3, 1946.																			
Witness my hand this 8th day of September, 1943.																			
																JAMES SPOFFORD State Reclamation Engineer			

QUIT - CLAIM DEED

THIS INDENTURE, made this 18th day of September, in the year of our Lord One Thousand Nine Hundred and Forty-three, between WM. O. PUTNAM, Sr., and ALICE PUTNAM, husband and wife, parties of the first part, and F. R. PEARSON and ALICE PEARSON, husband and wife, the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Dollars, lawful money of the United States of America, to them in hand paid by the said parties of the second part, receipt whereof is hereby acknowledged, have granted, bargained, sold, remised, released and forever quit-claimed, and by these presents do grant, bargain, sell remise, release and forever quit-claim to the said parties of the second part, and to their heirs and assigns, the following described real property, situated in the county of Butte and State of Idaho, to-wit:

X X X X X X X X X X

Northeast quarter, southeast quarter; southwest quarter, Section 26; x x Twp. 4 N., R. 25 E., B.M. x x
 Northeast quarter of Northwest quarter and the South half of Section 22; Twp. 4 N., R. 25 E., B.M. x x
 x x x x x x x x x x

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate, right, title, interest, property, possession, claim, and demand whatsoever, as well in law as in equity, of the said parties of the first part of in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said parties of the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of

WM. O. PUTNAM

(Seal)

ALICE PUTNAM

(Seal)

STATE OF IDAHO)
 (ss.
 COUNTY OF BUTTE)

On this 18th day of September, 1943, before me, the undersigned, a notary public in and for the State of Idaho, personally appeared Wm. O. Putnam, Sr. and Alice Putnam, husband and wife, known to me to be the persons who are described in, and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein set forth.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

(S E A L)

I. W. BOYER
 Notary Public
 Res: Arco, Idaho

Recorded in Book 44, page 458, Arco, Idaho

APPLICATION FOR AMENDMENT
 TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
 No. 19189

Gomes now Roy C. Pearson, and represents to the State Reclamation Engineer of the State of Idaho:

That he is agent for the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 19189.

That the point of diversion is described in said permit as being located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, Township 4 North, Range 25 East, B.M., and conducted to the place of use through an open ditch, as per map filed herewith;

That he now requests that the point of diversion be changed to a point located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, Township 4 North, Range 25 East, B.M., and conducted to the place of use through the open ditch, as per map above referred to.

That his reasons for desiring to make such change are as follows: A better heading with less cost and labor.

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

Signed at Moore, Idaho, this, 19 day of July, 1946.

Date of receipt at Department of Reclamation ... July 22, 1946

ROY C. PEARSON
 Agent.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 19189. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it bears a part, and said application is approved only insofar as the rights of others will not be adversely affected

MARK R. KULP, State Reclamation Engineer

P E R M I T N O . 19189
C E R T I F I C A T E O F C O M P L E T I O N O F W O R K S

To All Whom it May Concern:

This is to certify that Fred H. Pearson, Rodney A. Pearson, E. Putnam, and Wallace Thayne, of Moore, County of Butte, and State of Idaho, the holders of Permit No. 19189, issued upon Application No. 26654, bearing date of priority of July 31, 1941, authorizing the diversion of 3.2 second feet of the waters of Warm Creek, County of Butte, State of Idaho, for irrigation and domestic purposes, have 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 (1) second foot of the waters of said Warm Creek; that the point of diversion of said waters is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, Township 4 North, Range 25 East, B.M.; and that the lands proposed to be irrigated by the use of said waters are described as follows, to-wit: W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 26, Township 4 North, Range 25 East, B.M.

Witness my hand this 22nd day of July, S. D. 1946.

Proof of completion of works made July 10, 1946
Certificate of completion of works issued July 22, 1946.

MARK R. KULP
State Reclamation Engineer

QUANTITY ISSUED FOR 1 SEC. FT.

P. 4321

January 31, 1947

Re: Permit No. 19189

Mr. Roy C. Pearson
Moore, Idaho

Dear Mr. Pearson:

We enclose herewith License and Certificate of Water Right No. 19189 confirming the right of Fred R. Pearson, Rodney A. Pearson, E. Putnam and Wallace Thayne to the use of one second foot of the waters of Warm Creek with a priority of July 31, 1941, with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21, Township 4 North, Range 25 East, B.M. for irrigation and domestic use on the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 22, Township 4 North, Range 25 East, B.M., and the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 4 North, Range 25 East, B.M., Butte County.

We also enclose departmental receipt No. 12786 for the \$5.00 fee paid by you in connection with beneficial use proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPM

Enclosures

19189

Moore, Idaho, January 27, 1947.

Mr. Mark R. Kulp, State Reclamation Engineer.
Boise, Idaho.

Re-Permit No. 19189

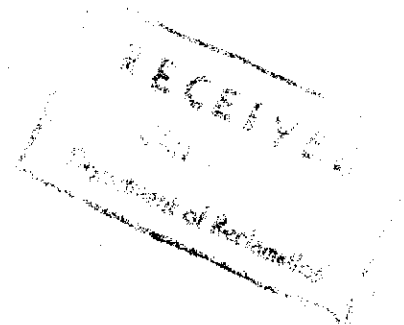
Dear Mr. Kulp;

Inclosed please find my check for \$5.00
in payment for issueing license on above permit.

Thanking you for your attentin to this matter.
I am.

Very truly yours,

Roy C. Pearson
Roy C. Pearson.



19189

C. A. Robins

✓
January 22, 1947

Re: Permit No. 19189

Mr. Roy C. Pearson
Moore, Idaho

Dear Mr. Pearson:

We now have on file the report of our
Field Engineer on examination for beneficial
use under your Permit No. 19189.

Therefore, upon receipt of the statutory fee
of \$5.00 a license will be issued for one cubic
foot per second of water from Warm Creek (or
Beck Creek), for irrigation, domestic and
stock watering purposes.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

19189

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19189

This proof is for Beneficial use In Water District No.

1. Name of applicant Fred R. Pearson, Rodney A. Pearson, E. Putnam & Wallace Thayne, Moore, Idaho
2. Source of water supply: Warm Creek (sometimes known as Beck Creek)
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21
T. 4 N. R. 25 E. County of Butte
4. Describe works as they exist, giving dimensions and capacities of same: Diversion is made by a small wing dam of rocks and earth, of 20 feet in length, and 1 $\frac{1}{2}$ feet in height, and thence through a plank culvert (12" X 12" X 6ft.) to a ditch 1 foot deep X 1 foot wide leading to the place of use.
5. Water is used for: Stock water, 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 for other than irrigation): W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 26, Twp. 4 N., Range 25 E., B.M.

