

✓
April 4, 1950

Re: Permit No. 19025

Mr. Clarence 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. 19025.

This report shows that you have irrigated 49 acres in the NE¹/₄ NE¹/₄, SW¹/₄ NE¹/₄, and SE¹/₄ NW¹/₄ Section 24, Township 20 North, Range 3 West, B.M.

Therefore, upon receipt of the statutory fee of \$6.00, a License will be issued for one (1) cubic foot per second of water from Bear Creek, with point of diversion in the SE¹/₄ SE¹/₄ of Section 13, same Township and Range.

Very truly yours,

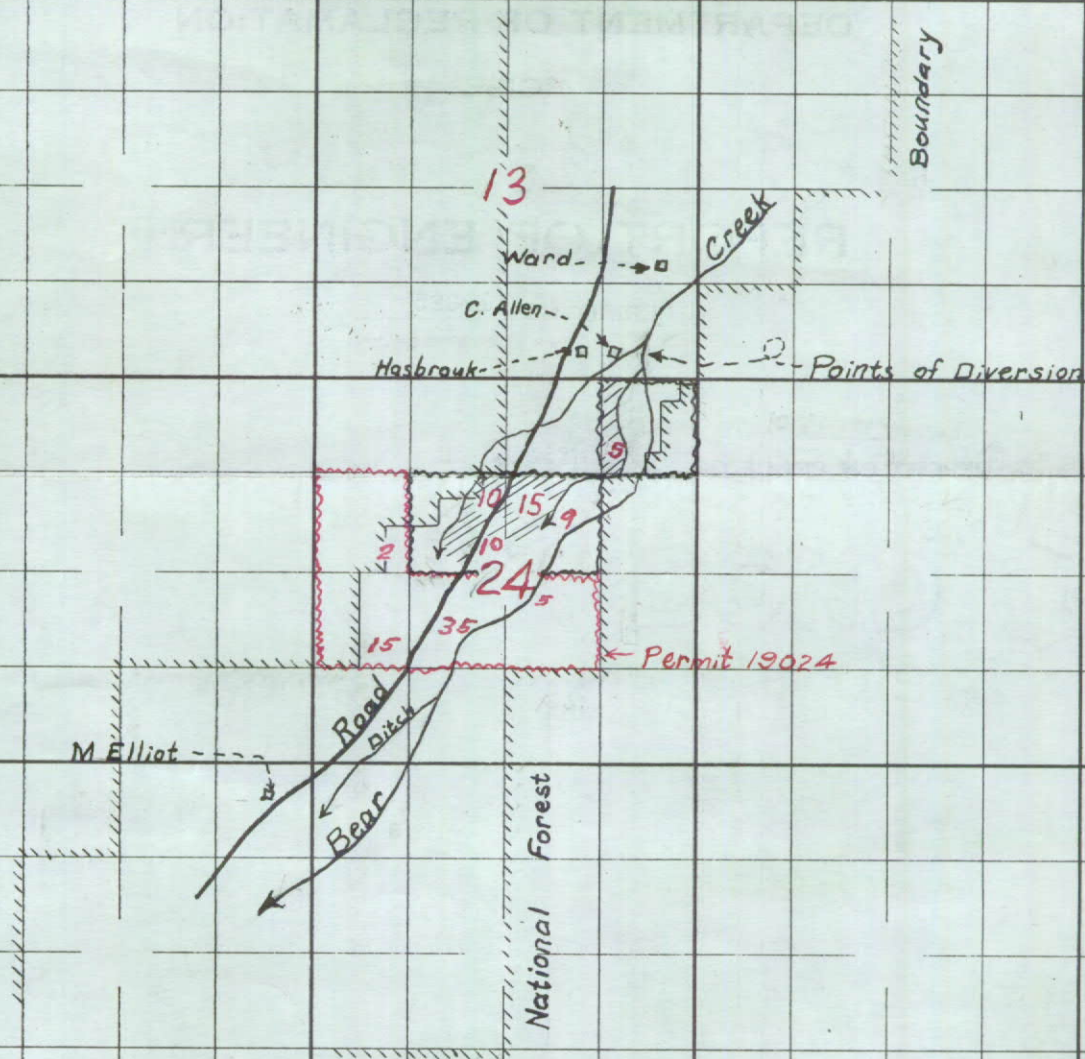
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk.

