

R-45E.

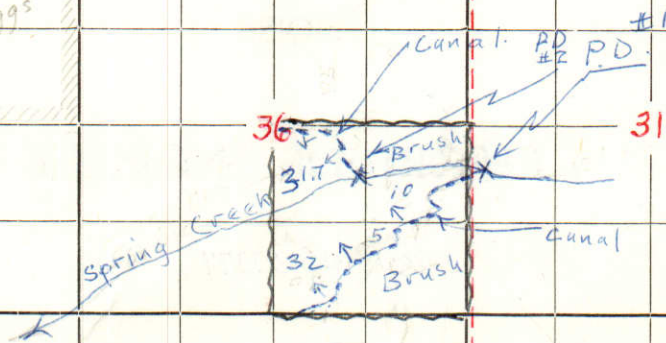
R-46E.

T.  
5  
N.

U.S. HWY. 20A  
TO TETON

35

Driggs



Subdivisions 4

Land Irrigated 78.7 Acres.

32.0

32.0

10.0

5.0

79.0 acres

Subdivisions = 4

Area = 79.0

Q = 79 " or

1.58 cfs

Q = 0.2 c.f.s. but unused  
because structures  
not sufficiently tight  
to hold small flows.

Note: Freshet flow not  
measured since there  
is none at time (8-10-58)  
of year when examination  
was made.

Needs P.D. amendment

In letter tell him one inch per acre is max.  
so he will not expect 3.2 cfs

RECEIVED  
NOV 29 1957  
Department of Reclamation

AFFIDAVIT OF PUBLICATION

State of Idaho, {  
County of Teton, { ss.

I, V. E. Lansberry  
being first duly sworn, depose and say.

That I am the Publisher  
of the Teton Valley News, a newspaper  
as defined by Idaho Codes Annotated,  
Section 58-106, as amended, and that  
said newspaper is a weekly newspaper,  
printed and published at Driggs, in Te-  
ton County, Idaho, having a general  
circulation in said county, and that said  
newspaper has been printed in said  
county for more than 78 consecutive  
weeks prior to the first publication of  
the attached notice, advertisement or  
publication of

Notice--Proof Application

of Water

And affiant further says that said at-  
tached notice, advertisement or publica-  
tion, as per clipping attached, was pub-  
lished in said newspaper, in the regular  
and entire issue thereof, and not in any  
supplement issue thereof, for Four

consecutive issues thereof; first publica-  
tion having been made on the 31st  
day of October, 19 57,  
and last publication on the 21st  
day of November, 19 57.

And affiant further says that at the  
times herein mentioned said newspaper  
was made up of at least four pages of at  
least five columns each, printed from  
type matter, of at least seventeen and  
three-fourths inches deep.

VE Lansberry  
Subscribed in my presence and sworn  
to before me this 25th day of

Nov., 19 57

MA Miller

(SEAL) Notary Public for the State of  
Idaho, residence and postoffice  
address, Driggs, Idaho.

My Commission expires

Oct 14, 19 57

Notice for Publication  
NOTICE OF PROOF APPLICA-  
TION OF WATER TO BENEFI-  
CIAL USE.

Notice is hereby given that at  
10:00 a.m. on the 27th day of  
November, 1957, at Driggs, County  
of Teton, State of Idaho, before  
Wm. A. Strong, Notary Public,  
proof will be submitted of the ap-  
plication to beneficial use of 3 1/5  
cubic feet per second of the waters  
of Spring Creek in accordance with  
the terms and conditions of Permit  
No. 21177 heretofore issued by the  
Department of Reclamation of the  
State of Idaho.

The name and postoffice address  
of the person holding said permit  
is Ezra A. Murdock, Driggs, Idaho.  
The use to which said water has  
been applied is irrigation.

The amount applied to beneficial

use is 3 1/5 cu. Ft. per second.

The place where said water is  
used SE 1/4 36, Township five north,  
Range 45 E. B. M.

The name of the canal or ditch  
or other works by which said wa-  
ter is conducted to such place of  
use is ditches, laterals and small  
dams from Spring Creek.

The right to take water from  
such works is based upon Permit  
No. 21177.

