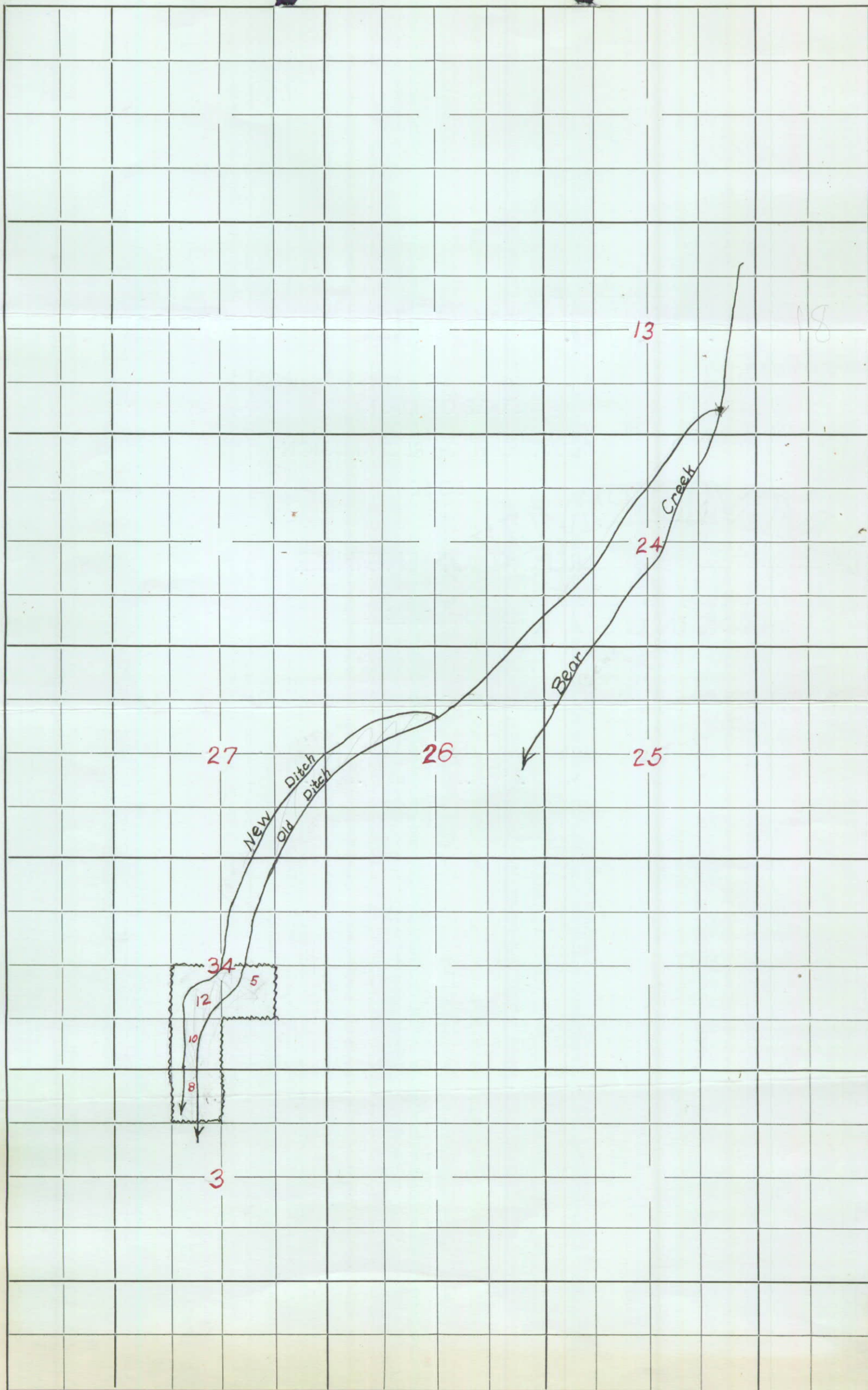




Affidavit of Publication

State of Idaho, County of Adams, ss:

I, B. J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the Notice

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

four consecutive weeks, the first publication of the

same being made in the issue dated June 17 1949

and the last in the issue dated July 8, 1949

that said newspaper is of general circulation in Adams County, Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than sev-

enty-eight consecutive weeks prior to the first publication of

said Notice as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this 22

day of July, 1949

Carl H. Swanstrom

Notary Public for Idaho,
Residing at Council, Idaho

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

Notice is hereby given that at 11:00 A. M. on the 22nd day of July, 1949, at Council, County of Adams, State of Idaho, before Carl H. Swanstrom, a Notary Public, proof will be submitted of the application to beneficial use of 0.80 cubic feet per second of the waters of Bear Creek in Adams County, Idaho in accordance with the terms and conditions of Permit No. 19026 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Charles Warner, Bear, Idaho.

The use to which said water

has been applied is Irrigation.

The amount applied to beneficial use is .80 Cu. Ft. per Second.

The place where said water is used: E $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Twp. 20 N. R. 3W., B. M. and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, Twp. 19 N. R. 3W. B. M. in Adams County, Idaho, total area to be irrigated 40 acres.

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

The right to take water from such works is based upon Permit No. 19026.