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

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

Remarks: This Permit has been protested by Mr. Ross Babcock, on the grounds that the stream flow is insufficient, and that the natural supply is subject to an earlier priority. This claim is not supported by the office record, and as to the matter of stream flow, it is, in flood season much greater than the Babcock permit can use, and in the summer months it shrinks to nothing for either party. The relative position of the two points of diversion is such that the Protestants right does not appear to be endangered by the Pearson filing. (P-19189)

This examination was made on the 8th day of September, 1946

(Signed) *Arthur J. Salzman*
Examiner.

Pearson, Putnam & Thayne
c/o Roy C. Pearson
Moore, Idaho
Permit No. 19189

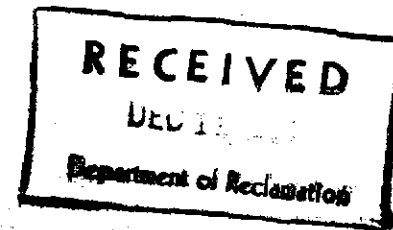
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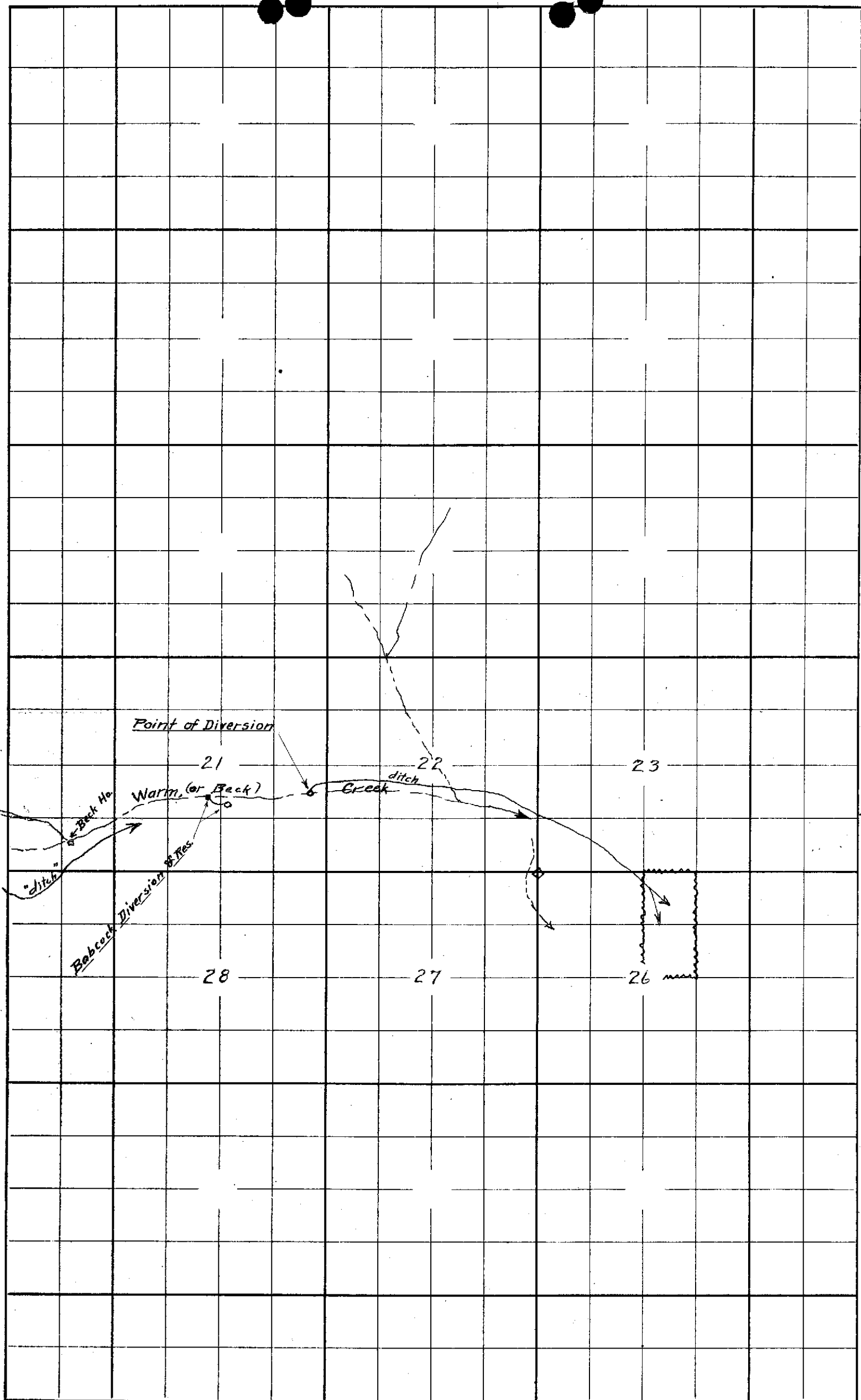
Examination for Beneficial use

County Butte

INSTRUCTIONS TO EXAMINERS

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





STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19129

REPORT ON PROOF OF Beneficial use

✓
C. A. Robins

January 21, 1947

Re: Permit No. 19189

Mr. Ross Babcock
Moore, Idaho

Dear Mr. Babcock:

Your protest regarding the above numbered permit, in the names of Fred A. Pearson, Rodney A. Pearson, E. Putnam and Wallace Thayne, has been rejected.

Your statement that there is not enough water for both users is not sufficient reason for denying his application.

This, however, does not in any sense prejudice any claim you wish to make before a Court.

Very truly yours,

MARK B. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:A
CC to Roy C. Pearson

19189

✓
September 5, 1946

Re: Permit No. 19189

Mr. Roy C. Pearson
Moore, Idaho

Dear Mr. Pearson:

We have received from Mr. I. W. Boyer, Notary Public, the depositions of the holders and two witnesses, also affidavit of publication in the Arco Advertiser, all in proof of beneficial use under the above numbered permit, in the name of Fred R. Pearson, Rodney A. Pearson, E. Putnam and Wallace Thayne.

For your information, will state that a protest was filed against the issuance of a license under this permit, by Mr. Ross Babcock, on the ground that there is insufficient water in the stream for this permit and his own Permit No. 19190.

However, before final action is taken in the matter a field examination will be made by an engineer from this department, and a thorough investigation made.

We cannot say just when this examination will be made, but it will probably be within the next few days, as Mr. Tolman, Field Engineer for this department is planning a trip into that territory soon.

However, he will try to contact you at the time he makes the examination, so that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19189

I. W. BOYER

Insurance Agent

ARCO, IDAHO

SEPTEMBER 3RD, 1946.

MARK R. KULP
STATE RECLAMATION ENGINEER
STATE HOUSE
BOISE, IDAHO.

DEAR MR KULP:

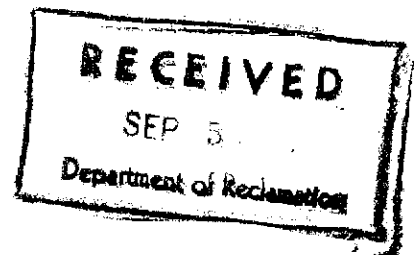
ENCLOSED FIND PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE, No. 19189.