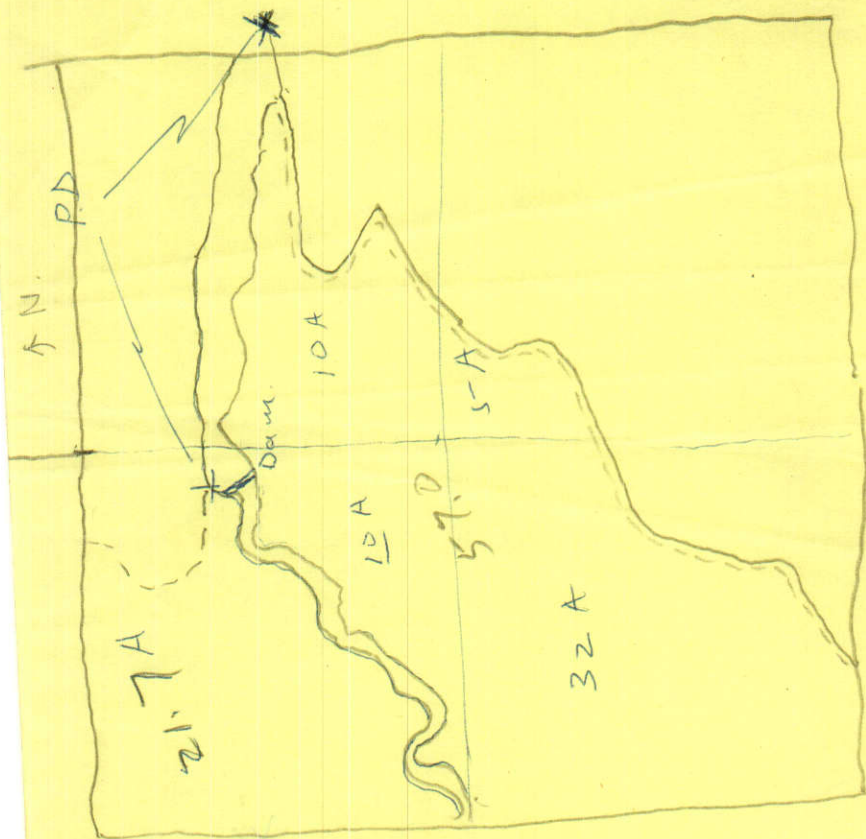
The source of supply from which  
such water is diverted is Spring  
Creek, which is a tributary of Te-  
ton Creek.

The date of priority which said  
user is prepared to establish is  
August 1, 1950.

21177 Mark R. Kulp  
State Reclamation Engineer  
Pub. 031N7-14-21

21177

Ezra A Murdock



Exact Copy made from  
aerial photo.



C. A. ROBINS  
GOVERNOR

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

August 15, 1950

Re: Permit No. 21177

Mr. Ezra A. Murdock  
Driggs, Idaho

Dear Mr. Murdock:

We acknowledge receipt of your letter of August 11,  
enclosing Proof of Completion of Works under Permit No. 21177.

It will not be necessary to change your Permit in  
order to take the full 160 inches from the natural flow of  
Spring Creek, but we are returning your affidavit in order  
that you may state more definitely under Question 3, the point  
or points of diversion.

The Permit itself gives two points of diversion, one  
in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 36, Township 5 North, Range 45 East,  
and the other in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 31, Township 5 North,  
Range 46 East, B.M.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

By

*Jeannie L. Anderson*  
Chief Clerk

A:bh  
Enc.

21177



*Over  
Please*

NAME OF APPLICANT

E. A. Murdock

FORM No. 0

Geographical

36-5-45

37-5-46

U.S. 20A

Driggs



Spring Cr.

36

37

Creek

Spring

Permit Map No. 21177

As Approved

AUG 13 1948

MARK R. KULP

State Reclamation Engineer

# State of Idaho

## License and Certificate of Water Right

Water License No. 21177

Amount 1.58 c.f.s.