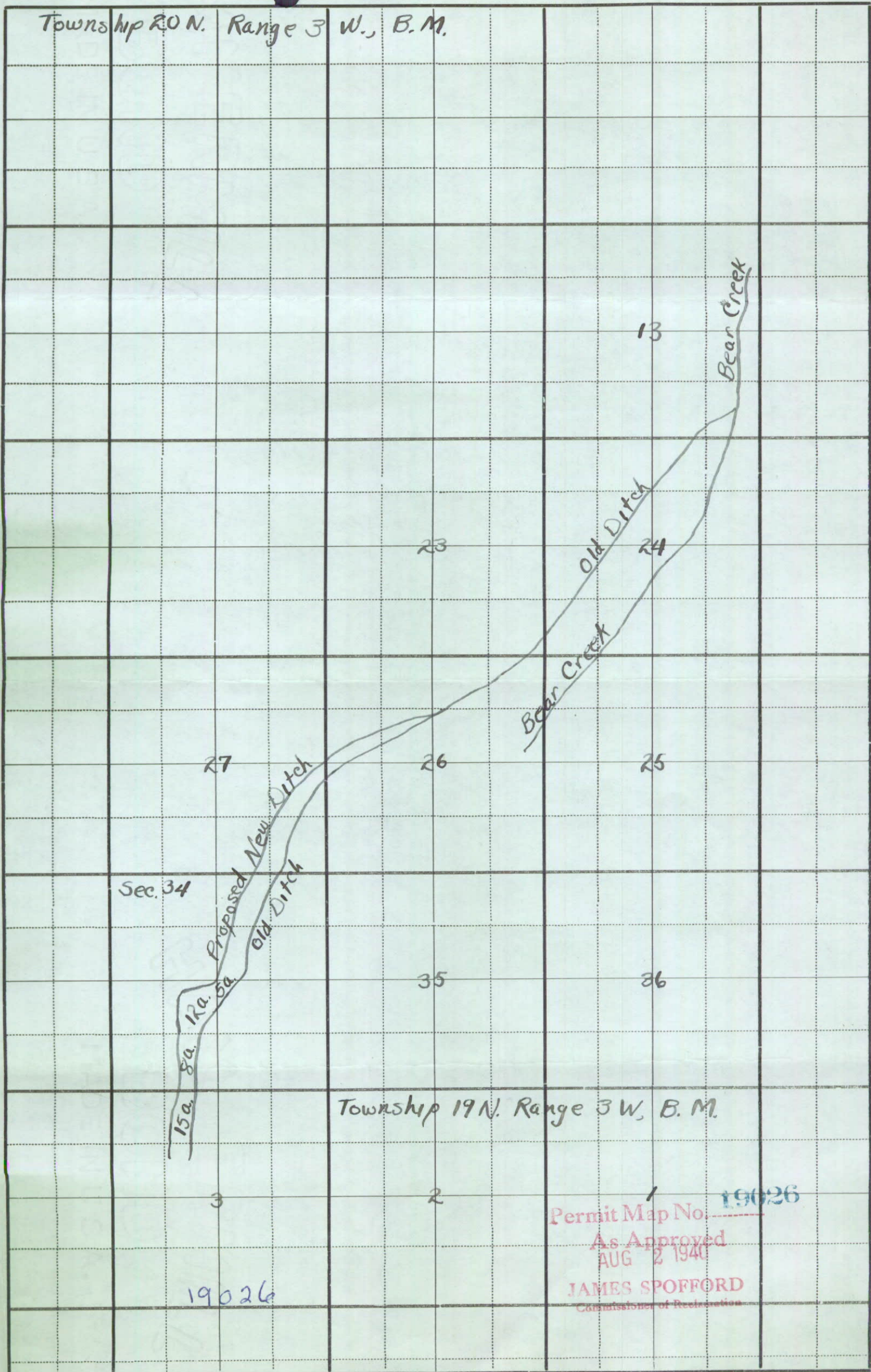
The source of supply from which such water is diverted is Bear Creek which is a tributary of Wildhorse Creek a tributary of Snake River.

The date of priority which said user is prepared to establish is July 22nd 1940.

MARK R. KULP
State Reclamation Engineer.
Pub. June 17, 24, July 1, 8.

19026

Township 20 N. Range 3 W., B. M.



Township 19 N. Range 3 W., B. M.

19026

Permit Map No. 19026
As Approved
AUG 2 1940
JAMES SPOFFORD
Commissioner of Reclamation

Note: His proof states that anew ditch
or extension ditch diverts from old
ditch in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, 20 N., 3 W.

Please check if this is a second
diversion in addition to the one in
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, or merely a diversion
from the ditch

*original divⁿ,
no. additional water
H*

Friday, May 17, 1949

Adams County, Idaho in accordance with the terms and conditions of Permit No. 19026 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Charles Warner, Bear, Idaho.

The use to which said water has been applied is Irrigation.

The amount applied to beneficial use is .80 Cu. Ft. per Second.

The place where said water is used: E $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Twp. 20 N. R. 3W., B. M. and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, Twp. 19 N. R. 3W. B. M. in Adams County, Idaho, total area to be irrigated 40 acres.

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

The right to take water from such works is based upon Permit No. 19026.

The source of supply from which such water is diverted is Bear Creek which is a tributary of Wildhorse Creek a tributary of Snake River.

The date of priority which said user is prepared to establish is July 22nd 1940.

MARK R. KULP
State Reclamation Engineer.
Pub. June 17, 24, July 1, 8.

Complete List
STUDEBAKER

**Notice For Publication
NOTICE OF PROOF
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 11:00 A. M. on the 22nd day of July, 1949, at Council, County of Adams, State of Idaho, before Carl H. Swanstrom, a Notary Public, proof will be submitted of the application to beneficial use of 0.80 cubic feet per second of the waters of Bear Creek in

State of Idaho

License and Certificate of Water Right

Water License No. 19026Amount 0.7 second foot

Water District No. _____

Priority July 22, 1940

THIS IS TO CERTIFY that CHARLES WARNER
 of Bear, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated July 22, 19 40; that Permit No. 19026
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.8 second feet, was issued thereunder on June 18, 19 45, showing that said works
 were completed on the 16th day of June, 19 45; and that on the 22nd
 day of July, 19 49,

CHARLES WARNER

of Bear, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of Bear Creek
, a tributary of - - -, for the purpose of Irrigation
, under Use Permit No. 19026 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4560, on the 13th day of April, 19 50;
 The right hereby confirmed dates from July 22, 19 40;

The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 13, Tp. 20 N., R. 3 W., B. M. Adams 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 0.7 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
20 N.	3 W.	34	NE $\frac{1}{4}$ SW $\frac{1}{4}$	12	12
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	8	10
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	5	5
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	15	8
19 N.	3 W.	3	Number of Acres Actually Irrigated - - - 35		

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

13th day of April, 19 50.

