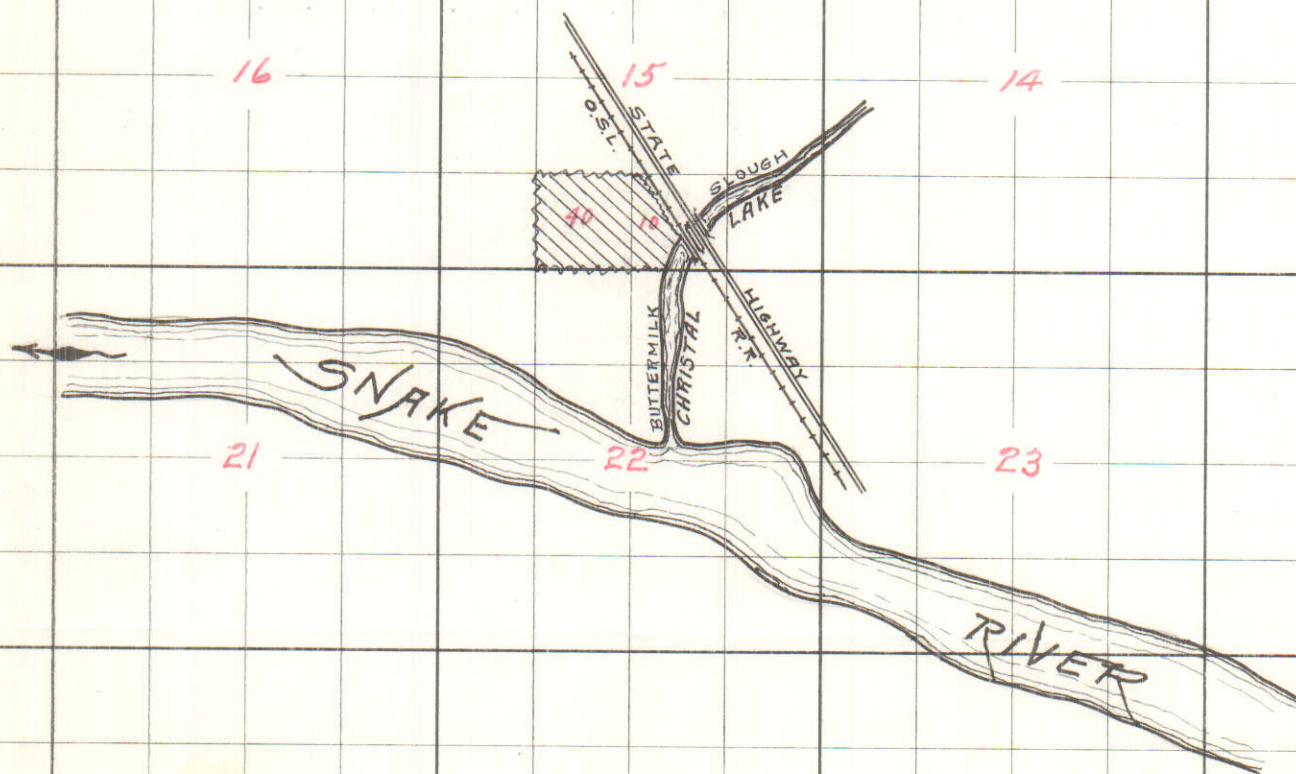


STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE
REPORT OF ENGINEER
PERMIT NO. 8399



8399

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Bark Sample, being duly sworn,
deposes and says:

That he is the one of the publishers of
THE WEISER SIGNAL, a weekly newspaper published at
Weiser, in the County of Washington and State of Idaho; that
said paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Weiser; that the advertise-
ment, a copy of which is attached hereto, was published in
said newspaper once a week for four consecutive weeks
in the regular and entire issue of said paper during the period
and time of publication, and was published in the newspaper
proper and not in a supplement; that said paper has been
established and regularly published for more than seventy-
eight consecutive weeks prior to the date of first publication
of said advertisement.

Such notice was published in the issue beginning with
May 27, 1937, and ending
with the issue of June 17, 1937.

Fees, \$ 9.40

6-21-37
M.D. Y.M.

Subscribed and sworn to before me this 18th day
of June, 1937

F. B. Lloyd
Notary Public, Residing at Weiser, Idaho.

My Commission Expires March 15th, 1941

(185) NOTICE OF PROOF APPLICA- TION OF WATER TO BENE- FICIAL USE.

Notice is hereby given that at
10:00 a. m. on the 22nd day of
June, 1937, at Weiser, County of
Washington, State of Idaho, before
F. B. Lloyd, Notary Public, proof
will be submitted of the application
to beneficial use of 1.2 cubic feet

per second of the waters of Crystal
Lake in accordance with the terms
and conditions of Permit No. 8399
heretofore issued by the State En-
gineer of the State of Idaho.

The name and postoffice address
of the person or corporation hold-
ing said permit is T. B. Clark, Wei-
ser, Idaho.

The use to which said water has
been applied is irrigation and do-
mestic use.

The amount applied to beneficial
use is 1.2 cubic feet per second.

The place where said water is
used (if for irrigation, give full
and accurate description of the
lands irrigated) SW $\frac{1}{4}$ SE $\frac{1}{4}$ &
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 10 N., R.
5 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 private ditch.

The right to take water from
such works is based upon Permit
No. 8399.

The source of supply from which
such water is diverted is Crystal
Lake.

The date of priority which said
user is prepared to establish is No-
vember 4, 1933.

R. W. FARIS,
Commissioner of Reclamation.
43-46

8399

Affidavit of Publication.

Notice for Application.

Notice is hereby given that at 2 p. m. on the 6th day of January, 1913, at Weiser, County of Washington, State of Idaho, before A. L. Trenam, N. P., proof will be submitted of the completion of works for the diversion of 1 1-5 cubic feet per second of the waters of Crystal lake in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is W. A. Fulkerson.

2. The postoffice address of such person or principal place of business of such corporation is Weiser, County of Washington, State of Idaho.

3. The number of such permit is 8399, and the date set for the completion of such work is January 6, 1913.

4. Said water to be used for irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place or intended use, in accordance with the plans accompanying the application for such permit, is 1 1-5 cubic feet

STATE OF IDAHO,
County of Washington. } ss.

L. D. Purcell, being duly sworn deposes and says that he is the publisher of THE WEISER ~~SIGNAL~~ WEEKLY SIGNAL, a newspaper published at Weiser, in the County of Washington, State of Idaho, for more than one year last past; that said paper is in general circulation in the County aforesaid and in the vicinity of Weiser; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for four consecutive weeks in the regular and entire weekly issue of said paper during the period and time of publication, and was published in the newspaper proper, and not in a supplement. Such notice was published in the issue beginning with

Dec. 5, 1912, and ending with issue of Dec. 26, 1912.

his

6th

day of

January

1913

Arthur L. Trenam

IAN 7 1913

Notary Public

STATE ENGINEER

8399

RECEIVED

Name of Applicant.

W. A. FULKERSON

W. SER-

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No. 77

50 UT 17

CRYSTAL LAKE
PUMPING PLANT AND DITCH

RECEIVED
DEC 16 1972
OFFICE OF STATE ENGINEER

STUART M. FRENCH
CIVIL ENGINEER
WILMINGTON, DELAWARE

SCALE: 2 INCHES=1 MILE DRAW PLAN IN INK.

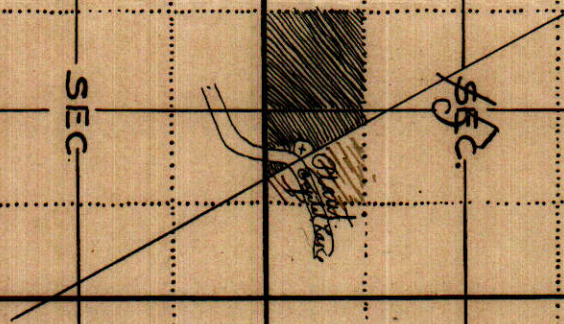
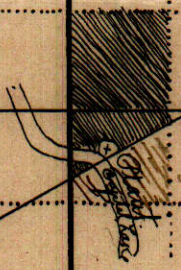
P 8399

W.A. Jackson

North

10000 511

~~SEC.~~



South

8399

State of Idaho

License and Certificate of Water Right

Water License No. 8399

Amount 1.0 Sec. Ft.

Water District No.

Priority Nov. 4, 1933

THIS IS TO CERTIFY that W. A. FULKERSON
 of Weiser, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated May 20, 1912; that Permit No. 8399
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 1-1/5 second feet, was issued thereunder on January 11, 1913, showing that said works
 were completed on the 6th day of January, 1913; and that on the 22nd
 day of June, 1937,

T. B. CLARK, Assignee,
 of Weiser, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of Crystal Lake
 , a tributary of Snake River, for the purpose of irrigation
 , under Use Permit No. 8399 of the State Engineer
 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7
 of Licenses, at page 3891, on the 13th day of January, 1938;

The right hereby confirmed dates from November 4, 1933;

The Point of Diversion is located
 in the SW 1/4 SE 1/4, Sec. 15, Tp. 10 N., R. 5 W., B. M., Washington County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
 is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 N.	5 W.	15	SW 1/4 SE 1/4	20	10
			SE 1/4 SW 1/4	40	40
					<u>50</u>

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 Commissioner of Reclamation, affixed at Boise, Idaho,
 this 13th day of January, 1938

R. W. FARIS
 Commissioner of Reclamation

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 16940
Water District No.