Water District No. \_\_\_\_\_

Priority November 15, 1950

THIS IS TO CERTIFY that EZRA A. MURDOCK  
 of Driggs, Idaho, made application for a permit to appropriate the  
 public waters of the State of Idaho, dated August 1, 1949; that Permit No. 21177  
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
 3.2 second feet, was issued thereunder on September 5, 1950, showing that said works  
 were completed on the 11th day of August, 1950; and that on the 27th  
 day of November, 1957, EZRA A. MURDOCK

of Driggs, State of Idaho, made proof to the satisfaction of the  
 State Reclamation Engineer of Idaho, of the right to use the waters of Spring Creek  
 , a tributary of Teton Creek, for the purpose of Irrigation  
 , under Use Permit No. 21177 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  
 10 of Licenses at page 6456, on the 15th day of October, 1958;

The right hereby confirmed dates from November 15, 1950;

The Point of Diversion <sup>are</sup> located NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section 36, Twp 5 N., Rge 45 E. and  
 in the NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 31, Tp. 5 N., R. 46 E., B. M. County Teton

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 1.58 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                  | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|-----------------------------------|----------------------------------|---------------------------------|
| 5 N. | 45 E. | 36   | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                               | 10                              |
|      |       |      | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                               | 32                              |
|      |       |      | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                               | 32                              |
|      |       |      | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                               | 5                               |
|      |       |      | Total number of acres irrigated   | - - - -                          | 79                              |

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

15th day of October, 1958.

/s/ Geo. N. Carter

State Reclamation Engineer.

(SEAL)

# APPLICATION FOR PERMIT

## To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28846  
PERMIT No. 21177  
DISTRICT No.

1. Name of Applicant: EZRA A. MURDOCK

Postoffice address: Driggs

County: Teton

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 3.2

cubic feet per second.

3. Source of water supply: Spring Creek

which is a tributary of Teton Creek

4. Location of point of diversion: 600  
of NE  $\frac{1}{4}$  SE  $\frac{1}{4}$

feet distant from the S. E.

corner of Section 36, T. 5 N., R. 45 E., B.M., and is in the NE  $\frac{1}{4}$  SE  $\frac{1}{4}$   
Also 320 ft. from NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  Sec. 31, Twp. 5 N., Rge. 46 E., B.M.  
of Section 36, T. 5 N., R. 45 E., B.M., County of Teton (80 inches from each point)

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: \$ 250.00

8. Kind of works: Ditches, laterals and small dams.

9. Height of dam 5 feet; length of dam at top 30 feet; length of dam at bottom 3

feet; material used in dam: Earth and cement.

10. Size of headgate: Width 3 feet; height 5 feet.

11. Ditch: Width at bottom 2 feet; width at water line 3 feet; depth of water 1  $\frac{1}{2}$  feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 1  $\frac{1}{2}$  miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is One additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:  
 (b) Name of Reservoir and number of Storage Permit:  
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

EZRA A. MURDOCK

***Applicant.***

**By**

**Agent.**

Date of first receipt at Department of Reclamation: 10:30 A. M. August 1, 1949

**Returned to applicant for correction:**

**Corrected application received:**

## Approval of State Reclamation Engineer

The number of this permit is 21177

Recorded in Book 76 Page 21177 Approved August 13, 1949

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 13, 1949**

Work to begin on or before October 13, 1949 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 13, 1950**

The whole of said work to be completed on or before August 13, 1950

Beneficial use of water appropriated in accordance herewith, to be made on or before August 13, 1951

WITNESS My hand this 13th day of August, 1949

MARK R. KULP

*State Reclamation Engineer.*

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho.

and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 13th

day of August, 1949

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

By J. D. "CY" PRICE

Governor.

*Secretary of State.*

REMARKS: The first point of diversion referred to covers 80 inches of spring water or water that seeps up in Spring Creek. The second point of diversion mentioned comes from the regular flow of Spring Creek.