MARK R. KULP

State Reclamation Engineer

(SEAL)

69 2040

State of Idaho
License and Certificate of Water Right

Water License No. 19025
Water District No.

Amount One second foot
Priority July 23, 1940

THIS IS TO CERTIFY that CLARENCE WARNER
of Bear, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 23, 1940; that Permit No. 19025
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.1 second feet, was issued thereunder on August 11, 1943, showing that said works
were completed on the 8th day of July, 1943; and that on the 27th
day of July, 1946,

CLARENCE WARNER
of Bear, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Bear Creek
a tributary of , for the purpose of Irrigation
under Use Permit No. 19025 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4559, on the 13th day of April, 1950;
The right hereby confirmed dates from July 23, 1940;
The Point of Diversion is located near the center of the

in the SE 1/4 SE 1/4, Sec. 13, Tp. 20 N., R. 3 W., B. M. Adams 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 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
20 N.	3 W.	24	NE 1/4 NE 1/4	20	5
			SW 1/4 NE 1/4	40	24
			SE 1/4 NW 1/4	20	20
			Number of Acres Actually Irrigated -		49

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
13th day of April, 1950.

MARK R. KULP

State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

69-2040

Application No. 26447
Permit No. 19026
District No.

A. L. Freehafer
Council, Idaho

1. Name of Applicant: CHARLES WARNER
Postoffice address: Bear County: Adams State: Idaho
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation:
 (b) Amount of capital stock:
 (c) Amount paid in:
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are:
 (a) Cash on hand:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: Four-fifths cubic feet per second.
3. Source of water supply: Bear Creek which is a tributary of Wildhorse Creek,
a tributary of Snake River
4. Location of point of diversion: feet distant from the
 corner of Section , T. , R. , B. M., and is the near the center of SE $\frac{1}{4}$ SE $\frac{1}{4}$
 of Section 13 , T. 20 N. , R. 3 W. , B. M., County of Adams
5. Water is to be used for: Irrigation
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: \$ 400.00
8. Kind of works: Ditch
9. Height of dam feet; length of dam at top feet; length of dam at bottom
 feet; material used in dam:
 at point of diversion of old ditch
10. Size of headgate/ Width Two feet; height One feet.
- 11/ Old Ditch: Width at bottom Two feet; width at water line 2 $\frac{1}{2}$ feet; depth of water One
 feet; dimensions of flume:
 Diameter of pipe inches; length of conduit old ditch 1 $\frac{1}{2}$ miles
 new ditch 2 $\frac{1}{4}$ miles miles.
 Average grade per mile 20 feet.
12. The time required for the completion of such work is Three years.
13. The time required for the complete application of the water to the proposed use is Three additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

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

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

CHARLES WARNER

Applicant.

By

A. L. Freehafer

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. July 22, 1940

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 19026

Recorded in Book 69 Page 19026 Approved August 2, 1940

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 **October 1, 1940** 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 February 2, 1942

The whole of said work to be completed on or before August 2, 1943

Beneficial use of water appropriated in accordance herewith, to be made on or before August 2, 1946

Witness my hand this 2nd day of August, 1940

JAMES SPOFFORD

Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We C. A. BOTTOLFSEN 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 2nd day of August 1940

Countersigned:

STATE OF IDAHO

(SEAL

By GEO. H. CURTIS

Secretary of State.

By C. A. BOTTOLESEN

Governor.

Remarks: The applicant, Charles Warner, claims the oldest and largest right in what is marked as the old ditch heading in Bear Creek in the Southeast Quarter of the Southeast Quarter of Section 13 as marked on the map, and is applying for the new water right to irrigate lands above the present line of the old ditch in its lower course, the proposed

14. (Continued below)

(Continued below)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20 N.	3 W.	34									12			8			5		25
19 N.	3 W.	3					15												15
Total Number of Acres to be Irrigated - -																			40
REMARKS (Continued)			new ditch to be taken out of the old ditch in the North half of Section 26 as indicated on map.																
			Applicant will enlarge the old ditch to the satisfaction of and by agreement with other users in the old ditch, and to the extent necessary to carry the additional four-fifths of a cubic foot per second, which is to be diverted into the proposed new ditch by a headgate 18 inches wide by 12 inches deep, and the new ditch will be 18 inches on the bottom, two feet at water line, and six inches deep.																
			APPROVAL OF STATE RECLAMATION ENGINEER																
construction			I, James Spofford, State Reclamation Engineer of the State of Idaho, extend the time for the completion of work under Permit to appropriate the Public Waters of the State of Idaho, No. 19026, to August 2, 1945.																
			Witness my hand this 13th day of July, 1943.																
			JAMES SPOFFORD State Reclamation Engineer																

P E R M I T N O . 19026

CERTIFICATE OF COMPLETION OF WORKS

To All Whom it May Concern:

This is to certify that CHARLES WARNER, of Bear, County of Adams, and State of Idaho, the holder of Permit No. 19026, issued upon Application No. 26447, bearing date of priority of July 22, 1940, authorizing the diversion of four-fifths (0.8) second foot of the waters of Bear Creek, a tributary of Wildhorse Creek, a tributary of Snake River, County of Adams, State of Idaho, for irrigation 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 four-fifths (0.8) second foot of the waters of Bear Creek; that the point of diversion of said waters is located near the center of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, Township 20 North, Range 3 West, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 34, Township 20 North, Range 3 West, B.M., and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, Township 19 North, Range 3 West, B.M.

Witness my hand this 18th day of June, A. D. 1945.