AFFIDAVIT OF PUBLICATEIN &
TWO DEPOSITIONS OF WITNESSES

THE ENCLOSED ARE SENT TO YOU ACCORDING TO
INSTRUCTIONS RECEIVED FROM YOUR OFFICE UNDER DATE OF
AUGUST 23RD, 1946, DESIGNATING HEARING TO BE HELD BEFORE
ME AS NOTARY PUBLIC AT 10:00 o'clock A. M. THIS DATE.

TRUST THESE ARE AS THEY SHOULD BE.

YOURS VERY TRULY



Representing

UTAH HOME FIRE INSURANCE COMPANY

19189

Affidavit of Publication

I, G. W. Vincent, foreman of The Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, 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 four consecutive weeks, commencing with the issue dated August 9, 1946 and ending with the issue dated August 30, 1946

Subscribed and sworn to before me this 3rd

day of September, 1946

Ed R. Pottel
Notary Public.

Residence: Arco, Idaho.

My commission expires December 20, 1948

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 A. M. on the 3rd day of September, 1946, at Arco, County of Butte, State of Idaho, before I, W. Boyer, Notary Public, proof will be submitted of the application to use of one (1) cubic foot per second of the waters of Warm creek in accordance with the terms and conditions of Permit No. 19189 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 Fred R. Pearson, Rodney A. Pearson, E. Putnam and Wallace Thayne, Moore, Idaho.

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

The amount applied to beneficial use is one (1) cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 26, Twp. 4 North, Range 25 East Boise Meridian.

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

The right to take water from such works is based upon Permit No. 19189.

The source of supply from which such water is diverted is Warm Creek.

The date of priority which said user is prepared to establish is July 31, 1941.

MARK R. KULP,
State Reclamation Engineer.
(A 9-30-4t)

19189

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19189

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Fred R. Pearson, Rodney A. Pearson, E. Putnam and Wallace Thayne

all of Moore, Idaho, Farmers and livestock men.

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. No. 19189, dated Sept. 3rd, 1941. Date of priority July 31st, 1941.

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

Ans. Warm Creek, sometimes known as Beck Creek. Diverted in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 21, Twp. 4 North, Range 25 E. B. M.

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

Ans. Rock and earth dam; 1. c.f.s. claimed; Will carry 2. c.f.s in completed works. Called Beck Canyon Ditch.

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 purposes. W $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 26, Twp. 4 North, Range 25 E. B. M. Have irrigated approximately 20 acres. Water is used mostly for watering range stock that graze in the vicinity. native grass range was irrigated.

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

Ans.

19189

1941

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

Ans. Sufficient to fill watering hole.

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

Ans. Original owners and holder by deed from original holder.

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

Ans. Water has been delivered annually since filing, by use of diversion dam and ditch. All water available has been stored in water hole and excess applied to irrigation of native grass range.

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

Ans. none

(Sign)

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 Arco, County of Butte,

State of Idaho, on this 3rd day of September, A. D. 1946.

My commission expires 5-23-50.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19189.

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. Charles D. Morris. 46 Arco, Idaho.

Ques. 2. Are you acquainted with Fred R. Pearson, Rodney A. Pearson, E. Putnam and Wallace Thayne, the holder of Permit No. 19189? How long have you known him and where does he reside?

Ans. Yes. Have known all of them for more than 25 years and part of them since childhood.

Ques. 3. Have you read or heard read said Permit No. 19189, 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. Warn Creek, sometimes known as Beck Creek. Diverted in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 21, Twp. 4 North, Range 25 E. B. M. Rock and Earth Dam in stream and open ditch to place of use.

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. Approximately one c.f.s. sometimes stream carries and ditch will be full occasionally.

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. Stock Water most of time. Occasionally enough water to irrigate different small patches of grass totaling approximately twenty acres in all.

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. native grass range irrigated . See answer at No. 6.

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

Ans. none.

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 stock water on premises annually since 1941. Stream varies in size according to weather conditions.

(Signed) Charles D. Morris

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 Arco, County of Butte, State of Idaho, on this 3rd day of September, A. D. 1946.

My commission expires 5/23/50.

[Signature]
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19189

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. Allan D. Ackerman, ^{age 44 years} Arco, Idaho, Stock man, Arco, Idaho.

Ques. 2. Are you acquainted with ^{Fred R. Pearson Rodney A. Pearson} ~~Wallace Thayne~~ and ~~E. Putnam~~, the holder of Permit No. 19189? How long have you known him and where does he reside?

Ans. Yes. Have known all parties for over twenty-five years.

Residence at Moore, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19189, 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. Warm Creek, sometimes known as Beck Creek, Diverted at NE¹ of SE¹ Sec. 21,

Twp. 4 North, Range 25 E. B. M. Rock and Earth dam in stream and open ditch.

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. Approximately 1. C.F.S. have seen ditch full which may be as much as
2. c. f. s.

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. Stock water most of time, ocassionally enough water comes to irrigate
various small grass patches of 5 to 10 acres.

19189

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. same as answer given in No. 6

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 seen domestic water and stock water annually since 1941 on premises which makes adjoining lands profitable as a range.

(Signed) Allan D Acherman

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 Arco, County of Butte, State of Idaho, on this 3rd day of September, A. D. 1946.

[Signature]
Notary Public.

My commission expires 5/23/50.

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, August 23, 1946

Re: Permit No; 19189- Fred R. Pearson, et al.

Mr. I. W. Boyer
Notary Public
Arco, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19189.

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On September 3, 1946, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Arco, Idaho before I. W. Boyer, Notary Public.

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

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

Yours truly,

MARK R. KULP

Commissioner of Reclamation.
State Reclamation Engineer

19189

August 21, 1946

Re: Permit No. 19189

Mr. Ross Babcock
Moore, Idaho

Dear Mr. Babcock:

We acknowledge receipt of your protest
in connection with beneficial use proof
to be made on September 3rd, on the above
numbered permit, in the names of Fred
R. Peatson, and others.

This will be brought to Mr. Kulp's atten-
tion upon his return to the office the last
of this week.