A:bn

19025

12



Affidavit of Publication

State of Idaho, County of Adams, ss:

I, F. E. 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 (4) consecutive weeks, the first publication of the same being made in the issue dated June 21, 1946

and the last in the issue dated July 12, 1946;

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 seventy-eight consecutive weeks prior to the first publication of said

Notice as aforesaid.

Subscribed and sworn to before me this 27th

day of July, 1946

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 10 A. M. on the 27th day of July, 1946, at Council, County of Adams, State of Idaho, before Carl H. Swanson, Notary public, proof will be submitted of the application to beneficial use of 1.1 cubic feet per second of the waters of Bear Creek in accordance with the terms and conditions of Permit No. 19025 heretofore issued by the Commissioner

of Reclamation of the State of Idaho.

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

The use of which said water has been applied is irrigation.

The amount applied to beneficial use is 1.1 second feet.

The place where said water is used NE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 20 N. R. 3 W. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Gaarden-Warner-Gallagher ditch, not named

The right to take water from such works is based upon Permit No. 19025.

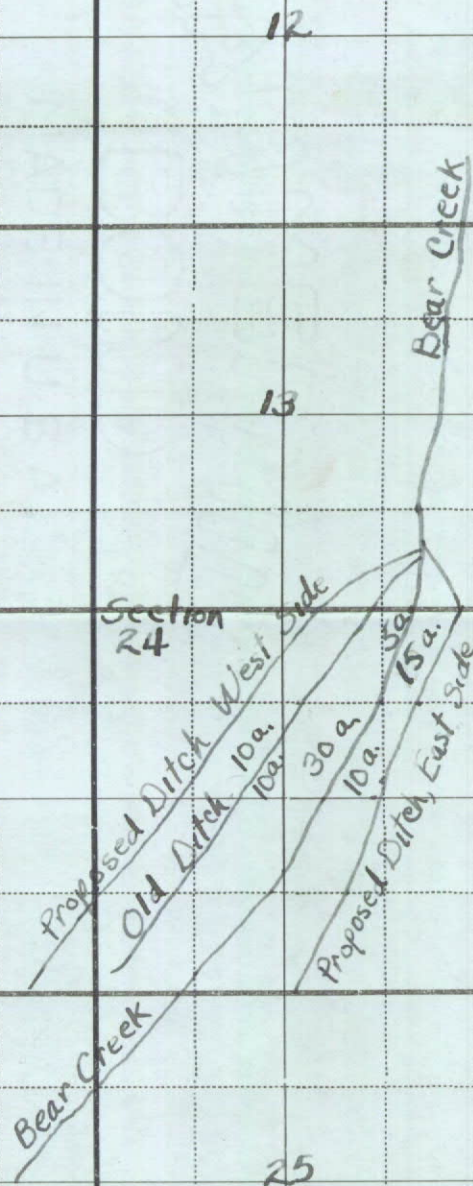
The source of supply from which such water is diverted is Bear Creek in Adams County, Idaho.

The date of priority which said user is prepared to establish is July 23, 1940.

MARK R. KULP
State Reclamation Engineer.
Pub. June 21, 28, July 5, 12.

19025

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



19025

Permit Map No. 19025

As Approved

AUG 2 1940

JAMES SPOFFORD

Commissioner of Reclamation

State of Idaho
License and Certificate of Water Right

Water License No. 19025

Amount One second foot

Water District No. _____

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

69-2039

Application No. 26443
Permit No. 19025
District No.

A. L. Freehafer
Council, Idaho

1. Name of Applicant: CLARENCE 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: 1.1

In proposed new ditches-0.7
cubic feet per second. In old ditch - 0.4

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 thenear 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: \$ For each of proposed new ditches \$200.00
For enlarging old ditch - 100.00

8. Kind of works: Ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

For each of new ditches

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

11. Ditch: Width at bottom Two feet; width at water line 2 $\frac{1}{2}$ feet; depth of water 6 inches

feet; dimensions of flume:

Diameter of pipe inches; length of conduit Each new ditch - 1 $\frac{1}{2}$ miles

Average grade per mile 20 feet. Enlargement of old ditch- 1 $\frac{1}{2}$ miles

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.

CLARENCE WARNER

Applicant.