MARK R. KULP

State Reclamation Engineer

Proof of completion of works made June 16, 1945

Certificate of completion of works issued June 18, 1945

LICENSE ISSUED FOR 0.7 SEC. FT.
p. 4560

April 18, 1950

Re: Permit No. 19026

Mr. Charles Warner
Bear, Idaho

Dear Mr. Warner:

We enclose License and Certificate of Water Right issued under Permit No. 19026, confirming your right to the use of 0.7 second foot of water from Bear Creek with priority of July 22, 1940, point of diversion being in the SE¹₄ SE¹₄ Section 13, Township 20 North, Range 3 West, B.M. for irrigation of land in the E¹₂ SW¹₄, NW¹₄ SE¹₄ Section 34, Township 20 North, Range 3 West, B.M. and the NE¹₄ NW¹₄ Section 3, Township 19 North, Range 3 West, B.M.

We also enclose Departmental Receipt No. 22233 for the \$8.00 fee paid in connection with Beneficial Use Proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

19026

March 30, 1950

Re: Permit No. 19026

Mr. Charles Warner
Bear, Idaho

Dear Mr. Warner:

We now have on file the report of our Field Engineer on examination for Beneficial Use under your Permit No. 19026.

This report shows that you have irrigated 35 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Township 20 North, Range 3 West, B.M. and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, Township 19 North, Range 3 West, B.M.

Therefore, upon receipt of the statutory fee of \$8.00, being at the rate of \$2.00 for each 40 acre subdivision in which the land is located, a License will be issued for .7 second foot (or 55 inches) of water from Bear River.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bb

19026

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

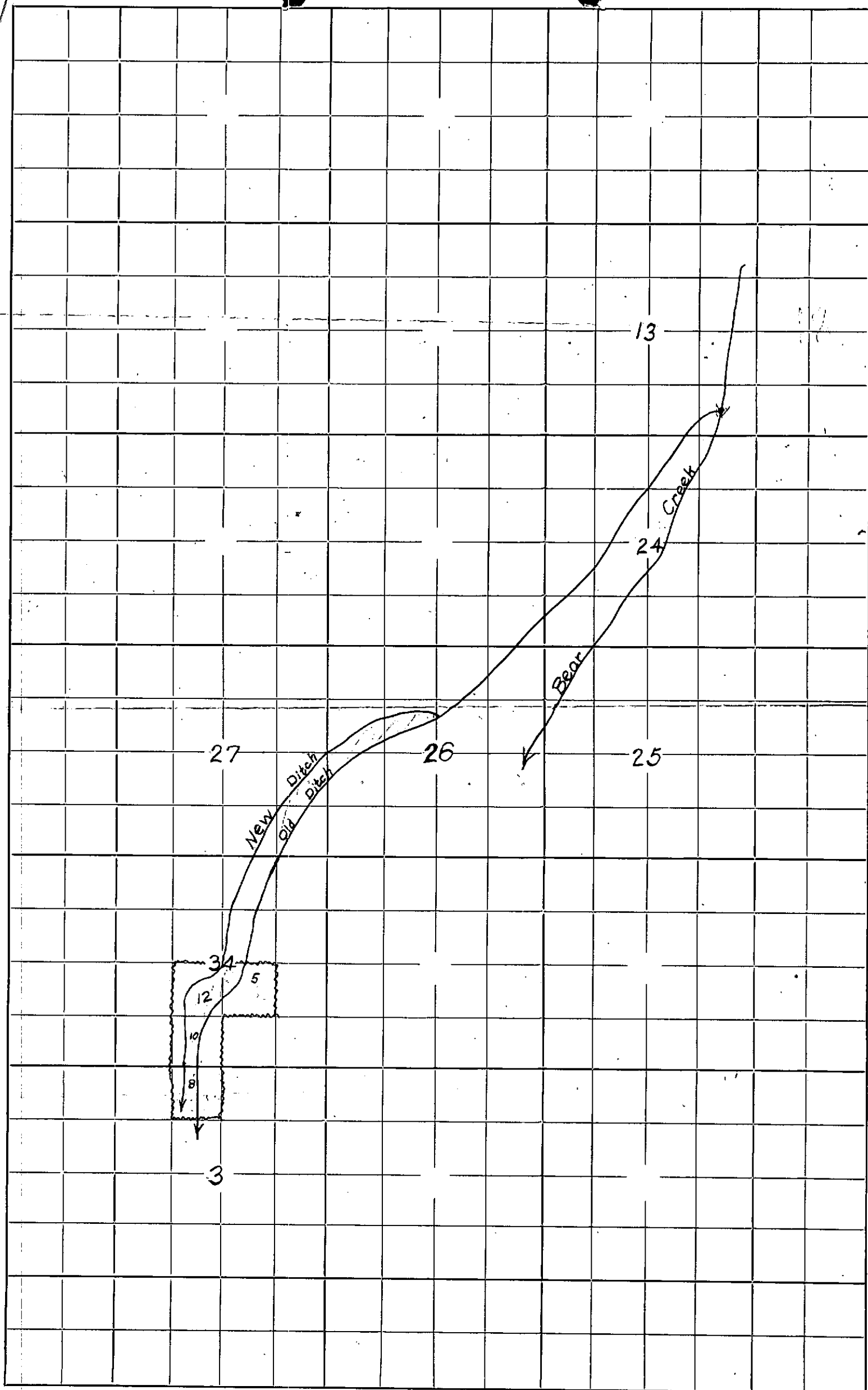
PERMIT NO. 19026

REPORT ON PROOF OF Beneficial use

app 0.8 c.f.s.

1 cfs
max

35 acres
4-40's



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

19026

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

Permit No. 19026

This proof is for Beneficial use In Water District No. _____1. Name of applicant Charles Warner, Bear, Idaho2. Source of water supply: Bear Creek, a tributary of Wildhorse Creek3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13T. 20 N. R. 3 W. County of Adams

4. Describe works as they exist, giving dimensions and capacities of same: _____

New Ditch 2' wide, 1' deep. Headgate 4' wide, 12' long, and 4' high.Old Ditch 4' wide, 2 $\frac{1}{2}$ ' deep. Now obsolete, to be replaced by concrete.5. Water is used for: Irrigation6. 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):

E $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Twp. 20 N., Range 3 W., B.M.NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, Twp. 19 N., Range 3 W., 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? Snake River

Remarks: _____

This examination was made on the 17 th day of August, 19 49

(Signed)

F. H. Tolman

Examiner.