Very truly yours,

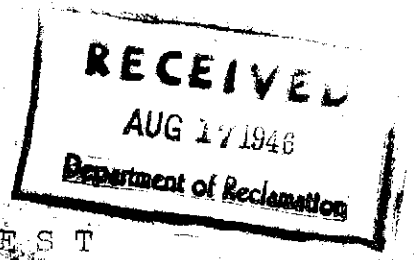
MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

19189

BEFORE THE DEPARTMENT OF RECLAMATION
OF THE STATE OF IDAHO



IN THE MATTER OF PROOF APPLICA-)
TION OF WATER TO BENEFICIAL USE)
BY FRED R. PEARSON, RODNEY A.)
PEARSON, E. PUTNAM AND WALLACE)
THAYN, UNDER PERMIT NO. 19189)
ISSUED BY THE STATE RECLAMATION)
ENGINEER OF THE STATE OF IDAHO.)
-----)

P R O T E S T
(Under Section 41-217 ICA)

Comes now Ross Babcock of Moore, Butte County, State of Idaho and protests against the statements made by the persons submitting proof of the beneficial application of water in the published notice of their intention to submit such proof at 10:00 A. M. on the third (3rd) day of September, 1946, at Arco, County of Butte, State of Idaho, before I. W. Boyer, Notary Public, and as reason for such protest and reason why a license should not be issued to the persons named in the caption hereof confirming the right claimed by them your Protestant submits the following:

1. That the water supply itself is insufficient for the purpose for which it is sought to be appropriated. The natural flow of the stream (referred to as Warm Creek in said notice) does not exceed one (1) cubic foot per second, and this amount of water has previously been applied to beneficial use by your Protestant under Permit No. 19190, proof of application having been made at 11:00 A. M. on the 16th day of August, 1946 by your Protestant at Arco, County of Butte, State of Idaho, before C. A. Bottolfsen. That the source of supply from which your Protestant's water is diverted is referred to as Beck Canyon and is one and the same stream as that referred to by applicants mentioned in the caption hereof as "Warm Creek."

2. That your Protestant has had the use of such waters since the year 1915.

Ross Babcock

STATE OF IDAHO)
) ss
County of Butte)

On this 16th day of August, in the year 1946, before me C. A. Bottolfsen, a Notary Public for said State, personally appeared Ross Babcock, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

C. A. Bottolfsen
Notary Public for the State of
Idaho, residing at Arco therein.
My commission expires Dec. 20
1948.

19189

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

Notice is hereby given that at 10.00 A. M. on the 3rd day of September, 1946
at Arco, County of Butte, State of Idaho, before
I. H. Boyer, Notary Public, proof will be submitted of the
application to beneficial use of one (1) cubic feet per second of the waters of Warm creek
in accordance with the terms and conditions of Permit No. 19189
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
Fred H. Pearson, Rodney A. Pearson, E. Putnam & Wallace Thayne, Moore,
Idaho.

The use to which said water has been applied is stock water, domestic, & irrigation

The amount applied to beneficial use is one (1) cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) W 1/2 NE 1/4 Section 26, Twp 4, North, Range 25 East Boise Meridian
(W 1/2 NE 1/4)

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

The right to take water from such works is based upon Permit No. 19189

The source of supply from which such water is diverted is Warm Creek

The date of priority which said user is prepared to establish is

July 31, 1941

MARK R. KULP

State Reclamation Engineer.

19189

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: August 1, 1946

The Arco Advertiser

Arco, Idaho

Gentlemen:

Enclosed you will find notice for publication
once a week for four consecutive weeks prior to September 3,
1946 the date set for proof, the expense of the
publication to be paid by the applicant, per Roy C. Pearson,
Agent of Moore, Idaho, to whom
you should furnish affidavit of publication on or prior to
the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Jeannette L. Anderson
Chief Clerk

RECEIVED

AUG 5 1946

Department of Reclamation

*Received
8-2-46
Publication will appear in
issues dated Aug 9, 16, 23 & 30
Arco Advertiser*

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: August 1, 1946

The Arco Advertiser

Arco, Idaho

Gentlemen:

Enclosed you will find notice for publication
once a week for four consecutive weeks prior to September 3,
1946 the date set for proof, the expense of the
publication to be paid by the applicant, per Roy C. Pearson,
Agent of Moore, Idaho, to whom
you should furnish affidavit of publication on or prior to
the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

19189

✓
August 1, 1946

Re: Permit No. 19189
Fred R. Pearson, et al.

Mr. Roy C. Pearson
Moore, Idaho

Dear Mr. Pearson:

We acknowledge receipt of duplicate notice of beneficial use proof to be made under the above numbered permit on September 3rd, and also your authorization to have same published in the Arco Advertiser.

A copy of the notice has been sent to the newspaper, with instructions to publish it once a week for four consecutive weeks prior to that date, and to send you the affidavit of publication, together with statement of costs.

About ten days prior to the date set for proof we shall send to Mr. I. W. Boyer, Notary Public, the proper forms of deposition, consisting of one for the holder and one for each of two witnesses, so that he may have them in ample time for the proof.

At the time set a representative of the holders should appear at Mr. Boyer's office, together with two disinterested witnesses, who are familiar with the terms of the permit and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19189

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 30, 1946,

(P. O.) Moore, Idaho.

STATE RECLAMATION ENGINEER :
TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Advertiser of Arco, published in
the county in which the works are situated.

Roy C. Pearson
Agent.

(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.

19189

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

July 27, 1946

F.R. Pearson, Rodney A. Pearson,
R. Putnam & Wallace Thayne
C/o Roy C. Pearson

Moore, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 19189. This should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make proof, in order to allow time for the four weeks' publication required by law.

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 not later than September 3, 1946, 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 the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

19187

July 23, 1946

Re: Permit No. 19189

Mr. Roy C. Pearson
Moore, Idaho

Dear Mr. Pearson:

We acknowledge receipt of your letter of July 19th, enclosing deed from Wm. O. Putnam Sr. and wife to F. R. Pearson and wife.

We have duly recorded that portion of the deed relating to the land included in the above numbered permit, and return the deed herewith.

We have also approved and recorded your application for amendment, changing the point of diversion from the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, to the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, Twp. 4 North, Range 25 East, B.M.

We enclose herewith Certificate of completion of works under Permit No. 19189, for one (1) second foot of water from Warm Creek, with priority of July 31, 1941, for irrigation and domestic use on the W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 26, Township 4 North, Range 25 East, B.M.

The correct fee for recording the deed is fifty cents, for which we enclose Receipt # 19542- and as your check was for \$1.00 there is a refund of 50 cents due you, which we enclose in stamps.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl. Deed
Certificate completion
Receipt

19189

Moore, Idaho, July 19, 1946.

Mr. Mark R. Kulp, State Reclamation Engineer,
Boise, Idaho.

Dear Sir:

Re- Permit No. 19189

Inclosed please find the original deed conveying the land covered by this permit from W.O. Putnam to Fred R. Pearson, also the application for amendment of this permit, and check for \$1.00 for recording the same.

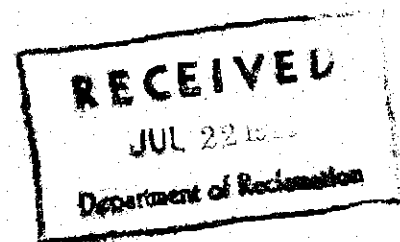
This deed conveys other lands also but includes the lands mentioned in this permit.