By A. L. Freehafer

Agent.

Date of first receipt at Department of Reclamation: 11:00 A.M. July 23, 1940

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 19025

Recorded in Book 69 Page 19085 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 19 40

Countersigned:

STATE OF IDAHO

(SEAL

By GEO. H. CURTIS

Secretary of State.

By C. A. BOTTOLFSEN

Governor.

Remarks: Applicant has for many years irrigated the 30 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the 10 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24, by waters diverted through the old ditch, and in this application wishes to enlarge the old ditch only to the extent of securing an additional right of three tenths of a cubic foot per second for said 40 acres, and a new right for one-tenth (Continued below)

(Continued below)

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
Under	new east side ditch																		
20 N.	3 W.	24	15		10														25
Under	new west side ditch																		
20 N.	3 W.	24							10										10
x Under	old ditch, old irrigation																		
20 N.	3 W.	24			30				10										40
Under	old ditch, new irrigation																		
20 N.	3 W.	24	5																5
Total Number of Acres to be Irrigated -																			80
x	Applicant claims prior right to at least one-half cubic foot per second of water by diversion and application to beneficial use in old ditch, and wishes to enlarge the old ditch for the purpose of establishing right for new irrigation to the five acres located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 24, and for an additional three-tenths of a cubic foot per second for irrigating his 30 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and his 10 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24.																		
REMARKS	(Continued) of a cubic foot per second for 5 acres of new irrigation under old ditch, the old right claimed by diversion and application to beneficial use being at least one-half cubic feet per second.																		
	The construction of two proposed new ditches and the enlargement of the old ditch will be carried on jointly by applicant with his brother, Bert Warner, who is making application for water right in said ditches at the same time with this application.																		

PERMIT NO. 19095

To All Whom it May Concern:

Certificate of Completion of Works

This is to certify that CLARENCE WARNER, of Bear, County of Adams, and State of Idaho, the holder of Permit No. 19025, issued upon Application No. 26443, bearing date of priority of July 23, 1940, authorizing the diversion of 1.1 second feet of the waters of Bear Creek, a tributary of Wildhorse Creek, which is 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 1.1 second feet of the waters of Bear Creek; that the point of diversion of said waters is located in 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 described as follows, to-wit: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, Township 20 North, Range 3 West, B.M.

Witness my hand this 11th day of August, A. D. 1943.

Proof of completion of works made July 8, 1943

Certificate of Completion of Works issued August 11, 1943

CLARENCE WARNER one
p. 4559

JAMES SPOFFORD

State Reclamation Engineer

✓
April 18, 1950

Re: Permit No. 19025

Mr. Clarence Warner
Bear, Idaho

Dear Mr. Warner:

We enclose License and Certificate of Water Right issued under Permit No. 19025, confirming your right to the use of one (1) second foot of water from Bear Creek, with priority of July 23, 1940, point of diversion being in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, Township 20 North, Range 3 West, for irrigation of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, same Township and Range.

We also enclose Departmental Receipt No. 22234 for the \$6.00 fee paid in connection with Beneficial Use Proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

19025

April 4, 1950

Re: Permit No. 19025

Mr. Clarence 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. 19025.

This report shows that you have irrigated 49 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, Township 20 North, Range 3 West, B.M.

Therefore, upon receipt of the statutory fee of \$6.00, a License will be issued for one (1) cubic foot per second of water from Bear Creek, with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, same Township and Range.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk.

A:bn

19025

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19025

REPORT ON PROOF OF Beneficial use

app. 1,100 a.c.

*1 cfs
SWHE*

*2/9 ams
in NEHE & SWHE
SWHE*

1.1

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19025

This proof is for Beneficial use

In Water District No.

1. Name of applicant Clarence Warner, Bear, Idaho
2. Source of water supply: Bear Creek
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Near center) of Section 13
T. 20 N. R. 3 W. County of Adams

4. Describe works as they exist, giving dimensions and capacities of same:
Diversion by log and rock wing. Plank wasteway below.
Ditches 2 - 3' wide and 1' deep.

5. Water is used for: Irrigation
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):
NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24;
Twp. 20 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 17th day of August 1949
25th day of August 1947

(Signed)

A. H. Johnson
Examiner.

19025

45
10
Clarence Warner
Bear, Idaho

Permit No. 19025

Examination for Beneficial use

County Adams

RECEIVED
MAR 30 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 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.