Amount 0.6 Sec. Ft.
Priority July 25, 1928

THIS IS TO CERTIFY that ORLANDO L. SMALLEY
of Buhl, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 25, 1928; that Permit No. 16940
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.8 second feet, was issued thereunder on December 16, 1935, showing that said works
were completed on the 13th day of December, 1935; and that on the 24th
day of July, 1937,

VICTOR C. BOWMAN, Assignee of Orlando L. Smalley,
of Buhl, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Mud Creek
, a tributary of Snake River, for the purpose of irrigation and
domestic use, under Use Permit No. 16940 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 3892, on the 2nd day of February, 1938;
The right hereby confirmed dates from July 25, 1928;

The Point of Diversion is located
in the NW 1/4 SW 1/4, Sec. 14, Tp. 9 S., R. 14 E., B. M., Twin Falls
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 0.6
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	14 E.	14	NW 1/4 NW 1/4	40	30

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 Commissioner of Reclamation, affixed at Boise, Idaho,
this 2nd day of February, 1938.

R. W. FARIS
Commissioner of Reclamation

(SEAL)

67-2071

No. 12470.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: W. A. Fulkerson.

Postoffice address: Weiser

County: Washington

State: Idaho.

I. If applicant is a corporation, give (a) Date and place of incorporation

(b) The amount of capital stock:

(c) The amount paid:

(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. The quantity of water claimed is 1 1/5 cubic feet per second.

3. Source of water supply: Crystal Lake in Washington County, Idaho.

4. Location of point of diversion: SW 1/4 SE 1/4 Sec. 15, T. 10 N. R. 5 W. B. M.

County of Washington.

5. To be used for: Irrigation.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 60 acres.

(b) In the following legal subdivisions: 20 acres in the SW 1/4 SE 1/4 Sec. 15 and 40 acres in SE 1/4 SW 1/4 Sec. 15, all in T. 10 N. R. 5 W. B. M.

II. Mining, milling, power, manufacturing, transportation or other purposes:

[a] At what point:

[b] Amount of power to be generated:

H. P. under ft. head

[c] Is water to be returned to any stream?
return:

(d) If so, name stream and locate point of

6. Estimated cost of works: \$650.00

7. Description of works for diversion:

I. Kind of works: Pumping plant, electrically equipped.

II. Dimensions of works: [a] Height of dam feet, length of dam at top feet,

length of dam at bottom feet. Material used in construction:

[b] Capacity of reservoir acre feet. [c] Size of headgate, width feet,

Height feet. (d) Conduit Ditch width at bottom 8 in feet

width at water line 18 in feet depth of water 6 in feet diameter of pipe
600 feet.inches; average grade per mile is 18 in / feet. Length of conduit is 600 ft. miles
and it crosses the following quarter sections: SW 1/4 SE 1/4 West of the railroad and SE 1/4 SW 1/4 Sec.
15, Tp. 10 N. of R. 5 West, Boise Meridian. Ditch is entirely complete and
crosses land owned by the applicant only.

8. The time required for the completion of the construction of such work is all complete years

9. Time required for the complete application of the water to the proposed use is two years
additional years.BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public
waters of the State of Idaho as herein set forth.

W. A. Fulkerson,

Applicant.

By

Agent.

8399
Date of first receipt at office of State Engineer 9.00 a.m. May 20, 1912.

Returned to applicant for correction May 20, 1912.

Corrected application received June 14, 1912.

APPROVAL OF STATE ENGINEER.

The number of this permit is 8399.

Recorded in Book 27 Page 8399 Approved July 6, 1912.

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 September 4, 1912 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 October 6, 1912.

The whole of said work to be completed on or before January 6, 1913.

Beneficial use of water appropriated in accordance herewith, to be made on or before January 6, 1915

Witness my hand this sixth day of July, 1912.

A. E. Robinson,
State Engineer.

Remarks:

On proper request of the Holder of the above Permit, I have this 7th day of November, 1914, extended the time for Beneficial Use Proof to the 6th day of January, 1916.

Herbert Wing,

Acting State Engineer.

Weiser NEFLA #7923
Ole O. Tronstad
Sale to Fred Hendriksen

THIS AGREEMENT, made in duplicate, this 27th. day of June, 1927 between The Federal Land Bank of Spokane, a corporation, party of the first part and Fred Henriksen and Lila Henriksen, husband and wife of Weiser, Idaho, party of the second part,

WITNESSETH, In consideration of the payments made and to be made hereafter and of the covenants and agreements herein contained the party of the first part agrees to sell and the parties of the second part agree to buy that certain real property situated in the County of Washington, State of Idaho, and particularly described as follows:

Lot 20 of the Southern Idaho Land Company's Orchard & Garden Tracts according to the recorded plat thereof, said Lot being located upon the Southeast Quarter of the Southwest Quarter of Section 15, Township 10 North, Range 5, West of the Boise Meridian; also all of that part of the Southwest Quarter of the Southeast Quarter of said Section 15, Township 10 North, Range 5, West of the Boise Meridian, lying South and West of the Oregon Short Line Railway right of way, and containing 60 acres, more or less. Subject to any and all rights of way for railroads, roads or highways or other servitudes and to the exceptions, provisions and reservations contained in patents from the United States of America or the State of Idaho, or in deeds from railway companies.

The purchase price agreed to be paid for said land is the sum of \$3500, of which the sum of \$577.74 has heretofore been paid, receipt of which is hereby acknowledged. The balance of the purchase price is to be paid by the parties of the second part, assuming and agreeing to pay the unpaid balance of \$2922.26 as of date June 27, 1927 on a note of \$3300, secured by first mortgage of the above described land; said note and mortgage having been executed by Ole O. Tronstad, a bachelor, to the Federal Land Bank of Spokane for the sum of \$3300, dated June 27, 1918 and the mortgage filed for record July 5, 1918 and recorded in Book 22 of Mortgages Page 129, records of Washington County, Idaho.

The parties of the second part agree to pay all general taxes, all construction, drainage, operation and maintenance and all other charges and assessments against the above described property levied subsequent to the year 1926 and further agree to pay said taxes, assessments and charges each year before the same become delinquent and to furnish the party of the first part receipts showing such payment.

Recorded by

Checked by

Notice of proof of completion of works received fixing January 6, 1913, as date and Weiser, Idaho, as place of proof.

Notice for publication mailed the Weiser Signal and deposition blanks mailed to the notary public at Weiser.

Stewart M. French authorized to make examination of works and report.

Report received December 16, 1912.

Depositions, affidavit of publication and fee received January 7, 1913.

Certificate of completion of works issued January 11, 1913.

PERMIT NO. 8399

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that W. A. Fulkerson, of Weiser, County of Washington and State of Idaho, the holder of Permit No. 8399, issued upon Application No. 12470, bearing date of priority of May 20, 1912, authorizing the diversion of 1-1/5 second feet of the waters of Crystal Lake, County of Washington, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho, relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use 1-1/5 second-feet of the waters of Crystal Lake; that the point of diversion of said waters is in the Southwest quarter of Southeast quarter (SW4 SE4), Section 15, Township 10 North, Range 5 West of Boise Meridian; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southwest quarter of Southeast quarter (SW4 SE4), and Southeast quarter of Southwest quarter (SE4 SW4), Section 15, Township 10 North, Range 5 West of Boise Meridian.

Witness my hand this 11th day of January, A.D. 1913.

A.E. Robinson,

State Engineer of the State of Idaho.

Weiser NFLA #7923
 Ole O. Tronstad
 Sale to Fred Hendriksen

THIS AGREEMENT, made in duplicate, this 27th. day of June, 1927 between The Federal Land Bank of Spokane, a corporation, party of the first part and Fred Henriksen and Lila Henriksen, husband and wife of Weiser, Idaho, party of the second part,

WITNESSETH, In consideration of the payments made and to be made hereafter and of the covenants and agreements herein contained the party of the first part agrees to sell and the parties of the second part agree to buy that certain real property situated in the County of Washington, State of Idaho, and particularly described as follows:

Lot 20 of the Southern Idaho Land Company's Orchard & Garden Tracts according to the recorded plat thereof, said Lot being located upon the Southeast Quarter of the Southwest Quarter of Section 15, Township 10 North, Range 5, West of the Boise Meridian; also all of that part of the Southwest Quarter of the Southeast Quarter of said Section 15, Township 10 North, Range 5, West of the Boise Meridian, lying South and West of the Oregon Short Line Railway right of way, and containing 60 acres, more or less. Subject to any and all rights of way for railroads, roads or highways or other servitudes and to the exceptions, provisions and reservations contained in patents from the United States of America or the State of Idaho, or in deeds from railway companies.

The purchase price agreed to be paid for said land is the sum of \$3500, of which the sum of \$577.74 has heretofore been paid, receipt of which is hereby acknowledged. The balance of the purchase price is to be paid by the parties of the second part, assuming and agreeing to pay the unpaid balance of \$2922.26 as of date June 27, 1927 on a note of \$3300, secured by first mortgage of the above described land; said note and mortgage having been executed by Ole O. Tronstad, a bachelor, to the Federal Land Bank of Spokane for the sum of \$3300, dated June 27, 1918 and the mortgage filed for record July 5, 1918 and recorded in Book 22 of Mortgages Page 129, records of Washington County, Idaho.

The parties of the second part agree to pay all general taxes, all construction, drainage, operation and maintenance and all other charges and assessments against the above described property levied subsequent to the year 1926 and further agree to pay said taxes, assessments and charges each year before the same become delinquent and to furnish the party of the first part receipts showing such payment.