Kindly return deed as Fred R. Pearson would like to have it for his records.

If there is any thing else you need to complete your records kindly let me know.

Very truly yours,

Roy G. Pearson
Roy G. Pearson.



19189

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. 19189

Comes now ROY C. PEARSON and represents to the State
Reclamation Engineer of the State of Idaho:
agent for

That he is the owner and holder of Permit to appropriate the Public
Waters of the State of Idaho., No. 19189;

That the point of diversion is described in said Permit as being located
NW/SE/Section 22, Twp 4 North, Range 25 East B.M.
and conducted to the place of use through open ditch,
as per map filed herewith.

That he now requests that the point of diversion be changed to a
point located NE/SE/Section 21, Twp 4 North Range 25 East B.M.
and conducted to the place of use through the open ditch,
as per map above referred to.

That his reasons for desiring to make such change are as follows:
A better heading with less cost and labor.

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

Signed at Moore, Idaho, this 19 day of July 1946

Roy C. Pearson
Agent

Date of receipt at Department of Reclamation July 22, 1946

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kuep 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. 19189. This approval constitutes a new permit and is issued
as an amendment to the original permit to which it refers, and of which it
becomes a part, and said application is approved only insofar as the rights
of others will not be adversely affected thereby.

Mark R. Kuep
State Reclamation Engineer

19189

July 16, 1946

Re: Permit No.19189

Mr. Roy C. Pearson
Moore, Idaho

Dear Mr. Pearson:

We acknowledge receipt of your letter of July 15th, enclosing your check in payment of fee for completion of works proof under the above numbered permit.

We note your statement that the point of diversion has been changed, from the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, as given in the permit, to the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21. In order to have this change approved and recorded, please execute the enclosed form of application for amendment.

Also, since there has been a change in ownership of an interest in this permit, it is necessary that this be recorded. Please send either the deed or a certified copy thereof, by which this was conveyed from W. O. Putnam to Fred R. Pearson. This will then be recorded, and the instrument returned to you. The fee for this is 50 cents.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl. App.Amendment
Receipt # 19533

19189

Moore, Idaho, July 15, 1946.

Mr. Mark A. Kulp,
State Reclamation Engineer,
Boise, Idaho.

Dear Sir;

Re- Permit No. 19189

In reply to your letter of July 11.

W.O. Putnam is dead but Fred R. Pearson has a deed on record whereby Mr. Putnam's interest in this property was transferred to him two years ago.

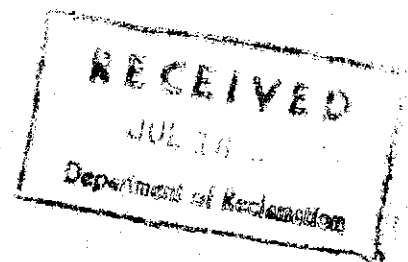
I am inclosing the \$5.00 fee and if you can go ahead and finish the decree under the name of W.O. Putnam, as the water right will be appurtenant to the land.

The point of diversion is in the NE/SE/Section 21, Twp. 4 North, Range 25 East B.M. We found by moving up stream 200 feet we could divert the water with less work and materials and have a better diversion.

If you require any further information kindly let me know.

Very truly yours,

Roy C. Pearson
Roy C. Pearson



19189

✓
July 11, 1946

Re: Permit No. 19189

Mr. Roy O. Pearson
Moore, Idaho

Dear Mr. Pearson:

We acknowledge receipt of your letter of July 10th, enclosing affidavit in proof of completion of works under the above numbered permit.

We note that Fred R. Pearson is successor in interest in this permit to W. O. Putnam. In order to have this change made on our records, please have Mr. Putnam execute the enclosed form of assignment of his interest to Fred R. Pearson. The fee for recording this is 50 cents.

We also note that you describe the point of diversion as being in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, Twp. 4 North, Range 25 East, B.M., whereas the Permit gives it as in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, same township and range. Which is correct? If there has been a change from the point described in the application and permit, it will be necessary to file an amendment, on a form which we shall send you.

There is a fee of \$5.00 payable in connection with this completion of works proof, which was not enclosed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19189

Moore, Idaho, July 10, 1946.

Mr. Mark R. Kulp,
State Reclamation Engineer,
Boise, Idaho.

Dear Sir;

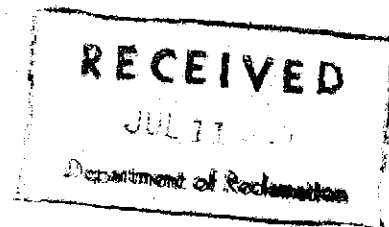
Inclosed find Affidavit of Proof of Completion
of works, on Permit No. 19189.

In October of 1941 we built two small ponds for
stock watering purposes and in 1943 a cloud burst washed
them full and due to the scarcity of help it has been
impossible to get them cleaned out. We have also
completed the ditch to conduct this water so as to put
it to the most beneficial use. Which will be for stock
watering purposes.

Very truly yours,

Roy C. Pearson
Roy C. Pearson.

no fee



19189

Permit No. 19189STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

SS.

County of Butte

Fred R. Pearson, Rodney A. Pearson,
E. Putnam, & Wallace Thayne, being first duly sworn, upon his oath deposes and says:
Roy C. Pearson, Agent First, that he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho,
 No. 19189, and that his postoffice address is Moore, Idaho.
 State of Idaho.

Second: That the name of the stream from which said water is to be directed is Warm Creek

Third: That the point of diversion of said water is in NE 1/4 SE 1/4 Sec. 21, T. 4 N., R. 25 E.,
4 North, Range 25 E.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to
 be completed by September 3, 1946, 1946.

Fifth: That the use for which said water is intended is Irrigation and Domestic

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: 2 small ponds or reservoirs
 (Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 1 feet, length of dam at top 12 feet, length of dam at
 bottom 3 feet. Material used in construction rock & brush

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.(c) Size of headgate: Width feet, height feet.

(d) Conduit ditch width at bottom 1 feet, width at water line 2
 (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 2 miles.

Seventh: That said works are capable of conducting to the place of intended use 1
 second feet of water.

Eighth: That water appropriated under said permit is available for 80 acres of land
 described as follows: W 1/4 NE 1/4 Sec. 26, Twp. 4 North, Range 25 E.B.M.
Principally for stock watering purposes.

Ninth: Remarks: That Fred R. Pearson is Successor in interest
to W. O. Putnam.

Fred R. Pearson, Rodney A. Pearson,
E. Putnam, & Wallace Thayne.

By Roy C. Pearson Agent.
 (Sign here)

Subscribed and sworn to before me this 10 day of July, 1946

My commission expires 5-23-50

Notary Public.