19026

Charles Warner
 Bear, Idaho
 Permit No. 19026

Examination for Beneficial use

County Adams

RECEIVED
 MAR 24 1950
 Department of Reclamation

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.

✓
August 3, 1949

Re: Permit No. 19026

Mr. Charles Warner
Bear, Idaho

Dear Mr. Warner:

We acknowledge receipt of your reply to our letter of July 27, 1949, and have corrected your depositions accordingly.

This completes your Proof of Beneficial Use under Permit No. 19026, but before final action is taken in the matter, the law requires that a field examination be made by an Engineer from this Department.

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact you at the time he makes the examination in order that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

19026



C. A. ROBINS
GOVERNOR

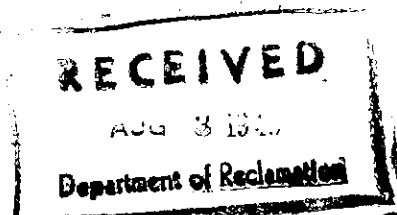
STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

July 27, 1949

Re: Permit No. 19026



Mr. Charles Warner
Bear, Idaho

Dear Mr. Warner:

We have received from Mr. Carl H. Swenstrom, Notary Public, the depositions of yourself and two witnesses; also Affidavit of Publication in the Adams County Leader, all submitted in proof of beneficial use under your Permit No. 19026.

However, all of these depositions describe as part of the place of use the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Township 19 North, Range 3 West, whereas the Permit describes the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3. Please advise if this is an error in the deposition or if there has been a change in the place of use.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannette L. Anderson
Chief Clerk

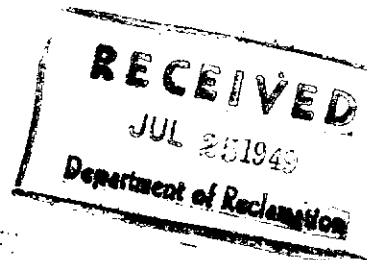
A:bh

*Mark R. Kulp
Boise, Idaho.
Dear sir:*

*There has been an error in disposition,
the correct location is the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of S³
Township 19 N. Yours truly Chas Warner*

19026

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 19026

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Charles Warner, residing at Bear in Adams County, 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. Acting for myself

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

Ans. 19026, dated August 2nd 1940

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

Ans. Bear Creek, a tributary of Wildhorse Creek, a tributary of Snake River.

Diversion on old ditch near center SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13 Twp. 20 N. R. 3 W B M and a new or extension ditch diverts from old ditch in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26 Two 20 N. R. 3 W 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. By Ditch 2 $\frac{1}{2}$ miles long, about 2 feet wide on bottom, 3 feet wide on top and average depth of 18 inches; ditch has no name but diverts from old Bear Creek 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. For Irrigation purposes on following land; 12 A. in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 8 A. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 5A in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, and 15 A. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3, all in Twp. 29 N. R. 3 W B M

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

Ans.

19026

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

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. permit issued to present holder

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. On all land described in question 6 for the full irrigating seasons of 1944, 1945, 1946, 1947, 1948 and to present time in 1949; have used full 8 Cu. Sec. Ft. each irrigating season

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. No other water available for this land

(Sign) Charles Warren

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 Council, County of Adams, State of Idaho, on this 22nd day of July, A. D. 19 49

My commission expires April 7th 1952

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19026

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. Jesse F. Smith, aged 61 and residence at Bear in Adams County, Idaho

Ques. 2. Are you acquainted with Charles Warner, the holder of Permit No. 19026? How long have you known him and where does he reside?

Ans. I have known Charles Warner over Forty years and he resides near Bear, in Adams County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19026, 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. Source of water is Bear Creek, first diversion at center SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13 in Main Bear Creek Ditch and from that ditch again diverted in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, all in Twp. 20 N. R. 3 W B M; water conveyed to irrigated land by ditch, 2' on Bottom, 3 feet on top, 18" deep about 2 $\frac{1}{2}$ miles to irrigated lands

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. Ditch will carry over one cubic foot per second; I have seen the ditch carrying that amount in early season at at least .8 in late irrigating season

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. For Irrigation: used upon 12 A. in NE $\frac{1}{4}$ SW $\frac{1}{4}$; on 8 A. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 5 A. in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34 and on 15 A. in NE $\frac{1}{4}$ ^{NW $\frac{1}{4}$} NE $\frac{1}{4}$ Sec. 3, all in Twp. 19 N. R. 3 W B M or total of 40 acres in both sections

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

Ans. _____

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

Ans. The 40 acres irrigated requires at least .8 sec. ft for full irrigation

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

Ans. No interest whatever

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 seen at least .8 sec. ft. of water used on the above described lands during the irrigating season of the years 1948, 1947, 1946 and 1945 and up to present time in 1949

---(Signed)

Jesse F. Smith

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 _____ Council

County of Adams, State of Idaho, on this 22nd day of July

A. D. 19 49

[Signature]
Notary Public.

My commission expires April 2th 1952



19026

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19026

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. David S. McConnell, I am 52 years of age and reside at Council, Idaho

Ques. 2. Are you acquainted with Charles Warner, the holder of Permit No. 19026? How long have you known him and where does he reside?

Ans. I have been acquainted with Charles Warner for about 32 years and he lives near Bear postoffice in Adams County, Idaho

Ques. 3. Have you read or heard read said Permit No. 19026, and are you familiar with its provisions and conditions?

Ans. Yes, I have read it and know its provisions.