✓
July 31, 1946

Re: Permit No. 19025

Mr. Clarence Warner
Bear, Idaho

Dear Mr. Warner:

We acknowledge receipt of the depositions of yourself and two witnesses, also the affidavit of publication in the Adams County Leader, all in proof of beneficial use under the above numbered permit.

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

We cannot 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 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

19025

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, F. E. 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 (4) consecutive weeks, the first publication of the same being made in the issue dated June 21, 1946

and the last in the issue dated July 12, 1946

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 seventy-eight consecutive weeks prior to the first publication of said

Notice as aforesaid.

F. E. Rogers

Subscribed and sworn to before me this 27th

day of July, 1946

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 10 A. M. on the 27th day of July, 1946, at Council, County of Adams, State of Idaho, before Carl H. Swanson, Notary public, proof will be submitted of the application to beneficial use of 1.1 cubic feet per second of the waters of Bear Creek in accordance with the terms and conditions of Permit No. 19025 heretofore issued by the Commissioner

of Reclamation of the State of Idaho.

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

The use of which said water has been applied to irrigation.

The amount applied to beneficial use is 1.1 second feet.

The place where said water is used NE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 20 N. R. 3 W. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Gaarden-Warner-Gallagher ditch, not named.

The right to take water from such works is based upon Permit No. 19025.

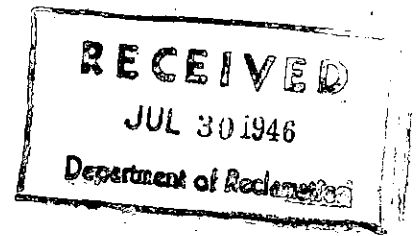
The source of supply from which such water is diverted is Bear Creek in Adams County, Idaho.

The date of priority which said user is prepared to establish is July 23, 1940.

MARK R. KULP
State Reclamation Engineer.
Pub. June 21, 28, July 5, 12.

19025

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 19025

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Clarence Warner, residence, Bear Creek; farmer and rancher, address is
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. in behalf of myself

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

Ans. 19025 July 23rd 1940

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

Ans. from Bear Creek in Adams County, Idaho; near center SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, Twp. 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. One old ditch, now enlarged and one new ditch, 1 $\frac{1}{2}$ miles long running SW through
Sec. 24 said Twp and Range; my ditches will carry, in addition to other water rights
therein 1.5 Sec. Feet of water; ditches are not named.

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. Water is used for irrigation of hay and grainland; 5 Acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; 30 Acres
in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 20 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, all in Sec. (23) Twp 20 N R 3 W B M; hay land
is mostly cultivated; some natural wild hay 24

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

Ans. _____

19025

7.27.46

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. ~~xxxxxx~~ 1.1 sec feet for all of land to be irrigated hereunder

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

Ans. _____

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

Ans. Ditches were completed in summer of 1940 and water brought down that year; each year since, ie. 1941-1946, full amount of water has been beneficially used on lands before described

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 rights on this same land

(Sign) Clarence Warner

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 27th day of July, A. D. 19 46

My commission expires April 7th 1948

19025

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19025

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 Warner, age 63, residing near Bear, Idaho; my occupation is rancher
and farmer and post office address is Bear Idaho

Ques. 2. Are you acquainted with Clarence Warner, the holder of Permit No. 19025? How long have you known him and where does he reside?

Ans. Yes, for the past 35 years; he resides on Bear Creek near Bear P O
in Adams County, Idaho

Ques. 3. Have you read or heard read said Permit No. 19025, 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. Water is diverted from Bear Creek in Adams County, near center of SE $\frac{1}{4}$ SE $\frac{1}{4}$
of Sec. 13 in Twp 20 N. R. 3 W B M through two (2) ditches running SW, each about
20" wide and 18" deep, on average

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. Each ditch will convey over 1.5 sec. feet of water and I have seen more than
that amout carried therein

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 to irrigate crops of hay and pasture; a out 5 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$
3.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ pf Sec. 24, Twp. 20 N. R 3 W B M; all
of land is now bearing good crops of hay and grass as a result of the application of this
water

19025

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. Land is arid black mountain loam or silt; requires water for profitable crops
and requires at least 1" per acre

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

Ans. No interest in any of this property

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. Ditches were built in late summer of 1940 and each year since, ie. 1941 to 1946
Inc. I have seen applicant irrigating all of the lands before described with the water
diverted through the ditches mentioned.