19189

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

W. O. Putman, Rodney A. Pearson,
E. Putman & Wallace Thayne
C/o Roy O. Pearson, Agent
Moore, Idaho
Dear Sirs:

Boise, Idaho July 5, 1946

Under the terms of your permit No. ~~19189~~ you are required to complete your diversion works on or before ~~September 3, 1946~~. 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

19189

September 8, 1943

Re: Permit No. 19189

Mr. Roy C. Pearson
Moore, Idaho

Dear Mr. Pearson:

We are enclosing herewith the approval of the State Reclamation Engineer of your application for extension of time for completion of work under the above numbered permit, in the names of W.O. Putman, Rodney A. Pearson, E. Putman and Wallace Thayne, until September 3, 1946.

This should be attached to your original permit, of which it forms a part.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19189

Permit No.

Application for Extension of Time
FOR COMPLETION OF WORKS



W.O.Putnam, Rodney A.Pearson,

E. Putnam, Wallace Thayne., of Moore, Butte County

State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 19189

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by September 3, 1943

That he has heretofore performed the following work described under said permit built
one dam 60 feet long and 6 feet high and constructed 1500 feet of lateral
ditch.

costing \$ 110.00

That he is unable to complete the remainder of the work within the required time, for the fol-
lowing reasons, to-wit:

It is impossible to hire the labor on account of the war.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the comple-
tion of works under said permit to September 3, 1946

Subscribed and sworn to before me this 30 day of August, 1943

My commission expires 5/23/46 Notary Public.

Date of receipt at office of Department of Reclamation September 1, 1943

STATE RECLAMATION ENGINEER
APPROVAL OF COMMISSIONER OF RECLAMATION

I, James Spofford, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the com-
pletion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 19189
September 3, 1946

Witness my hand this 8th day of September, 1943

19189
James Spofford
Commissioner of Reclamation
State Reclamation

August 25, 1943

Re: Permit No. 19189

Mr. Roy C. Pearson
Moore, Idaho

Dear Mr. Pearson:

We do not seem to have received your application for extension of time for completion of works under the above numbered permit, which we sent you, at your request, under date of August 6th.

It is important that this application be filed in this Department prior to September 3, 1943, the date such proof is now due, under the terms of your original permit.

Very truly yours,

JAMES SPOTFORD
State Reclamation Engineer
By

Chief Clerk

19189

✓
August 6, 1943

Re: Permit No. 19189

Mr. Roy C. Pearson
Moore, Idaho

Dear Mr. Pearson:

We acknowledge receipt of your letter of August 4th, in which you request an extension of time for completion of works under the above numbered permit, in the name of W. O. Putman, Rodney A. Pearson, S. Putman and Wallace Thayne.

Since this permit was approved September 3, 1941, and the statutes allow five years for completion of works, if necessary, we can allow you an extension until September 3, 1946, if so desired.

We enclose a form of application for extension, which may be executed and returned to this department, for approval of the State Reclamation Engineer

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19189

RECEIVED

AUG 5 1943

Department of Reclamation

Moore, Idaho, August 4, 1943.

Mr. James Spofford,
State Reclamation Engineer,
Boise, Idaho.

Dear Sir;

With refferance to permit No. 19189 by W.O.Putnam,
Rodney A. Pearson, E. Putnam & Wallace Thayn.

On account of labor conditions and the war it is
impossible to complete the diversion of works under this
permit. Kindly extend the time for completion of works
for a year or until September 3, 1944.

We started the construction in August 1940 and
made use of the water in 1941.

Yours very truly,

Roy G. Pearson
Roy G. Pearson.

Sept 3-41 -

19189

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE.

July 9, 1943

W. O. Putman, Rodney A. Pearson, E. Putman & Wallace Thayne
U/o Roy O. Pearson
Moore, Idaho

Dear Sirs:

Under the terms of your permit No. 19189 you are required to complete your diversion works and make proof of Beneficial Use on or before September 3, 1943.

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 of Works will be issued to you.

I 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, 1943, 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.

Yours truly,

JAMES SPOFFORD

Commissioner of Reclamation.
State Reclamation Engineer

19189

Re 19189

Nov 6, 1941

Mr. Willard H. Sorensen
Moore, Idaho

Dear Mr. Sorensen:

We wishto acknowledge receipt of your letter of Oct. 28th relative to water rights on Warm Creek in Beck Canyon.

We have the following water permits recorded in this Department on Warm Creek in Beck Canyon.

Applicant, W. O. Putman, Rodney A. Pearson, E. Putman, Wallace Thayne; permit number, 19189; amount, 3.2 c.f.s.; source, warm Creek in Beck Canyon; point of diversion, NW¹/₄SW¹/₄, Section 22, Twp. 4 N., Rge. 25 E., B. M.; purpose, irrigation and domestic, and irrigation; application received, July 31, 1941.

The two above described permits are the only water filings we have on record on Warm Creek in Beck Canyon.

You state in your letter that you have used the water from Beck Canyon for the past twenty ye ars for watering stock, and that you have acquired title to same by use. Since you have no filing in this Department, of record, on the water of Beck Canyon, the only way for you to obtain a water right which will be of earlier priority than the rights as stated by permits listed above, will be for you to appeal to the Courts and try and establish a use right under Section 41-103 I.C.A., which is the only other method of obtaining a water right in Idaho except by filing with this department.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

By: ROY W. THOMPSON
Deputy Commissioner.

RWT:m1.

cc: Roy Pearson, Moore, Idaho
cc: Ross Babcock, Moore, Idaho

19189

R 19189

Mr. Willard E. Sorensen
Moore, Idaho

Dear Mr. Sorensen:

We wishto acknowledge receipt of your letter of Oct. 28th relative to water rights on Warm Creek in Beck Canyon.

We have the following water permits recorded in this Department on Warm Creek in Beck Canyon.

Applicant, R. C. Putman, Rodney A. Pearson, R. Putman, Wallace Thayne; permit number, 19189; amount, 3.2 c.f.s.; source, Warm Creek in Beck Canyon; point of diversion, NW 3/4, Section 22, Twp. 4 N., Rge. 25 E., B. M.; purpose, irrigation and domestic; application received, July 31, 1941.

Applicant, Ross Babcock; permit number, 19190; amount, 1. c.f.s.; source, Warm Creek in Beck Canyon; point of diversion, NW 3/4, Section 21; Twp. 4 N., Rge. 25 E., B. M.; purpose, stock, domestic, and irrigation; application received, July 31, 1941.

The two above described permits are the only water filings we have of record on Warm Creek in Beck Canyon.

You state in your letter that you have used the water from Beck Canyon for the past twenty years for watering stock, and that you have acquired title to same by use. Since you have no filing in this Department, of record, on the water of Beck Canyon, the only way for you to obtain a water right which will be of earlier priority than the rights as stated by permits listed above, will be for you to appeal to the Courts and try and establish a use right under Section 41-103 I.C.A., which is the only other method of obtaining a water right in Idaho except by filing with this department.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

RWT:ml.