The parties of the second part agree to keep all fences and buildings on said property in good repair and to keep all insurable buildings on said property in good repair and to keep all insurable improvements unceasingly insured against loss or damage by fire in manner and form satisfactory to the party of the first part and in a company or companies and in such amount as shall be approved by the party of the first part.

It is further understood and agreed between the parties hereto that the payments herein agreed to be made shall be and are a lien upon all crops growing or to be grown on said land, and the parties of the second part hereby covenant and agree that they will on or before January 1st, of each year of this contract execute and deliver to the party of the first part a first mortgage on the crops to be grown that year as security for such payments. It is further covenanted and agreed that failure to execute and deliver such crop mortgage each year as herein provided, shall be a material breach of this contract and subject to forfeiture as hereinafter provided.

In case the parties of the second part shall fail to make the payments as set forth in this agreement or any of them punctually and upon the terms and at the time specified, the times of payment and the agreements being declared to be of the essence of this agreement, then the party of the first part, its successors and assigns, shall have the right to declare this agreement null and void, and in such case, all of the rights and interests of the parties of the second part hereby created or then existing shall utterly cease and determine, and the premises shall revert to and revest in the party of the first part without any declaration of forfeiture or act of re-entry, and the parties of the second part shall have no right of reclamation or compensation for money paid or improvements made, and in such event, such payments shall be retained by the party of the first part as compensation for the use and occupancy of said premises by said parties of the second part and as rental thereof.

The party of the first part agrees that when the parties of the second part have paid 25% of the purchase price of the above described land and have complied with all the other requirements of this agreement that it will execute and deliver to the parties of the second part a warranty deed for the above described land conveying the same free and clear of encumbrance, except as to all general taxes levied subsequent to the year 1926 and except as to all outstanding bonds, assessments or other indebtedness of any irrigation, drainage or highway district and except as to construction, operation and maintenance charges levied by the United States Reclamation Service and except as to the lien of the first mortgage above mentioned. And the party of the first part further agrees to furnish an abstract of title showing marketable title to the party of the first part.

IN WITNESS WHEREOF, the party of the first part has caused this agreement to be executed and delivered in duplicate by its duly authorized officers and its corporate seal to be hereto affixed, and the parties of the second part have hereunto set their hands and seals the day and year hereinabove first written.

THE FEDERAL LAND BANK OF SPOKANE

By: H. H. Pigott
Vice President

Attest: H. M. MacKay
Asst. Secretary

Fred Henriksen (SEAL)

Lila Henriksen (SEAL)

STATE OF WASHINGTON)
: SS.
COUNTY OF SPOKANE)

On this 3rd. day of Sept., 1927, before me, a Notary Public for the State of Washington, personally appeared H. H. Pigott, to me known to be the Vice President of the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

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

(SEAL)

W. G. Myers
Notary Public in and for the State of
Washington, residing at Spokane

My commission expires Jan. 8, 1930

STATE OF IDAHO)
 : SS.
 COUNTY OF WASHINGTON)

On this 24th. day of August, in the year One Thousand Nine Hundred and Twenty-seven, before me, F. B. Lloyd, a Notary Public for the State of Idaho, personally appeared Fred Henriksen and Lila Henriksen, known to me personally to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(SEAL)

F. B. Lloyd
 Notary Public for the State of
 Idaho, residing at Weiser, Idaho,

My commission expires March 15, 1929

Received and filed for record in the
 Department of Reclamation at Boise,
 Idaho, at 9:00 A. M., May 18, 1937.

R. W. FARIS
 Commissioner of Reclamation
 By P.L.H.

A S S I G N M E N T

FOR AND IN CONSIDERATION of the sum of Four Hundred Dollars (\$400.00) paid to us in cash, and the sum of Twelve Hundred Fifty Dollars (\$1250.00) to be paid as hereinafter stated, we do hereby sell, assign, transfer and set over to T. B. Clark, all of our right, title and interest and equity in and to that certain contract of purchase of land made with the Federal Land Bank, of Spokane, Washington, on the 27th day of June 1927, in which said contract, the said Federal Land Bank agreed to sell to us, and we agreed to buy from the said Federal Land Bank, the following described property, situate in Washington County, Idaho, to-wit:

Lot Twenty of the Southern Idaho Land Company's Orchard and Garden tracts, according to the recorded plat thereof, the said land being located on the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Fifteen, (15) Township Ten (10) North, Range Five (5) West Boise Meridian; also all of that part of the Southwest Quarter of Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Fifteen (15), Township Ten (10) North, Range Five (5) West of the Boise Meridian, lying south and west of the Oregon Short Line Railway right of way, and containing sixty acres more or less, subject to any and all rights of way for railways, roads, or highways, or other servitudes, and to the exceptions, provisions and reservations contained in patents from the United States of America, or the State of Idaho, or in deeds from railway companies.

The conditions of this assignment is as follows:

That the second party, T. B. Clark, will pay the said remaining sum of \$1250.00 in the following manner:

One Hundred Dollars (\$100.00) beginning the 7th day of October 1933, and One Hundred Dollars (\$100.00) each and every six months thereafter for a period of an additional five and one half years and Fifty Dollars (\$50.00) six months after the last said \$100.00 payment, with interest on all deferred payments at the rate of six per cent, payable semi-annually.

It is further provided that this assignment is to be placed in escrow with D. L. Carter of Weiser, Idaho, with instructions to hold the same and receive and account for the payments; and when the said T. B. Clark has paid all of the said sums, to deliver this assignment to him.

The said T. B. Clark agrees to make all of the above payments promptly and punctually, and in case he shall fail, refuse or neglect to make the said payments, as above stated, then and in that case, this assignment shall be returned to the first parties, and all sums thereinbefore paid, shall be forfeited to the first parties, as liquidated damages, and the said Fred Henriksen and wife, shall in that case, be entitled to immediate possession of said premises.

It is agreed that there is not to exceed the sum of Twenty-nine Hundred Dollars (\$2900.00) unpaid on the said contract, and that the second party, T. B. Clark, consents to all of the terms and conditions of this assignment.

IN WITNESS WHEREOF the said parties have hereunto set their hand this 7th day of April 1933.

\$200.00 paid to Fred Henriksen on
 Contract April 7, 1933. D.L.C.
 By F.H.

FRED HENRIKSEN

LILA HENRIKSEN
 First Parties

Received and filed for record in the
 Department of Reclamation at Boise,
 Idaho, at 9:00 A. M., May 18, 1937.

R. W. FARIS
 Commissioner of Reclamation
 By P.L.H.

T. B. CLARK
 Second Party

1.0
 V. 7. P. 3

WATER RIGHT NUMBER 67-2071

OWNER LAST NAME - FULKERSON

FIRST NAME - W. A.

ORIG OWNER - 0

OWNER LAST NAME - CLARK

FIRST NAME - T. B.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - WEISER

STATE - ID ZIP CODE -

SOURCE - CRYSTAL LAKE

TRIBUTARY OF - SNAKE RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 11-04-1933

COUNTY - WASHINGTON

TOTAL DIV. RATE -

1.0000 CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND - A

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSE 15 10N 05W LOT

REDIV -

272.0 289.0

0.0

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0.0

0.0

0.3

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

1.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 10N RNG 05W SEC 15

TRACT SWSE LOT

AC 10 TRACT

SESW LOT

AC 40

DECREE NAME -

DATE -

TOTAL ACRES

50

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 8399 -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

271134

IDENT. 67-2071

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

October 2, 1963

Re: Permit No. 27164
License No. 8399

George Thomas Macomb
Route #3
Weiser, Idaho

Dear Mr. Macomb:

Water License No. 8399 shows 1.0 c.f.s. from Crystal Lake, now called Buttermilk Slough, for irrigation of 50 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 10 N., R. 5 W., priority Nov. 4, 1933.

The Engineers Report shows you are irrigating 90 acres of land in E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15, of which 2 acres are in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, which is not included in your permit.

As you have a licensed right for 50 acres, we can not allow over 0.8 c.f.s. for the remaining 40 acres of land, or 0.76 c.f.s. if you do not amend the permit to include the NW $\frac{1}{4}$ SE $\frac{1}{4}$. State Statutes provide that not over 0.02 c.f.s. be allowed for irrigation of one acre except where proof is shown that more water is required. Your permit claims 0.8 c.f.s.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

8-20-63

January 14, 1938

Re: Permit No. 8399.

Mr. T. B. Clark
Weiser, Idaho

Dear Sir:

We are herewith enclosing License and Certificate of Water Right issued under the above permit to appropriate water from Crystal Lake for irrigation purposes. This license confirms your right to use 1.0 second feet of such water, your date of priority being November 4, 1933.

The Department's Receipt No. 16503 for the \$4.00 fee you paid in connection with this license is also enclosed.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

jl
Encl.

8399

December 11, 1937

Re: Permit 8399.

Mr. Thomas B. Clark
Route 3
Weiser, Idaho

Dear Sir:

This is to advise you that Mr. Fred A. Tolman, Field Engineer of this Department, has filed his report covering the inspection he made of the lands which you are irrigating with water from Crystal Lake claimed under Permit 8399. He gives you credit for having irrigated a total of 50 acres of land with this water. The Department will therefore issue a license to you upon receipt of \$4.00, as required by law.