(Signed) Chas Warner

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 27th day of July, A. D. 19 46.

Notary Public.

My commission expires April 7th 1948

19025

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19025

Proof of Application of Water to Beneficial Use
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. William Hunsaker, 70 years of age, reside at Bear and post office office address is Bear, Idaho

Ques. 2. Are you acquainted with Clarence Warner, the holder of Permit No. 19025? How long have you known him and where does he reside?

Ans. Yes, for some 15 or 16 years; he resides on Bear Creek in Adams County and near Bear, Idaho

Ques. 3. Have you read or heard read said Permit No. 19025, 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 applied for is Bear Creek in Adams County, Idaho near center SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13 Twp 20 N R 3 W B M and diversion works consist of old canal, now enlarged and over 1 mile long and new ditch to West $1\frac{1}{2}$ miles long;

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. Each ditch will carry better than 1.5 sec. feet

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

Ans. Water is used for irrigating crops of hay, grain and meadows pasture; about 5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; 30 Acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24 in Twp. 20 N R 3 W B M

19025

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. Land is mountain loam or silt; arid in nature and required at least 1" of
water per acre for successful 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. I have no interest in any of this property

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. During each of the years 1941 to 1946 Incl. I have seen water applied
on all of the land described for irrigation purposes.

(Signed)

William Sturges

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 27th day of July, A. D. 19 46

[Signature]
Notary Public.

My commission expires April 7th 1948



19025

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, July 17, 1946

Re: Permits Nos. 19024- Bert Garner
19025- Clarence Garner

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 Nos. 19024 and 19025.

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 27, 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 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 A. KULP

Commissioner of Reclamation
State Reclamation Engineer

79025

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: June 13, 1946

Re: Permit No. 19025

The Adams County Leader

Council, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to July 27 - 1946 the date set for proof, the expense of the publication to be paid by the applicant, Clarence Warner of Bear, 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

19025

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

Notice is hereby given that at 10 A. M. on the 27th day of July, 1946,
at Council, County of Adams, State of Idaho, before
Carl H. Swanstrom, Notary Public, proof will be submitted of the
application to beneficial use of 1.1 cubic feet per second of the waters of Bear Creek
in accordance with the terms and conditions of Permit No. 19025
heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 1.1 second feet

The place where said water is used (if for irrigation, give full and accurate description of the
~~land irrigated~~) NE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24. Twp. 20 N. R. 3
W. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is Gaarden-Warner-Gallagher ditch, not named

The right to take water from such works is based upon Permit No. 19025

The source of supply from which such water is diverted is Bear Creek in Adams County
Idaho

The date of priority which said user is prepared to establish is July 23, 1940
~~Aug. 2nd 1940~~

MARK R. KILP
State Reclamation Engineer.

19025

June 13, 1946

Re: Permit No. 19025

Mr. Clarence Warner
Dear, Idaho

Dear Mr. Warner:

We acknowledge receipt of duplicate notice of your intention to make beneficial use proof under the above numbered permit on July 27, 1946, and also your authorization for us to have the notice published in the Adams County Leader.

A copy of the notice will be sent to the newspaper, with instructions in regard to publishing.

About ten days prior to the date set for proof, we shall send to Mr. Carl H. Swanstrom, Notary Public, the necessary forms of deposition, consisting of one for yourself as holder, 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 at Mr. Swanstrom'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

A

Chief Clerk

19025

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 11th 1946

(P. O.) Bear, 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
Adams County Leader of Council, Idaho, published in
the county in which the works are situated.

Clarence 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.

19025

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

June 3, 1946

Mr. Clarence Warner

Bear, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 19025. 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 August 2, 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

19025

August 12, 1943

Re: Permits No. 19024 and 19025

Mr. Bert Warner
Bear, Idaho

Dear Mr. Warner:

We enclose herewith Certificates of Completion of Works, issued under the above numbered permits, as follows:

No. 19024, in the name of Bert Warner, to appropriate 1.2 second feet of water from Bear Creek, in the $SE\frac{1}{4}$ $SE\frac{1}{4}$ Section 15, Township 20 North, Range 3 East, B7 M., Adams County, for irrigation purposes.