BY: ROY E. THOMPSON
Deputy Commissioner.

cc: Roy Pearson, Moore, Idaho
cc: Ross Babcock, Moore, Idaho

19189

Mr. Willard H. Sorenson
Moore, Idaho

Dear Mr. Sorenson:

We wish to acknowledge receipt of your letter of Oct. 28th relative to water rights on Warm Creek in Beck Canyon.

We have the following water permits recorded in this Department on Warm Creek in Beck Canyon.

Applicant, M. C. Putman, Rodney A. Pearson, M. Putman, Wallace Thayne; permit number, 19189; amount, 3.2 c.f.s.; source, Warm Creek in Beck Canyon; point of diversion, NW 3/4, Section 22, Twp. 4 N., Rge. 25 E., B. M.; purpose, irrigation and domestic; application received, July 31, 1941.

Applicant, Ross Babcock; permit number, 19190; amount, 1. c.f.s.; source, Warm Creek in Beck Canyon; point of diversion, NW 3/4, Section 21; Twp. 4 N., Rge. 25 E., B. M.; purpose, stock, domestic, and irrigation; application received, July 31, 1941.

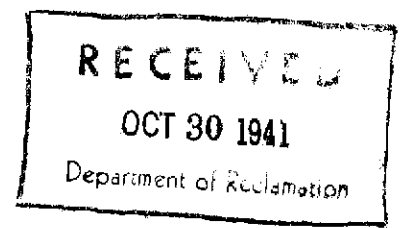
The two above described permits are the only water filings we have of record on Warm Creek in Beck Canyon.

You state in your letter that you have used the water from Beck Canyon for the past twenty years for watering stock, and that you have acquired title to same by use. Since you have no filing in this Department, of record, on the water of Beck Canyon, the only way for you to obtain a water right which will be of earlier priority than the rights as stated by permits listed above, will be for you to appeal to the Courts and try and establish a use right under Section 41-103 I.C.A., which is the only other method of obtaining a water right in Idaho except by filing with this department.

Very truly yours,
L. V. BERG.
Commissioner of Reclamation

BY: ROY W. THOMPSON
Deputy Commissioner.
RWT:ml.
cc: Ray Pearson, Moore, Idaho
cc: Ross Babcock, Moore, Idaho

19189



Moore, Idaho
October 28, 1941

Department of Reclamation
Boise, Idaho.

Dear Sirs:

I was this day informed by Mr. Ross Babcock of Moore, Idaho that Mr. Roy Pearson of Moore, Idaho had filed on the water that comes out of what is known as Beck Canyon and intends to divert same from its present course which will leave me high and dry.

I have used what water that has come out of this canyon for the past twenty years for watering my sheep and cattle and feel that I have acquired a title to same through usage and if possible expect to retain same.

Please advise me what means are necessary to retain these rights and privileges.

Respectfully yours,
Willard H. Sorensen.

(signed)

Willard H. Sorensen

19189

October 15, 1941

Re: 19189

Mr. Roy C. Pearson
Moore, Idaho

Dear Mr. Pearson:

Your letter of the 11th received asking if there has been a filing made on the water of Warm Creek in Beck Canyon in Sections 20 or 21, Twp. 4 N., Rge. 25 E. prior to your filing of permit number 19189.

Ross Babcock made a filing as follows: application number, 26650; received, July 31, 1941, 11:00 A. M.; amount, 1.0 cubic foot per second; source, Warm Creek (Bear Canyon); location of point of diversion, NW 1/4 Sec. 21, Twp. 4 N., Rge. 25 E., County of Butte.

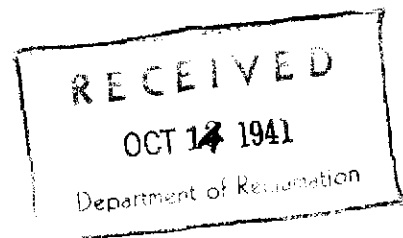
It just happened that the boy's application that you sent in and Ross Babcock's application were delivered to this office in the same mail, therefore, the Department had to acknowledge the same priority date to hour on both applications.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation.

RWT:ml.

BY: ROY W. THOMPSON.
Deputy Commissioner.

19189



Moore, Idaho. October 11, 1941.

Mr. E.V.Berg, Commissioner,
Department of Reclamation,
Boise, Idaho.

Dear Sir;

Re-19189

Has there been a filing made on the water which
we made application for in Section 20 or 21 Twp. 4 N.
Range 25 E.B.M. prior to our filing?

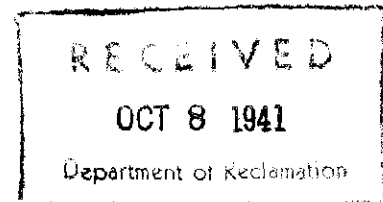
Ross Babcock is putting in a dam up the stream from us
and we would like to know if his filing is ahead of ours,
or if he has made any filing.

We would appreciate it very much if you would
let us know.

Very truly yours,

Roy C. Pearson
Roy C. Pearson.

19189



Moore, Idaho, October 4, 1941.

Department of Reclamation,
E.V.Berg, Commissioner,
Boise, Idaho.

Dear Sir; Re-19189

Inclosed please find two corrected maps also
letter returned to me giving land descriptions.

I am sorry for the delay in getting these
out but we been thrashing and haying.

I hope I have the maps correct this time.

Yours very truly,

Roy C. Pearson
Roy C. Pearson

19189

October 2, 1941

Re: 26654

Mr. Roy C. Pearson
Moore, Idaho

Dear Mr. Pearson:

On the 17th, we returned your map and letter of the 12th because the lands to be irrigated did not coincide.

We are very anxious to issue your permit, but cannot do so until your map and the lands are the same. On your application, you repeated the forties to be irrigated two and three times.

Please send us the list of the lands to be irrigated by legal sub-division, with the number of acres to be irrigated in each forty.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

BY: Chief Clerk.

ml.

19189

Sept. 17, 1941

Re: 19189

Mr. Roy C. Pearson
Moore, Idaho

Dear Mr. Pearson:

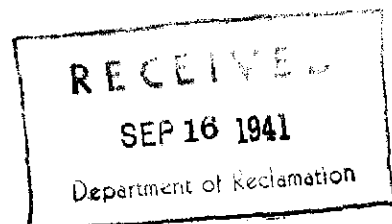
We are returning your map and letter of the 12th because the lands to be irrigated do not tie-in to each other. Please correct and return.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

BY: Chief Clerk.

ml
encl.

19189
HST



Moore, Idaho. September 12, 1941

Re-19189

Mr. E.V.Berg, Commissioner of Reclamation
Boise, Idaho.

Dear Sir;

In reply to your letter of Sept. 10, 1941
concerning land descriptions for a permit applied for.