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. Water from Bear Creek in Adams County; initial diversion in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13 Twp 20 N R 3 W B M and again diverted from main Bear Ditch in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26, Twp 20 N R 3 W B M and goes through ditch about 2 $\frac{1}{2}$ miles long and which is 2 feet on bottom, 3 feet on top and averages 18" in depth

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. It carries well over one second foot of water; I have seen that amount of water in ditch in early irrigating season.

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. water is used for irrigation, used upon 12 A. in NE $\frac{1}{4}$ SW $\frac{1}{4}$; on 8 A. in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and on 5 A. in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, and on 15 A. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3, all in Twp. 19 N. R. 3 W B M, or on 40 acres in all.

19026

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

Ans. For irrigation only.

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

Ans. Land is arid, but fertile farm land; it requires about 1 miner's inch per acre for full irrigation; this area under ditch requires full .8 Sec. Ft.

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 interest in land or water.

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

Ans. I have seen water in ditch under this right applied in 1948 to an amount of about one second foot in early season of 1948 and at least .8 Sec. Feet in late irrigating season of 1948

(Signed)

David S. McConnell

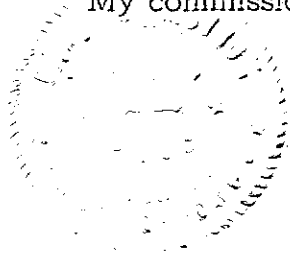
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Council

County of Adams, State of Idaho, on this 22 day of July

A. D. 1949

[Signature]
Notary Public.

My commission expires April 7th 1952



Affidavit of Publication

State of Idaho, County of Adams, ss:

I, B. J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the Notice

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

four consecutive weeks, the first publication of the

same being made in the issue dated June 17, 1949

and the last in the issue dated July 8, 1949

that said newspaper is of general circulation in Adams County, Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than sev-

enty-eight consecutive weeks prior to the first publication of

said Notice as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this 22

day of July 1949

Carl H. Swanson
Notary Public for Idaho,
Residing at Council, Idaho

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

Notice is hereby given that at 11:00 A. M. on the 22nd day of July, 1949, at Council, County of Adams, State of Idaho, before Carl H. Swanson, a Notary Public, proof will be submitted of the application to beneficial use of 0.80 cubic feet per second of the waters of Bear Creek in Adams County, Idaho in accordance with the terms and conditions of Permit No. 19026 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Charles Warner, Bear, Idaho. The use to which said water

has been applied is Irrigation.

The amount applied to beneficial use is .80 Cu. Ft. per Second.

The place where said water is used: E $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Twp. 20 N. R. 3W., B. M. and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, Twp. 19 N. R. 3W. B. M. in Adams County, Idaho, total area to be irrigated 40 acres.

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

The right to take water from such works is based upon Permit No. 19026.

The source of supply from which such water is diverted is Bear Creek which is a tributary of Wildhorse Creek a tributary of Snake River.

The date of priority which said user is prepared to establish is July 22nd 1940.

MARK R. KULP
State Reclamation Engineer.
Pub. June 17, 24, July 1, 8.

19026

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, July 12, 1949

Re: Permit No. 19026
Charles Warner

Mr. Carl H. Swanstrom
Notary Public
Council, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19026

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 July 22, 1949, 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 Council, Idaho before Carl H. Swanstrom, 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

19026

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 19026

Date: June 11, 1949

Adams County Leader

Council, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to July 22, 1949, the date set for proof, the expense of the publication to be paid by the applicant, Charles Warner of Bear 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.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By
Chief Clerk

19026

June 11, 1949

Re: Permit No. 19026

Mr. Charles Warner
Beer, Idaho

Dear Mr. Warner:

We acknowledge receipt of your Notice of Beneficial Use Proof to be made under your Permit No. 19026 at 11:00 A.M. July 22, 1949.

We have sent a copy of the notice to the Adams County Leader at Council, Idaho, 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 Mr. Carl E. Swanstrom, Notary Public, the necessary forms of deposition, consisting of one for yourself and one for each of two witnesses, so that he may have them in ample time for the proof.

At the time set, you should appear before Mr. Swanstrom, together with two disinterested witnesses who are familiar with the terms of your Permit and the work done thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

19026

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 8th 1949

(P. O.) COUNCIL, 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 ADAMS COUNTY LEADER of Council, Idaho, published in the county in which the works are situated.

Charles Warner

(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

19026

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

Notice is hereby given that at 11:00 A. M. on the 22nd day of July, 1949,
at Council, County of Adams, State of Idaho, before
Carl H. Swanstrom, a Notary Public, proof will be submitted of the
application to beneficial use of ~~2~~ ^{0.80} cubic feet per second of the waters of Bear Creek in
Adams County, Idaho in accordance with the terms and conditions of Permit No. 19026
heretofore issued by the State Reclamation Engineer of the State of Idaho.

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

CHARLES WARNER, Bear, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is .80 Cu. Ft. per Second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) E¹/₂ SW¹/₄ Section 34, Twp. 20 N. R. 3 W., B. M. and NE¹/₄ NW¹/₄ Sec.
3, Twp. 19 N. R. 3 W. B. M. in Adams County, Idaho, total area to be
irrigated 30 acres.

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

The right to take water from such works is based upon Permit No. 19026

The source of supply from which such water is diverted is Bear Cr. which is a
tributary of Willhorne Cr. a tributary of Snake River

The date of priority which said user is prepared to establish is July 22nd 1940.

Mark R. Kulp

State Reclamation Engineer.

19026

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

Boise, Idaho

June 1, 1949

Mr. Charles Warner

Bear, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 19026. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This 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 August 2, 1949, and if proof is submitted later than 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

19026

✓
June 19, 1945

Re: Permit No. 19026

Mr. Charles Warner
Bear, Idaho

Dear Mr. Warner:

We enclose herewith certificate of completion of works issued under the above numbered permit to appropriate four-fifths of a second foot of water from Bear Creek, a tributary of Wildhorse Creek, in Adams County, with point of diversion in the center of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, Township 20 North, Range 3 East, B.M., for irrigation purposes.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

▲
Encl.