Very truly yours,

Deputy Commissioner of Reclamation

PLH:jl

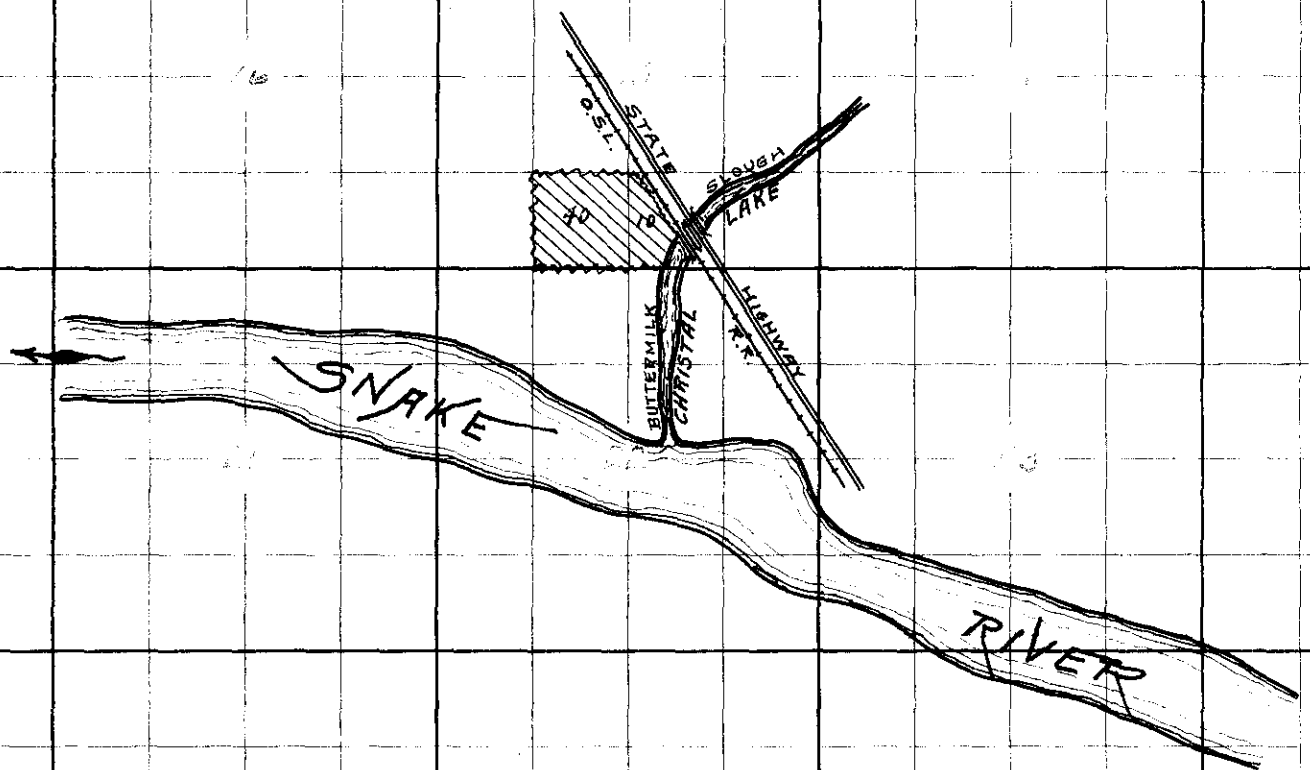
8399

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 8399

REPORT ON PROOF OF Beneficial Use



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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 8399

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Thomas B. Clark

2. Source of water supply: Crystal Lake

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15

T. 10 N. R. 5 W., County of Washington

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

connected to "Howard Electric" motor (3 H.P.) by "v" belt.

Motor 440 Volts, 1740 R.P.M. lifts 12 feet through 50 ft.

of 8" steel pipe.

Ditch 2 ft wide $\frac{3}{4}$ ft. deep

5. Water is used for: Irrigation & domestic use

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): SW $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 10 N., R. 5 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 26th day of July, 1937

83999

(Signed)

Edw. Bohman
Examiner.

Thomas B. Clark
Rt. 3, Weiser

Permit No. 8399

Examination for Beneficial Use

County Washington

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.

June 24, 1937

Re: Permit 8399.

Mr. Thomas B. Clark
Route # 3
Weiser, Idaho

Dear Sir:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses and the affidavit of proof of publication from the newspaper, all in connection with beneficial use proof under the above permit.

Before final action can be taken in this 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 since the department has but one field engineer who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his report is on file in this office, you will be further notified as to fees due before the issuance of your license.

Very truly yours,

Deputy Commissioner of Reclamation

JL

8399

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 8399

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. Noah Newsom, 50 years, Weiser, Idaho Route #3. Farmer, Weiser, Idaho Route #3

Ques. 2. Are you acquainted with Thomas B. Clark, the holder of Permit No. 8399? How long have you known him and where does he reside?

Ans. Yes, I have known him four years, and he resides at Weiser, Idaho Route #3

Ques. 3. Have you read or heard read said Permit No. 8399, and are you familiar with its provisions and conditions?

Ans. Yes, I am

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. Crystal Lake, at a point on the West boundary of O.S.L. Ry. Right-of-way where said right of way intersects the Crystal Lake, said point being about the center of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 15 Twp, 10 N R 5 W.B.M., Electric 3 HP motor 5 inch centrifugal pump, private ditch

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

Ans. 1.2 feet, and I have seen that amount delivered on said land

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Irrigation, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ 10 acres, SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in Section 15 Twp, 10 N R 5 W.B.M. all cultivated, all in alfalfa, grain and blue grass.

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

Ans. none

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

Ans. volcanic ash arid land, all water applied for is needed.

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

Ans. no

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

Ans. I have lived neighbor to this farm for the past thirteen years and have had occasion at least once a week to observe the operations on this farm.

(Signed)

Moah Newson

I hereby certify that the foregoing testimony was read to the above subbscriber 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 Weiser, County of Washington, State of Idaho, on this day of June 22, A. D. 1937.

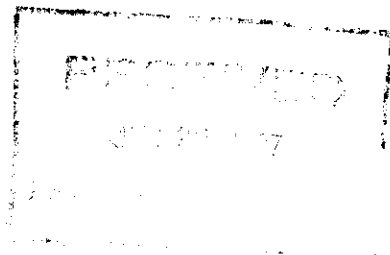
E. H. Lloyd

Notary Public.

My commission expires March 15th, 1941

843989

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 8399

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. Frank M. Wilson, 43, Weiser, Idaho, Route #3, farmer

Ques. 2. Are you acquainted with Thomas B. Clark, the holder of Permit No. 8399? How long have you known him and where does he reside?

Ans. yes I have known him four years, and he resides at Weiser, Idaho Route #3

Ques. 3. Have you read or heard read said Permit No. 8399, and are you familiar with its provisions and conditions?

Ans. Yes, I am

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. Crystal Lake, at a point on the West boundary of O.S.L. Ry. right-of way where said right of way intersects the Crystal Lake, said point being about the center of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 15 Twp. 10 N R 5 W.B.M., Electric 3 HP motor 5 inch centrifugal pump, private ditch.

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

Ans. 1.2 feet, and I have seen that amount delivered on said land

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Irrigation, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ 10 acres, SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in Section 15 Twp. 10 N R 5 W.B.M. all cultivated, all in alfalfa, grain and blue grass.

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

Ans. none--

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

Ans. Volcanic Ash arid land, all water applied for is needed

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

Ans. no

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

Ans. I have lived neighbor to this farm for the past four years and have had occasion at least once a week to observe the operations of this farm.

(Signed)

Frank M. Wilson

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 Weiser, County of Washington, State of Idaho, on this day of June 22, A. D. 19 37.

F. P. Hughes

Notary Public.

My commission expires March 15th, 1941.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 8399

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Thomas B. Clark, age 41, Weiser, Idaho Route #3, Farmer. Weiser, Idaho

Route #3

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. --

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

Ans. 8599, ~~November 4th 1933~~ July 6, 1912; Nov. 4, 1933

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

Ans. Crystal Lake, at a point on the west boundary of O.S.L.ry right-of-way where said right-of-way intersects the crystal lake said point being about the center of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ section 15 Twp, 10 N.R.5 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. Electric 3 hp moter 5 inch centrifugal pump, 1.2 cubic feet, private ditch

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

Ans. Irrigation, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ 10 acres, SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in Sec 15 Twp, 10 N.R.5 W.B.M all cultivated, all in alfalfa, grain and blue grass.

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

Ans. --

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

Ans. 1.2 Cubic feet

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. By purchase of said land

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

Ans. Full amount has been used on said land for the past 20 years for irrigation purposes.

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

Ans. none

(Sign) Thomas B. Clark

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 Weiser, County of Washington State of Idaho, on this 22d. day of June A. D. 1937.

Notary Public for Idaho.
Residing at Weiser, Idaho.

My commission expires March 15th 1941

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Earle Sample, being duly sworn,
deposes and says:

That he is the one of the publishers of
THE WEISER SIGNAL, a weekly newspaper published at
Weiser, in the County of Washington and State of Idaho; that
said paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Weiser; that the advertise-
ment, a copy of which is attached hereto, was published in
said newspaper once a week for four consecutive weeks
in the regular and entire issue of said paper during the period
and time of publication, and was published in the newspaper
proper and not in a supplement; that said paper has been
established and regularly published for more than seventy-
eight consecutive weeks prior to the date of first publication
of said advertisement.

Such notice was published in the issue beginning with
May 27, 1937, and ending
with the issue of June 17, 1937.

Earle Sample

Fees, \$ 9.40

Subscribed and sworn to before me this 18 day
of June, 1937.

F. B. Lloyd
Notary Public, Residing at Weiser, Idaho.

My Commission Expires March 15, 1941

(1937) NOTICE OF PROOF APPLICA- TION OF WATER TO BENE- FICIAL USE.