No. 19025, in the name of Clarence Warner, to appropriate 1.1 second feet of water from Bear Creek, also diverted in the $SE\frac{1}{4}$ $SE\frac{1}{4}$ Section 15, Township 20 North, Range 3 West, Adams County, for irrigation purposes.

We also enclose Departmental Receipts Nos. 19124 and 19125 for the statutory fees of \$5.00 each in connection with these proofs.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19025

Permit No. 19025STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Adams

} ss.

Clarence 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. 19025, and that his postoffice address is Bear
State of IdahoSecond: That the name of the stream from which said water is to be directed is Bear Creek, in Adams County, IdahoThird: That the point of diversion of said water is Three diversions, all near center of SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13, Twp. 20 North, Range 3 West, B. M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 2nd, 1943Fifth: That the use for which said water is intended is IrrigationSixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:1. Kind of works: two (2) new ditches and enlargement of old 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.....feet, height.....feet.

(d) Conduit open ditch width at bottom 2 feet, width at water line 2.5
(State whether ditch, flume or pipe.)
feet, depth of water .75 to 1 feet; diameter of pipe.....inches, average grade per mile is.....feet. Length of conduit is 4 miles miles.Seventh: That said works are capable of conducting to the place of intended use 2.5 second feet of water.Eighth: That water appropriated under said permit is available for 80 acres of land described as follows: NE $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$, 20 acres; Total, 80 acres, all in Section 24 in Township 20 North, Range 3 West, Boise Meridian, as per details shown on application.Ninth: Remarks: That irrigation works herein described were constructed jointly with Bert Warner, applicant's brother, holder of Permit No. 19024, and all three ditches are used in common for lands of both applicantsClarence Warner
(Sign here)Subscribed and sworn to before me this 8th day of July, 1943My commission expires April 7th 1944

Notary Public.

19025

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

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

Boise, Idaho, June 8, 1943

Dear Sir:—

Under the terms of your permit No. 19025 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 SPOFFORD

~~Commissioner of Reclamation~~
State Reclamation Engineer

19025

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 19025

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.

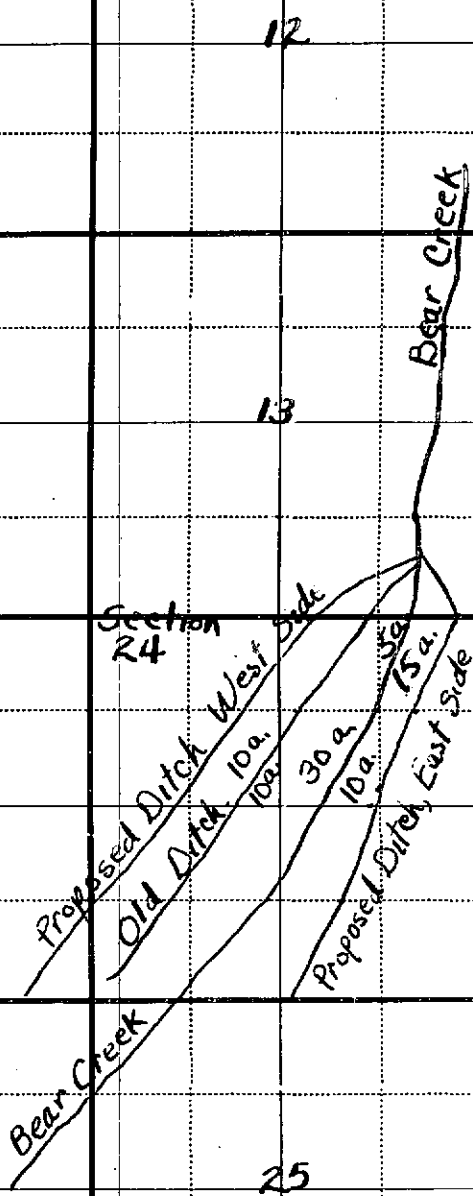
Clarence Warner
C/o A. L. Freehafer
Council, Idaho

JAMES SPOFFORD

Commissioner of Reclamation.

19025

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



19025

Map No. 19025
As Approved
AUG 2 1940
W. H. SPOFFORD
Chief, Bureau of Reclamation