19026

Permit No. 19026STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO
County of Ada } SS.Charles Warner, 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. 19026, and that his postoffice address is Bear, State of Idaho.Second: That the name of the stream from which said water is to be directed is Bear Creek.Third: That the point of diversion of said water is near center of SE4SE4 Sec. 13 - Twp. 20 N. - R. 3 W. B. M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Aug. 2, 1945.Fifth: That the use for which said water is intended is Irrigation.Sixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:I. Kind of works: Ditch
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam.....feet, length of dam at top.....feet, length of dam at bottom.....feet. Material used in construction.....

(State whether wood, earth, stone or concrete)

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

(c) Size of headgate: Width 2 feet, height 1 feet.(d) Conduit Ditch width at bottom 2 feet, width at water line 2 1/2
(State whether ditch, flume or pipe)feet, depth of water 2 feet; diameter of pipe.....inches, average grade per mile is 20 feet. Length of conduit is 4 miles altogetherSeventh: That said works are capable of conducting to the place of intended use 4 1/5 second feet of water.Eighth: That water appropriated under said permit is available for 40 acres of land described as follows:E2SW4 Sec. 34, Twp. 20 N. R. 3 W. B. M. and
NE NW Sec. 3 " 19 N. - " "

Ninth: Remarks: That.....

Charles Warner
(Sign here)Subscribed and sworn to before me this 16 day of June, 1945My commission expires 11-5-47Widdie Hall
Notary Public.

19026

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Charles Warner

Boise, Idaho June 1, 1945

Bear, Idaho .

Dear Sir:-

Under the terms of your permit No. 19026-----you are required to complete your diversion works on or before August 2, 1945----- 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

19026

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Charles Warner

Boise, Idaho **June 1, 1945**

Bear, Idaho

Dear Sir:-

Under the terms of your permit No. 19026-----you are required to complete your diversion works on or before August 2, 1945----. 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

19026

✓
July 13, 1943

Re: Permit No. 19026

Mr. Charles Warner
Bear, Idaho

Dear Mr. Warner:

Enclosed herewith find approval of the State Reclamation Engineer of your application for extension of time for completion of works under the above numbered permit until August 2, 1945.

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

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

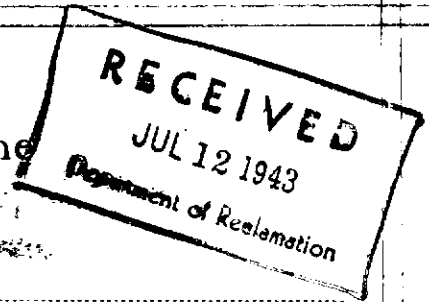
Chief Clerk

A
Encl.

19026

Permit No. 19026

Application for Extension of Time
FOR COMPLETION OF WORKS



Charles Warner

Bear

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. 19026

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by August 2nd, 1943.

That he has heretofore performed the following work described under said permit. I have
surveyed and cleared approximately 3 miles of ditch right of way, and
have made preliminary ditch channel over greater portion of this dis-
tance by use of tractor and ditcher; there remains final shaping of
ditch and construction of about 1/4th mile through rocky ground where
machine construction is not possible.

costing \$ 175.00

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

There is now no available labor in the community and we are also
unable to secure a compressor for drilling the rocky ground which
requires blasting of ditch channel.

State Reclamation Engineer

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the comple-
tion of works under said permit to August 2nd, 1945

Subscribed and sworn to before me this 7th day of July, 1943

My commission expires April 7th, 1944 residing at Council, Idaho

Date of receipt at office of Department of Reclamation July 12, 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. 19026 to

August 2, 1945

Witness my hand this 13th day of July, 1943

19026

James Spofford
Commissioner of Reclamation
State Reclamation Engineer

June 29, 1943

Re: Permit No. 19026

Mr. Charles Warner
Bear, Idaho

Dear Mr. Warner:

We are in receipt of your letter of June 25th, requesting two years' extension for completion of works under the above numbered permit.

Since your application only asked for three years time in which to complete these works, and the statutes allow a maximum of five years, it will be possible for this extension to be granted.

In order for this to be done, it will be necessary for you to execute and return the enclosed Application for Extension, and the approval of the extension will be sent you, to be attached to the original permit.

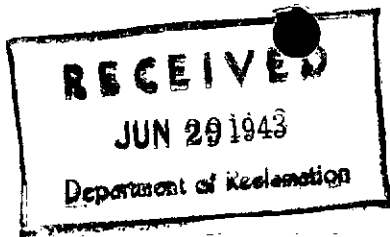
Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19026



Bear Idaho.

June 25, 1943.

Department of Reclamation
Boise, Idaho.

Dear sir;

Due to the farm labor situation and being unable to get a compressor for the rock work on our ditch it will be impossible to get it completed this year. Could it be possible to get an extension of 2 years time on this ditch.

Yours truly

Char Warner
Bear, Idaho.