Notice is hereby given that at
10:00 a. m. on the 32nd day of
June, 1937, at Weiser, County of
Washington, State of Idaho, before
F. B. Lloyd, Notary Public, proof
will be submitted of the application
to beneficial use of 1.2 cubic feet

per second of the waters of Crystal
Lake in accordance with the terms
and conditions of Permit No. 8399
heretofore issued by the State En-
gineer of the State of Idaho.

The name and postoffice address
of the person or corporation hold-
ing said permit is T. B. Clark, Wei-
ser, Idaho.

The use to which said water has
been applied is irrigation and do-
mestic use.

The amount applied to beneficial
use is 1.2 cubic feet per second.

The place where said water is
used (if for irrigation, give full
and accurate description of the
lands irrigated) SW 1/4 SE 1/4 &
SE 1/4 SW 1/4, Sec. 15, T. 10 N., R.
5 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 private ditch.

The right to take water from
such works is based upon Permit
No. 8399.

The source of supply from which
such water is diverted is Crystal
Lake.

The date of priority which said
user is prepared to establish is No-
vember 4, 1933.

R. W. FARIS,
Commissioner of Reclamation.
43-46

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE
INSTRUCTIONS
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,
June 16, 1937

F. E. Lloyd
Notary Public
Weiser, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 8399

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 June 22, 1937, 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 Weiser, Idaho before F. E. Lloyd, 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,

R. W. FARIS
Commissioner of Reclamation.

8399

May 29, 1937

Re: Permit No. 8399

T. B. CLARK
Weiser, Idaho

Dear Sir:

This will acknowledge receipt of your letter of May 26, together with your check in the amount of two dollars (\$2.00), which amount was for recording certain assignments under the above permit.

You say that August Brockman has not used water for a number of years under his permits Nos. 14834 and 14835, and you are therefore desirous of knowing as to whether or not he has forfeited his rights as a result of non-use. With reference to this matter, I wish to advise that the law governing abandonment of a water right specifically states that five (5) years continuous non-usage constitutes abandonment. However, this law does not function automatically and the only way in which you can have a right declared abandoned is through an action in the District Court in the County in question.

However, it appears to me that so long as he isn't using water under either of these permits, your right would in no way be affected, since in that case, you would be permitted to take the quantity of water to which you are entitled under your permit after the other prior rights have been satisfied, exclusive of the Brockman rights.

We are herewith enclosing your office receipt for the fee which you submitted.

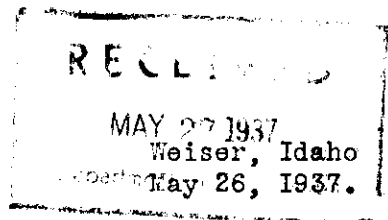
Yours very truly,

Paul L. Henry,
Deputy Commissioner

PLH/ci
Enc.

8399

Re: Permit No. 8399



Department of reclamation
Boise, Idaho.

Dear Sirs:

I have your letter of May 24 and am sending you a check for Two- Dollars as you requested

Permit #I4834, August Brockman. and permit #I4835. August Brockman have not used water for a number of years and I am under the impression that their permit, or right has defaulted from lack of use. Will you please tell me how long a right is good if it is not used and how to go about it to place my right ahead of theirs

Yours truly,

T. D. Clark

8399

PAUL S. WARE, PRESIDENT

EARLE SAMPLE, SECRETARY-TREASURER

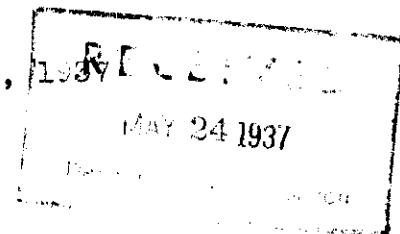
THE WEISER SIGNAL

{ Typewriters & Adding Machines
Steel Safes and Filing Devices }By SIGNAL PUBLISHING CO., Inc.
WARE & SAMPLE, MANAGERS{ Office Stationery and Supplies
Carbon Paper & Typewriter Ribbons }

E

WEISER, IDAHO

May 22, 1937



Mr. R. W. Faris
Commissioner of Reclamation
State House
Boise, Idaho

Dear Mr. Faris:

We have received notice of publication of
Application of Water to Beneficial Use for Mr.
T. B. Clark of Weiser, Idaho. The first
publication of this ^{notice} will be made May 27.

Yours very respectfully,

SIGNAL PUBLISHING CO.

Ware & Sample

Mgrs.

8399

May 24, 1937

Re: Permit No. 8399

T. B. CLARK
Weiser, Idaho

Dear Sir:

We are herewith returning the agreement with the Land Bank and also your assignment from Fred and Lila Henriksen. These instruments have been made a matter of record, and will you therefore kindly remit \$2.00 for recording fees?

We have prepared a notice in connection with final proof, setting the date for proof at 10:00 o'clock A. M. on June 22nd. We took the liberty of naming F. B. Lloyd, Notary Public of Weiser, to take the proof. A copy of this notice has been mailed to the Weiser Signal and will be published once a week for four consecutive weeks prior to that date. On June 22nd, will you kindly go before Mr. Lloyd with two witnesses for the purpose of executing depositions which will be furnished him by this department?

Following are the permits on Crystal Lake (Buttermilk Slough) which come ahead of your permit:

#14502, Frank R. Hyland, 1.0 sec. ft.
#14501, Roy E. Reed et al, 1.12 sec. ft.
#14509, Ed Burgess and Ella M. Burgess, 0.44 sec. ft.
#14834, August Brockman, 3.0 sec. ft.
#14835, August Brockman, 4.0 sec. ft.

The reason these permits, which were issued many years after your permit, come ahead of yours is due to the fact that final proof under Permit No. 8399 is so many years past due.

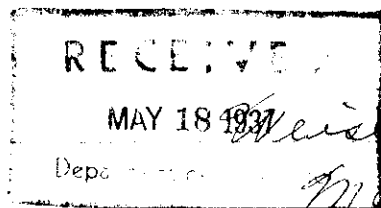
Very truly yours

Deputy Commissioner of Reclamation

PLH/cj
encl

8399

Re. Permit No. 8399.



Meiser, Idaho.

May 17, 1937

State of Idaho

Department of Reclamation

Sir Sir!

In answer to your letter of May 13, '37. I am sending a copy of the contract which I hold with the Federal Land Bank of Spokane for the purchase of this tract of land which as you may see is made to one Fred ~~Henrichsen~~; and I am also sending you his assignment of contract to me. This, I believe, is what you want.

I believe F. B. Lloyd or E. W. Horner will serve as Notary Public.

Will you please tell who has rights on Crystal Lake and for how much water that will come ahead of mine.

Yours truly

T. B. Clark

Please return these documents.

May 13, 1937

Re: Permit No. 8399

T. B. CLARK
Weiser, Idaho

Dear Sir:

I have your communication of May 11th in which you say that you have decided to purchase a certain tract of land that is covered by the above permit. I also have your authorization to publish notice of your intention to submit final proof under this permit in the Weiser Signal of Weiser, Idaho.

However, before you can proceed with this proof, it will be necessary for you to forward your deed or purchase contract to this department so that it can be made a matter of record. Otherwise, there is nothing on record to indicate your right to offer this proof. Just as quickly as this instrument is received, we shall set a date for proof and publish the notice.

Will you also name some Notary Public in Weiser before whom you wish to offer proof?

Very truly yours

Deputy Commissioner of Reclamation

PLE/cj

8399

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

Notice is hereby given that at 10:00 A. M. on the 22nd day of June, 1937,
 at Weiser, County of Washington, State of Idaho, before
F. B. Lloyd, Notary Public, proof will be submitted of the
 application to beneficial use of 1.2 cubic feet per second of the waters of
Crystal Lake in accordance with the terms and conditions of Permit No. 8399
 heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
T. B. Clark; Weiser, Idaho

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

The amount applied to beneficial use is 1.2 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) SW $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 10 N., R. 5 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 private ditch

The right to take water from such works is based upon Permit No. 8399

The source of supply from which such water is diverted is Crystal Lake

The date of priority which said user is prepared to establish is November 4, 1933

R. W. FARIS
 Commissioner of Reclamation.

8-2088

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE- 10

(Date) May 11, 1937

(P. O.) Weiser Idaho.

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Weiser Signal of Weiser Idaho, published in the county in which the works are situated.

T. D. Clark.

(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.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date.....May 21, 1937.....

Re: Permit No. 8399

EDITOR, Weiser Signal
Weiser, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 22, 1937....., the date set for proof, the expense of the publication to be paid by the applicant, T. B. Clark.....
.....Weiser, 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,

H. W. FARIS

Commissioner of Reclamation

6-1-37

December 2, 1936

Re: Permit No. 8399

T. B. CLARK
Weiser, Idaho

Dear Mr. Clark:

In reply to your letter of November 26th, please be advised that the above permit which claimed water from Crystal Lake in Washington County is the one in question. It is true that proof of completion of works was offered under this right a good many years ago, and a certificate confirming such completion was issued to the holder thereof.

However, final proof was due on January 6, 1916 and to date has never been made and if you do purchase this tract of land, that is, the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 10 N., R. 5 W., B. M., you should offer proof immediately. As the situation now stands, beneficial use proof is nearly twenty-one years late, which, added to the date of priority (the original filing date) will establish a priority of some time in 1933 under this permit.