N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 26
Township 4 N. Range 25 E.B.M..

Very truly yours,

Roy C. Pearson
Roy C. Pearson.

80
40
40
80
240

19189

Sept. 10, 1941

Re: 19189

Mr. Roy Pearson
Moore, Idaho

Dear Mr. Pearson:

It is impossible to complete your application for permit until we have a new list of lands irrigated. A prompt reply will be appreciated.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

BY: Chief Clerk.

ml.

19189

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Sept. 8, 1941

Permit No. 19189

Boise, Idaho,

Dear Sir:

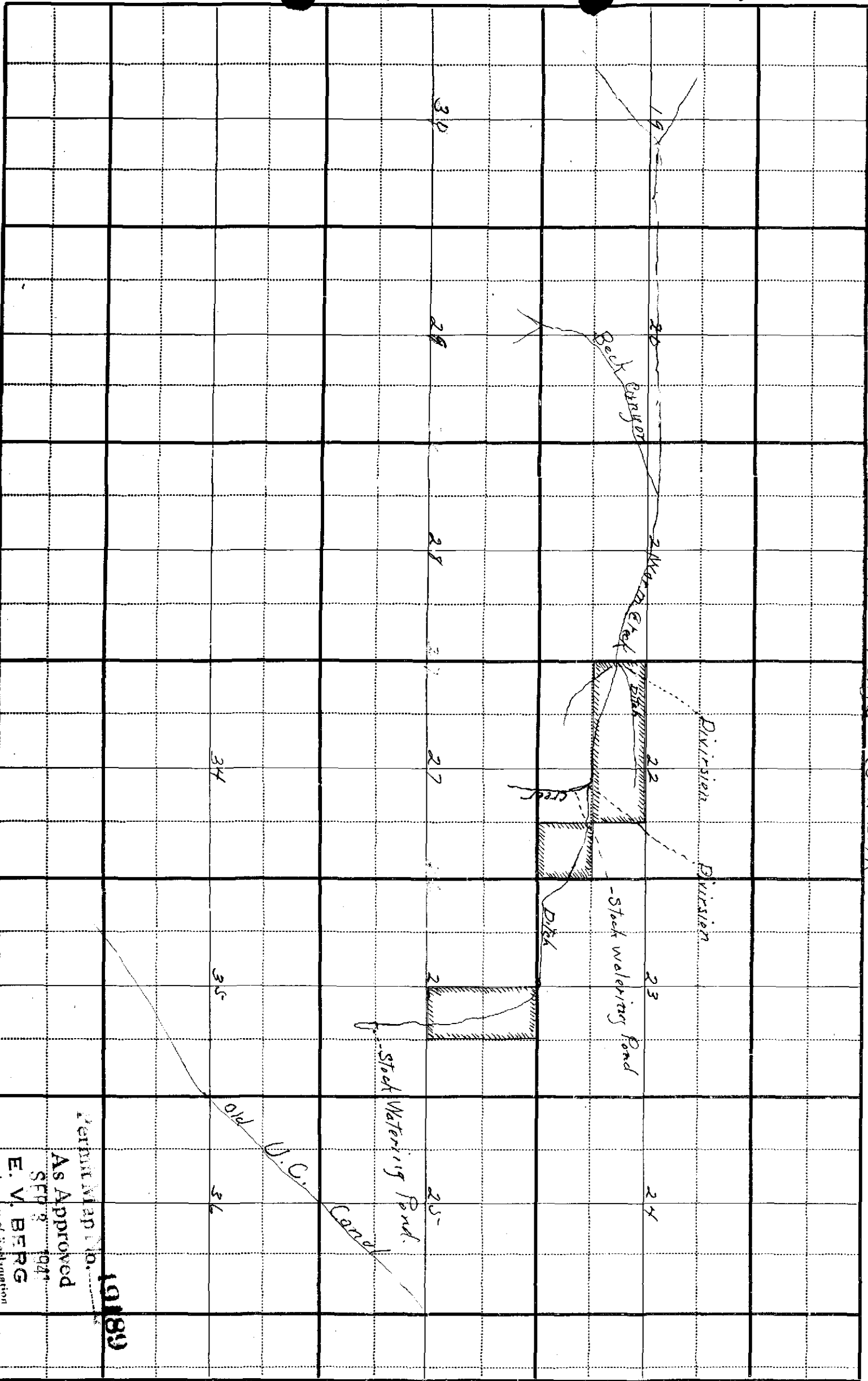
I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the ~~third~~ ^{fourth} page.

W. O. Putman
Moore, Idaho
RECEIPT #17308 for \$5.75.

E. V. BEERS.

Commissioner of Reclamation.

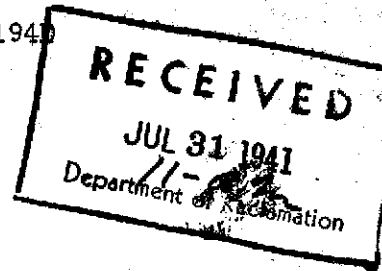
19189



Moore, Idaho. July 30, 1941

Mr. Roy W. Thompson
Deputy Commissioner of Reclamation,
Báise, Idaho.

Re- 13185



Dear Mr. Thompson;

Your letter of July 24th inclosing
application for permit, recieved.

for

I am inclosing the application a permit to appropriate
public waters of the state of Idaho. This application does not
correspond with the old one but is what we would like.

Kindly check the map that I am inclosing with your
records and see if there has been an appropriation anywhere
along the course of this stream. The Chris Beck ranch
is in this canyon but there is no water being used at the
present time and has not been for a number of years.

Yours very truly,

Roy L. Pearson
Roy L. Pearson.

19189

FRIDAY, AUGUST 16, 1946

second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) W½ NE¼ Section 26, Twp. 4 North, Range 25 East Boise Meridian.

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

The right to take water from such works is based upon Permit No. 19189.

The source of supply from which such water is diverted is Warm Creek.

The date of priority which said user is prepared to establish is July 31, 1941.

MARK R. KULP,

State Reclamation Engineer.

(A 9-30-4t)

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

19189
Notice is hereby given that at 10:00 A. M. on the 3rd day of September, 1946, at Arco, County of Butte, State of Idaho, before I. W. Boyer, Notary Public, proof will be submitted of the application to use of one (1) cubic foot per second of the waters of Warm creek in accordance with the terms and conditions of Permit No. 19189 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 Fred R. Pearson, Rodney A. Pearson, E. Putnam and Wallace Thayne, Moore, Idaho.

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

The amount applied to beneficial use is one (1) cubic foot per

MATISM

and ARTHRITIS

I have suffered for years and am thankful that I am free in and able to do my work at I will gladly answer writing me for information. Anna Pautz, P. O. Box 100, Couer, Wash.

at NUCLEOVA Laboratories

one of the best

by the way

such as

very heavy

light, and of

the knife

not much