Permit No 19026

8-2-40-due 8-2-43

19026

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Charles Warner
C/o A. L. Freehafer
Council, Idaho

Boise, Idaho, **June 8, 1943**

Dear Sir:—

Under the terms of your permit No. **19026**.....you are required to complete your diversion works on or before **August 2, 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 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,

JAMES SPOTFORD

~~Commissioner of Reclamation~~
State Reclamation Engineer

19026

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 19026

Boise, Idaho, August 7, 1940

Dear Sir:

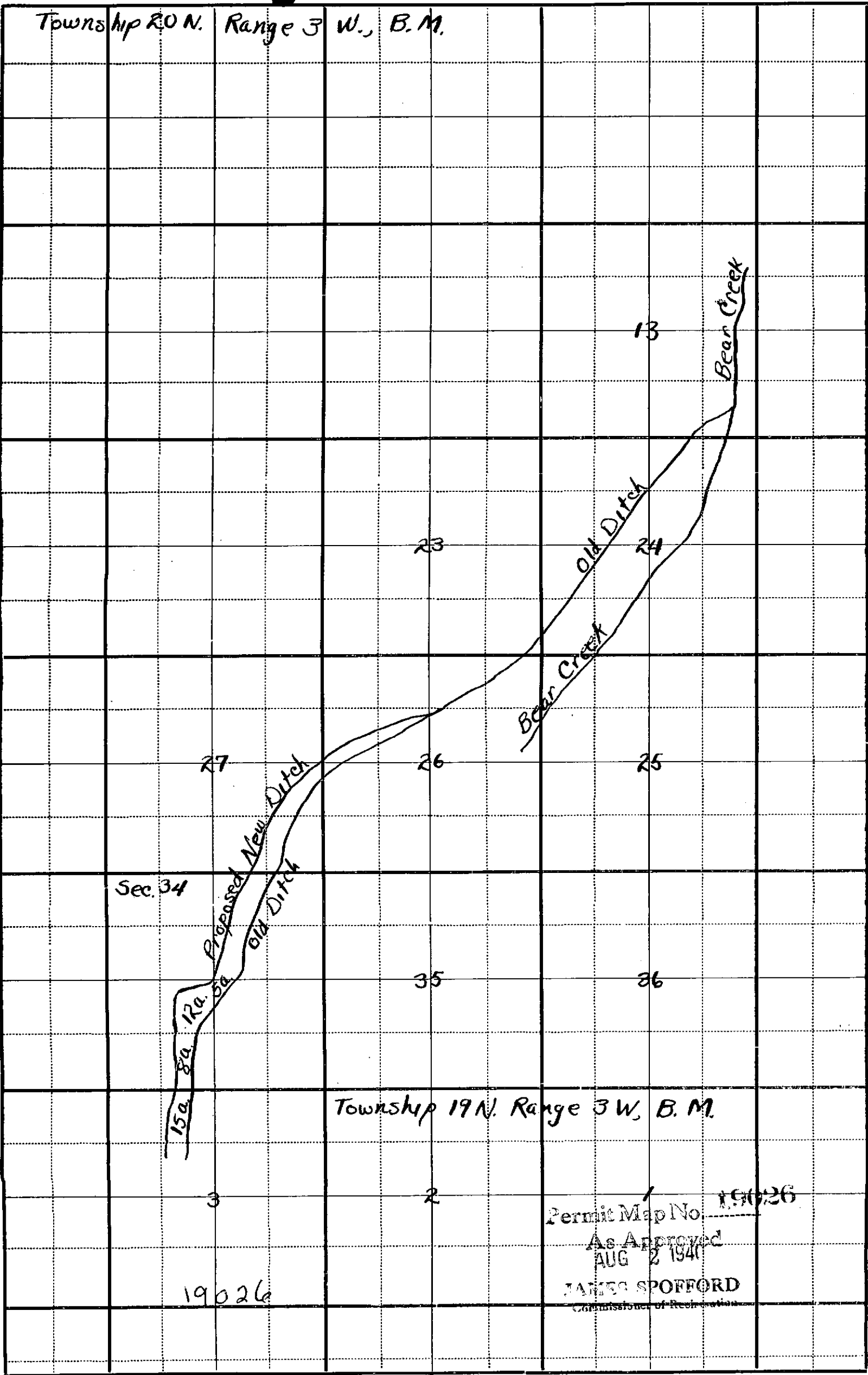
I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
~~the third~~ ^{fourth} page.

Charles Warner
C/o A. L. Frechafer
Council, Idaho
Enc. Receipt # 17495

JAMES SPOFFORD

Commissioner of Reclamation.

19026



A. L. FREEHAFFER
ATTORNEY AT LAW
COUNCIL, IDAHO

July 20, 1940

Mr. James Spofford
Commissioner of Reclamation
Boise, Idaho

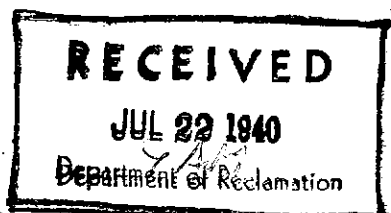
Dear Mr. Commissioner:

I am sending you herewith the application of Charles Warner for permit to divert and use for irrigation the waters of Bear Creek in Adams County. Also I am enclosing herewith my check for \$5.00 in payment of your office fees for this permit.

Yours very truly,

A. L. Freehafer

ALF/p
Enc 2



19026

Note: His proof states that anew ditch
or extension ditch diverts from old
ditch in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, 20 N., 3 W.

Please check if this is a second
diversion in addition to the one in
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, or merely a diversion
from the ditch

*original ditch
no additional value*

Friday, May 17, 1949

Adams County, Idaho in accordance with the terms and conditions of Permit No. 19026 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Charles Warner, Bear, Idaho.

The use to which said water has been applied is Irrigation.

The amount applied to beneficial use is .80 Cu. Ft. per Second.

The place where said water is used: E $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Twp. 20 N. R. 3W., B. M. and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, Twp. 19 N. R. 3W. B. M. in Adams County, Idaho, total area to be irrigated 40 acres.

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

The right to take water from such works is based upon Permit No. 19026.

The source of supply from which such water is diverted is Bear Creek which is a tributary of Wildhorse Creek a tributary of Snake River.

The date of priority which said user is prepared to establish is July 22nd 1940.

MARK R. KULP
State Reclamation Engineer.
Pub. June 17, 24, July 1, 8.

Complete List
STUDEBAK

**Notice For Publication
NOTICE OF PROOF
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 11:00 A. M. on the 22nd day of July, 1949, at Council, County of Adams, State of Idaho, before Carl H. Swanstrom, a Notary Public, proof will be submitted of the application to beneficial use of 0.80 cubic feet per second of the waters of Bear Creek in