We are enclosing herewith, notice in duplicate for publication in connection with final proof, and also form letter for your authorization to have the notice published. It must be run once a week for four consecutive weeks in some paper in Washington County, at the expense of the permit holder. After publication has been completed, proper forms are furnished by this office.

If you purchase this tract of land and decide to go ahead with the proof, kindly return these notices to this office and we shall then give you more explicit instructions as to how to proceed with the proof.

Very truly yours,

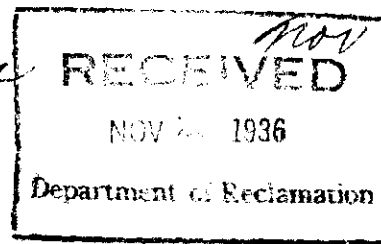
Chief Clerk & Office Engineer.

PLH/cj
encl

8399

Weiser Idaho

Bureau of Reclamation
Boise, Idaho!



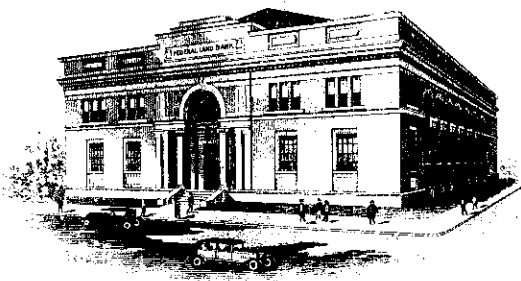
Dear Sirs!

Kindly advise me as to the method of proving up on the water right on the land described below.

Lot 20 of the Southern Idaho Land company's Orchard & Garden tracts. Said Lot being located upon the S E $\frac{1}{4}$ of the S W $\frac{1}{4}$ of Sec. 15 T. 10 North, Range 5, West of Boise Meridian also all of that part of the S W $\frac{1}{4}$ of the S E $\frac{1}{4}$ of Sec 15, T. 10 Range 5, west of B. M. Lying South and west of the Oregon Short Line Railroad right of way.

This water was filed on in 1912 or 1914 as I am told. Mr. Fred Henriksen looked up these filings in 1929 and was told they were O.K. However as I am about to buy this land I wish to know for sure!

This water is for pumping plant from (Crystal Lake) or Buttermilk Slough located 5 miles South East of Weiser yours truly
8389 T. B. Clark.



THE FEDERAL LAND BANK OF SPOKANE

R. E. SHEPHERD, CHAIRMAN OF BOARD
E. M. EHRHARDT, PRESIDENT
O. H. JUNOD, TREASURER
HENRY MATTHEW, SECRETARY

W. S. MCCORMACK, VICE PRESIDENT
D. N. MACKAY, DIRECTOR
S. D. THOMPSON, DIRECTOR
P. THOMSON, DIRECTOR

DANA E. BRINCK, GENERAL COUNSEL
E. M. WATSON, REGISTRAR

TWELFTH DISTRICT

WASHINGTON, OREGON,
IDAHO AND MONTANA

SPOKANE, WASHINGTON

January 3, 1934

Weiser #7923
O. O. Tronstad

Mr. T. B. Clark
Weiser, Idaho
Route #3

Dear Sir:

Agreeable with your request of December 19th, 1933,
we enclose herewith copy of contract covering the above captioned
security which you may retain for your reference.

Very truly yours,

H. C. MacBean
Attorney

lp
enc.

8399

Boise, Idaho, November 14, 1914.

Re Permit No. 8399.

Mr. W.A. Fulkerson,
Weiser, Idaho.

Sir:--

Your Application for Extension of
Time for Beneficial Use ir of has been duly
approved and same is herewith returned.

Very truly yours,

HERBERT WING,

Acting State Engineer,

By _____

OFFICE OF STATE ENGINEER

Permit No. 8399

Application for Extension of Time for Beneficial Use Proof.

STATE OF IDAHO,
County of Washington } ss.

W. A. Fulkerson, of Weiser Idaho
State of _____, being first duly sworn upon his oath deposes and says:

THAT he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 8399

THAT under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by January 6th, 1915

THAT he has heretofore put to beneficial use One & One Fifth second feet of water and has irrigated 40 acres.

THAT, for the following reasons, he is unable to put to beneficial use within the required time, the remainder of the water appropriated under his permit, to-wit: a small part of the land has been placed in shape for irrigation each year and forty acres have been leveled and irrigated and in addition nearly all of the 20 acres not irrigated have been leveled and prepared for irrigation, but not until the close of the irrigation season of 1914 was it in proper shape. The applicant is prepared to irrigate the said 20 acres early in the spring of 1915,

WHEREFORE, He asks that the State Engineer extend the time for the making of proof of beneficial use under said permit to January 6th, 1916

And further, deponent saith not.

W. A. Fulkerson

Subscribed and sworn to before me this 28th day of October, 1914

Arthur R. Jensen
Notary Public.

My commission expires Sept 21st 1917.

Date of receipt at office of State Engineer _____

Herbert Wing, Acting APPROVAL OF STATE ENGINEER.

I, Herbert Wing, State Engineer of the State of Idaho, hereby extend the time for the making of proof of beneficial use under Permit to Appropriate the Public Waters of the State of Idaho, No. 8399, to January 6th, 1916.

Witness my hand this 7th day of November, 1914.

Herbert Wing
Acting State Engineer.

State of Idaho

ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

W. A. Fulkerson,
Weiser, Idaho.
Dear Sir:

Oct. 1, 1914.

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. **8399**..... which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

F. P. KING,
State Engineer.

8399

Boise, Idaho, December 29, 1913.

Permit No. 8399-Pulkerson.

Mr. A. L. Trenam,
Weiser, Idaho.

Sir:--

Replying to yours of the 26th inst. enclosing application for extension of time would say that we prefer to have the application drawn in accordance with the regular form. The application should be drawn in duplicate and if you desire to append the affidavit already written as an exhibit you may do so, in which case there should be two copies. I return affidavit herewith .

Very truly yours,

F. P. KING,

State Engineer.

By _____

Enc. Affidavit and 2 F3.
W/L.

8399

EARN LOANS

A. L. TRENAM

FIRE INSURANCE

UNITED STATES COMMISSIONER

REAL ESTATE

SURETY BONDS

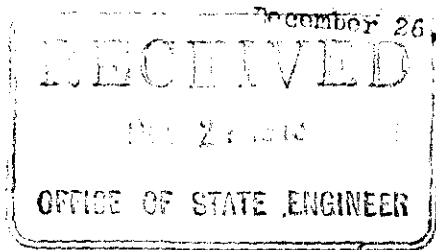
WEISER, IDAHO.

Mr. F. P. King,

State Engineer,

Boise, Idaho.

Dear Sir:



You will find enclosed application of W. A. Fulkerson for an extension of time within which to make proof of application of water to beneficial use, under Permit No. 8399. I will be pleased to have you take this matter up as soon as possible.

P 4349

yours truly,

A. L. Trenam

8399

January 27, 1913.

Permit 8399

W. A. Fulkerson,
Weiser, Idaho.

Sir:-

Am herewith inclosing you certificate of
completion of works issued under above permit.

Very truly yours,

State Engineer.

CCW

By C. Brown

8399

Permit 8399

January 7, 1913.

W. A. Fulkerson,
Weiser, Idaho.

Sir:-

Am just in receipt of depositions, affidavit of publication and fee for proof of completion of works under above permit. Am herewith inclosing receipt for fee. The report of Stuart M. French is satisfactory, hence, the certificate will be issued just as soon as we can get to it.

Very truly yours,

State Engineer.

R5236

By C. Brown

The Depositions of two Witnesses, in this form, taken separately required in each case.

Permit No. 8399.....

PROOF OF COMPLETION OF WORKS

DEPOSITION OF WITNESS

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

Ans. Ora F. Fosket age 37, Residence near Crystal Lake, Weiser Idaho, Farmer.....

Ques. 2. Are you acquainted with..... W. A. Fulkerson....., the holder of Permit No. 8399....., authorizing the diversion of..... 1-1/5..... second-feet of the waters of..... Crystal Lake....., at..... S 15. T 10 N. R 5 W. for..... irrigation..... purposes? How long have you known him, and where does he reside?

Ans. Known him about 9 months, resides in Weiser Idaho.....

Ques. 3. Have you read or heard read said Permit No. 8399....., and are you familiar with its terms and conditions?

Ans. Yes sir.....

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The land is quite level and of sandy loam with clay subsoil and will require one miners inch of water per acre to profitable irrigate it.....

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes sir.....

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity. One Westinghouse 5 horse power motor, one four inch Centrifugal pump,

Ans. with 11 feet lift, 6 inch galvanized pipe connecting with main ditches. Ditches are two in number, 2 feet wide on bottom, 4 feet wide on top and will carry 12 inches of water, all of the works capable of carrying 60 miners inches of water. length of the two ditches 1300 feet.....

(Sign here.)

Ora F. Fosket

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..... Weiser....., County of

Washington....., State of Idaho, on this..... 6th..... day of

January..... A. D. 1913..

Arthur L. Freeman
Notary Public.

My Commission expires.... Sept 21st 1913.

8399

The Depositions of two Witnesses, in this form, taken separately required in each case.

Permit No. 8399.....

PROOF OF COMPLETION OF WORKS

DEPOSITION OF WITNESS

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

Ans. Ira Reed age 53, P.O. Weiser Idaho, farmer

Ques. 2. Are you acquainted with..... W. A. Fulkerson....., the holder of Permit No. 8399....., authorizing the diversion of..... 1-1/5..... second-feet of the waters of..... Crystal Lake....., at ~~37-33-1~~ S. 15. T. 10. N. R. 5 W. for..... irrigation..... purposes? How long have you known him, and where does he reside?

Ans. Have known him two years

Ques. 3. Have you read or heard read said Permit No. 8399....., and are you familiar with its terms and conditions?

Ans. Yes sir.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. it is a generally level piece of land, of sandy loam soil, and will require about one miners inch of water per acre to profitably irrigate the land.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes sir in every way.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. One 4 inch Centrifugal Pump, one Westinghouse 5 horse power motor, fully enstalled, with 6 inch galvanized pipe to connect to the main ditches. Machinery is fully housed. Works are capable of conducting 60 miners inches of water. The pump has a 4 inch ~~inch~~ delivery and 11 feet lift. The main ditch is 2 feet on bottom, 4 feet at the top and will carry 12 inches of water, and is 660 feet in length in one ditch and about the same length in another ditch.

(Sign here.)

Ira Reed

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..... Weiser, Washington....., County of....., State of Idaho, on this..... 6th..... day of..... January..... A. D. 1913.

Arthur H. Treman

Notary Public.

My Commission expires... Sept. 21st 1913.

8399

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. W. A. Fulkerson age 46, Res and P.O. Weiser Idaho, lumberman

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. No . acting on part of self.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. 8399, July 6th 1912. 1-1/5 ~~xxxxxxzxxxxx~~ Cubic Feet per second of Crystal Lake waters, point of diversion SW¹/₄ SE¹/₄ Sec 51, T 10 N, R 5 W, B.M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Water for irrigation only, 60 acres to be irrigated in the SW¹/₄ SE¹/₄, SE¹/₄ SW¹/₄ Sec 15, T 10 N, R 5 W, B.M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Water has been used to the full capacity of the works during the irrigation season of 1912.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes, they are complete and comply with the permit.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. They comply with the permit

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

4 inch centrifugal pump with 11 feet lift, 5 horse power Westinghouse motor, 6 inch galvanized pipe to connect the pump and ditches, being 140 feet in length, Two main ditches embracing 1300 feet in length, 2 feet on the bottom, 4 feet on top and 12 inches to water line. Pumps capable of handling 60 miners inches of water, and ditches capable of carrying 100 miners inches. Total cost \$775.00

(Sign here.)

W. A. Fulkerson

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 Weiser

Washington, State of Idaho, on this 6th day of January A. D. 1913.

Arthur R. Graham
Notary Public.

My Commission expires Sept 21st 1913.

Notice for Application.

Notice is hereby given that at 2 p. m. on the 6th day of January, 1913, at Weiser, County of Washington, State of Idaho, before A. L. Trenam, N. P., proof will be submitted of the completion of works for the diversion of 1 1-5 cubic feet per second of the waters of Crystal lake in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is W. A. Fulkerson.

2. The postoffice address of such person or principal place of business of such corporation is Weiser, County of Washington, State of Idaho.

3. The number of such permit is 8399, and the date set for the completion of such work is January 6, 1913.

4. Said water to be used for irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place or intended use, in accordance with the plans accompanying the application for such permit, is 1 1-5 cubic feet

Affidavit of Publication.

STATE OF IDAHO,
County of Washington. } ss.

L. D. Purcell, being duly sworn
deposes and says that he is the publisher of THE WEISER ~~SIGNAL~~
WEEKLY SIGNAL, a newspaper published at Weiser, in the County of
Washington, State of Idaho, for more than one year last past; that said paper
is in general circulation in the County aforesaid and in the vicinity of Weiser;
that the advertisement, a copy of which is attached hereto, was published in
said newspaper once a week for four consecutive weeks in the regular
and entire weekly issue of said paper during the period
and time of publication, and was published in the newspaper proper, and not
in a supplement. Such notice was published in the issue beginning with
Dec. 5, 1912, and ending with issue of

his

day of

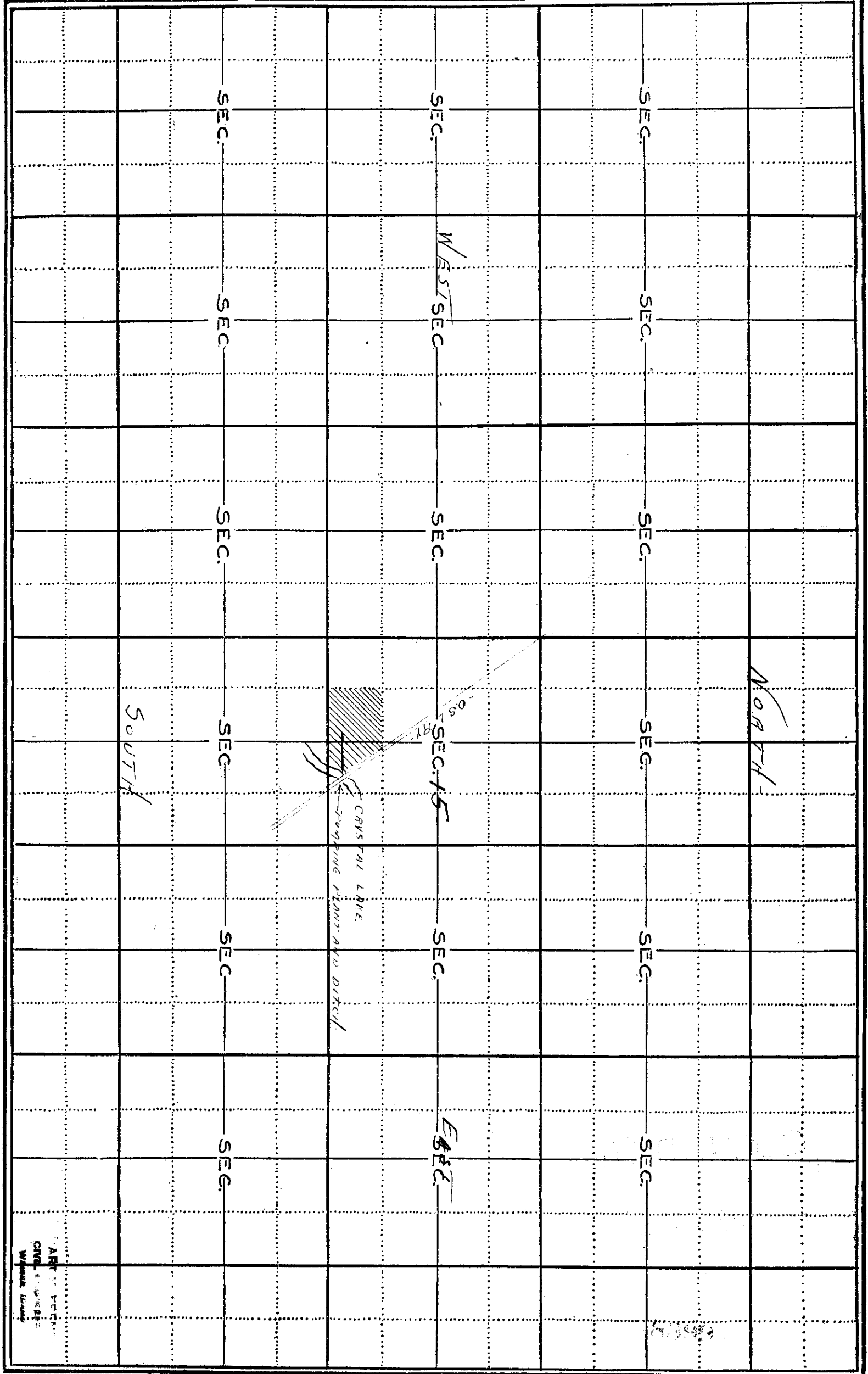
6th January, 1913

Arthur L. Trenam

Notary Public

8399

Name of Applicant W. A. TULKERSON - W. SEP-



ARTIST: J. H. BROWN
CIVIL ENGINEER
W. A. TULKERSON

REPORT OF ENGINEER.

1. State name of applicant and number of permit: A. A. Falkenberg- 40888

2. State source of water supply: Crystal Lake

3. Location of point of diversion: SW 1/4 Sec 18 T 10 N R 8 E S. 1.

4. State whether or not the works of diversion are *fully* completed and in accordance with the terms of permit: Yes, the pump will deliver the amount, and ditch will carry it.

5. Describe works as they exist, giving dimensions of same as follows:

(a) Width of conduit at bottom: 2.4 feet

(b) Width at water line: 3 feet

(c) Depth of water: 6 inches

(d) Grade per mile: 1 foot in 800 feet

(e) Capacity of ditch: over 2 second feet second feet.

6. State whether or not water has been turned into works of diversion, and if so, to what extent: Yes it has been used to the limit of ability of water

7. Give exact location of lands to be irrigated. ~~Give exact number of acres under cultivation in each forty-acre tract~~ 10 acres in the SW 1/4 and 10 acres in the SE 1/4 SW 1/4 of Sec 18 T 10 N R 8 E S. 1.

8. Submit map on enclosed plat, showing source of supply, point of diversion, route of ditch or ditches and cross-hatch lands to be irrigated.

Remarks:

STATE OF IDAHO, }
County of Washington } ss.

STATE OF IDAHO,
County of Washington } ss.
Stuart M. French....., being first duly sworn, deposes and says that the statements
contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 13th day of December 1912.

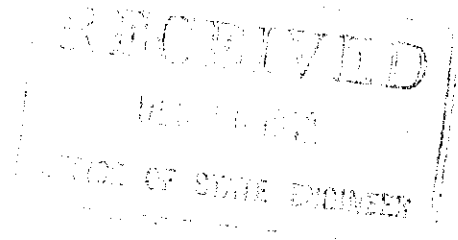
My Commission Expires Sept 21-1913

Notary Public.

STUART M. FRENCH
CIVIL ENGINEER

WEISER, IDAHO, December 14, 1913.

R. L. A. Robinson,
State Engineer,
Boise, Idaho.



Dear Sir:-

herewith papers in regard to water permit (1908) for Mr. W. A. Emerson of this place, filled out and with affidavit as required.

Yours truly,

Stuart M. French

742919

Office of the State Engineer

Butte, Idaho,

1912

Dec. 10,

Stewart M. French,
Weiser, Idaho

DEAR SIR:

....., residing at
W. A. Fulkerson, Weiser,
County of, State of, has requested that
Idaho
you make examination required under Permit No. Will you
6399
therefore, arrange with the holder of said Permit to make such examination as will
enable you to answer the questions on the enclosed blank? Also, make a sketch on
the enclosed blank plat showing source of supply, point of diversion, route of ditch
and place of use. You should, also, arrange with the holder of said Permit for the
payment of your fee for your services, and such proper expenses as you will incur in
making this examination and report.

Please advise me promptly of receipt of this communication, and whether or not
you will be able to make the examination and report as required.

Very truly yours,

A. E. ROBINSON,
State Engineer.

8399

State of Idaho
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON
ENGINEER

Permit 8399

December 5, 1912.

W. A. Fulkerson,
Weiser, Idaho

DEAR SIR:

Before your proof can be accepted, it will be necessary that an examination and report be made to this office concerning the same. This examination preferably should be made by an engineer, but in the event that one cannot be secured, the report of any other person competent to determine the capacity of the works, and the area irrigated, will be satisfactory.

Will you, therefore, advise this office whom you wish to be instructed to make this examination for you?

Very truly yours,

A. E. ROBINSON,

State Engineer.

*I will recommend Stewart M. Truax,
of Boise, Id.*

W. A. Fulkerson

8399

(P. O.

(Date)

Keiser, Idaho
Dec 3"/1912

State Engineer, Boise.

Dear Sir:

I have your letter of *Nov. 30"* enclosing Notice of Proof
of Completion of Works under Permit No. *8399* which will be published
as you request, beginning with our issue of *Dec. 5"/1912*

SIGNAL PUBLISHING CO.

L. S. Dunsen
MANAGER

8100

State of Idaho

A. E. ROBINSON
STATE ENGINEER

ENGINEERING DEPARTMENT BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

W. A. Fulkerson,
A. L. Trenam,
Weiser, Idaho

Boise, Idaho, Dec. 4, 1912.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under your permit No. 8399.

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 your rights:

1. On January 6th, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Weiser before A. L. Trenam, E.P.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$5.00, where amount claimed does not exceed 10 second feet. Where more than 10 second feet is claimed, the fee required is 30 cents per second foot. When these have been received, together with report of the examining engineer, if everything is properly executed, Certificate of Completion of Works will issue.

Yours truly,

A. E. ROBINSON,
State Engineer.

5-12-12

NOTICE OF PUBLICATION

Notice is hereby given that at 2..... P.M., on the 6th.... day January.....
 1913...., at Weiser..... County of Washington..... State of Idaho,
 before A. L. Trenam, H.D...... proof will be submitted of the completion of works
 for the diversion of 1 1/5..... cubic feet per second of the waters of.....
Crystal Lake..... in accordance with the terms and conditions of a
 certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is.....

W. A. Fulkerson.....

2. The postoffice address of such person or principal place of business of such corporation is

Weiser..... County of Washington..... State of Idaho.

3. The number of such permit is 8399....., and the date set for the completion of such work is

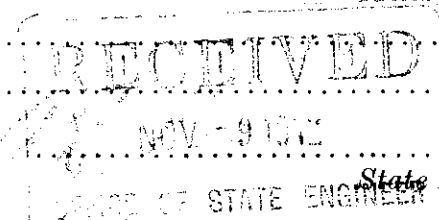
January 6th 1913.....

4. Said water to be used for Irrigation..... purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and
 the amount of water which said works are capable of conducting to the place of intended use, in ac-
 cordance with the plans accompanying the application for such permit, is 1-1/5..... cubic feet
 per second.

6. The amount of lands for which said water is available is 60..... acres,
 particularly described as follows: 20 acres in the SW 1/4 Sec 15 and 40 acres in the

SW 1/4 Sec 15, T. 10 N. R. 5 E. B.M......



State Engineer.

201

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE.

(Date) November 8th 1912.

(P. O.) Weiser Idaho

To the State Engineer,
Boise, Idaho.

Dear Sir:-

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

The Signal, of Weiser Idaho, published in the
county in which the works are situated.

M. A. Burkett

(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.

RECEIVED

Engineer

STATE ENGINEER

8300

Boise, Idaho, November 7, 1912.

Permit 8399.

W. A. Fulkerson,
Weiser, Idaho.

Sir:--

I return herewith your application
for extension of time under the above permit.
I am sorry to say that I have felt compelled
to disapprove the same.

Very truly yours,

State Engineer.

By _____

Enc. AFT.

W/G.

8399

Permit No. ~~1444~~ 8399

Application for Extension of Time.

W. A. Fulkerson

, of Weiser Idaho

State of _____, 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. 8399

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by January 6th, 1913

That he has heretofore performed the following work described under said permit:
Installed electric pumping plant and made ditches to carry water
over the entire land to be irrigated, and of sufficient capacity
to convey 60 miners inches of water or 1 1/5 cubic feet per second
but not completed to allow irrigation during 1912.

costing \$ 650.00

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

The purpose of this extension ~~is~~ of time is to allow sufficient
time to irrigate the entire acreage to be irrigated, which will
be the irrigation season of 1913 and make the proof of works
and water at one time.

WHEREFORE, He asks that the State Engineer extend the time for the completion of construc-
tion work under said permit, to January 6th 1914, 191

And further, deponent saith not

Subscribed and sworn to before me this 25th day of October 1912

A. K. Freeman

Notary Public.

September
~~21st~~ 21st 1913.

My commission expires _____

Date of receipt at office of State Engineer _____

APPROVAL OF STATE ENGINEER.

I, A. E. Robinson, State Engineer 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. _____, to _____, 191

Witness my hand this _____ day of _____, 191

State Engineer.

(over)

8399

Effective April 10, 1911.

STATE ENGINEER'S OFFICE.

*Rules and Regulations for Extension of Time for
Construction of Work Under Permit.*

House Bill No. 123 approved March 9th, 1911, provides that, where the State Engineer has limited time for completion of construction of necessary works under a permit to appropriate the public waters, to less than five years, he may, for good cause shown, extend such time as he may deem necessary.

To obtain such extension of time, the permit holder should fill out and file with the State Engineer two copies of the affidavit found upon the reverse side of this sheet.

(over)

Boise, Idaho, October 23, 1912.

Permit 8399- Fulkerson.

A. L. Trenam,
Weiser, Idaho.

Sir:--

Replying to yours of the 18th in
the above would say that application for ex-
tension should be made in duplicate upon the
enclosed blanks.

Very truly yours,

State Engineer.

By _____

Enc. 2 EB.

W/G.

8399

THE LETTER
FILED
OCT 24 1912
THE ENGINEER

AFFIDAVIT.

I, W. A. Fulkerson, of Weiser, Idaho, do hereby certify that I am the owner of permit No. 8399, appropriating the waters of Crystal Lake, in Washington County, Idaho, and do hereby apply to the State Engineer of the State of Idaho for an extension of time in which to make proof of works necessary to convey one and one-fifth cubic feet per second of the said waters. This extension of time is asked for the purpose of making proof of both water and works on or before January 6th, 1914. At the present time I have a fully electrically equipped pumping plant, with pipes and laterals in connection, having sufficient capacity to convey all of the waters represented in this Permit to the lands described therein to be irrigated.

At the present time, all of that portion of the S W $\frac{1}{4}$ of the S E $\frac{1}{4}$ of Section 15 Township 10 North Range 5 West B.M. lying West of the Oregon Short Line Railroad, being 20 acres, is in cultivation and was irrigated all through the season of 1912. The SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the said section is cleared and plowed and partially levelled and will require about thirty days work of one man and four horses to prepare the entire forty for irrigation.

W. A. Fulkerson

Subscribed and sworn to before me this 15th day of October, A. D. 1912

A. K. Luman
Notary Public.

A. L. TRENAM

UNITED STATES COMMISSIONER

FIRE INSURANCE

SURETY BONDS

WEISER, IDAHO.

Oct 18, 1912

Mr. A. E. Robinson,
State Engineer,
Boise, Idaho.

Dear Sir:

You will find enclosed applicaion of W A Fulkerson who owns Permit No. 8399, for an extension of time in which to make proof of works already established on his land.

I find no provision for this extension or time in the rules and regulations governing water matters in my possession, but in as much as Mr. Fulkerson is very anxious to have this extension of time granted, we are submitting the matter for your consideration.

We would be pleased to have a reply from you within a very few days.

Yours truly,

ALT:DD


A. L. Trenam

State of Idaho
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON,
STATE ENGINEER

Permit 8399. Fulkerson.

Boise, Idaho, July 15, 1912.

A. L. Trenam,
Weiser, Idaho.

Dear Sir:

I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of State Engineer on the third page.

A. E. ROBINSON,
State Engineer.

8399

[illegible]

Printed and for sale by the Statesmen Shop, Boise, Idaho.