14.

| Twp. | Range | Sec. | NE¼                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼         |     |     |     | Totals |
|------|-------|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|-----|-----|-----|--------|
|      |       |      | NE¼                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼         | NW¼ | SW¼ | SE¼ |        |
| 5 N. | 45 E. | 36   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |     |     |     |     |     |     |     |     |     |     |     | 40 40 40 40 |     |     |     | 160    |
|      |       |      | <p style="text-align: center;"><b>Permit No. 21177</b><br/><b>CERTIFICATE OF COMPLETION OF WORKS</b></p> <p>TO ALL WHOM IT MAY CONCERN:</p> <p>This is to certify that <del>ER</del>RA A. MURDOCK of Driggs, County of Teton, and State of Idaho, the holder of Permit No. 21177, issued upon Application No. 28846 bearing date of priority of August 1, 1949, authorizing the diversion of 3.2 second feet of the waters of Spring Creek, a tributary of Teton Creek, County of Teton, 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 3.2 second feet of the waters of Spring Creek; that the point of diversion of said waters is in the NE¼ SE¼ Section 36, Township 5 North, Range 45 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southeast Quarter Section 36, Township 5 North, Range 45 East, B.M.</p> <p>Witness my hand this 5th day of September, A. D. 1950.</p> <p>Proof of Completion of Works made August 11, 1950.<br/>Certificate of Completion of Works issued September 5, 1950.</p> <p style="text-align: center;">APPROVAL OF STATE RECLAMATION ENGINEER</p> <p>I, Mark R. Kulp, State Reclamation 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. 21177 to August 13, 1956.</p> <p>Witness my hand this 1st day of June, 1951.</p> |     |     |     |     |     |     |     |     |     |     |     |             |     |     |     |        |
|      |       |      | <p style="text-align: right;">MARK R. KULP<br/>State Reclamation Engineer</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |     |     |     |     |     |     |     |     |     |     |     |             |     |     |     |        |
|      |       |      | <p style="text-align: right;">MARK R. KULP<br/>State Reclamation Engineer</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |     |     |     |     |     |     |     |     |     |     |     |             |     |     |     |        |

1111

APPLICATION FOR AMENDMENT  
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF IDAHO, NO. 21177

---

Comes now Ezra A. Murdock and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 21177. That the points of diversion are described in said permit as being located #1NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 36, Twp 5 N, Rge 45E. and #2 NW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 31, T5N-Rge 46E.B.M. That he now requests that the points of diversion be changed to points located #1NW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 36, Twp 5N, Rge 45E. and #2 NW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 31, T5N, Rge 46E.B.M. That the reason for desiring to make such change is as follows: I figured I would make my dam in the NE $\frac{1}{4}$  but when we surveyed it it is in the NW $\frac{1}{4}$  - It is in the middle of my field so can not make any difference to any one. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Driggs, Idaho, this 3 day of Sept., 1958

/s/ Ezra A. Murdock

Date of receipt at Department of Reclamation  
Oct. 6, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 21177. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Geo. N. Carter  
State Reclamation Engineer

Recorded: October 6, 1958.

---

LICENSE ISSUED FOR 1958 SEC. 51  
Page 6456

WATER RIGHT NUMBER 22-2135

OWNER LAST NAME - MURDOCK

ADDRESS LINE 1 -

ADDRESS LINE 3 -

SOURCE - SPRING CREEK

STAGE - LICENSE

TOTAL DIV. VOLUME -

DIVERSION POINT -

FIRST NAME - EZRA A.

ADDRESS LINE 2 -

CITY - DRIGGS

STATE - ID ZIP CODE - 83422

TRIBUTARY OF - TETON CREEK

PRIORITY - 11-15-1950 COUNTY - TETON

WATER DIST. - 01 DLE/CAREY ACT -

TOTAL DIV. RATE -

1.5800 CFS

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272.0 489.0 10.0 22.0 7.0 0.0

RIGHT BASIS -

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FROM - 00-00 TO - 00-00 USE - IRRIGATION

USE - IRRIGATION

USE - IRRIGATION

PLACE OF USE - TWN 000 RNG 000 SEC 00

PLACE OF USE - TWN 05N RNG 45E SEC 36

DATE -

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PROOF MADE -

DIVERSION MEANS -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 21177

TOTAL ACRES

AC 32

AC 05

79

October 15, 1958

Re: Permit No. 21177

Mr. Ezra Murdock  
Driggs  
Idaho

Dear Mr. Murdock:

Enclosed are the following:

1. Application for Amendment to Permit No. 21177 as approved by the State Reclamation Engineer and recorded in the Department of Reclamation in Book 76 of Permits at Page 21177 amending the points of diversion to read: "#1 NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 36, Township 5 North, Range 45 East, and #2 NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 31, Township 5 North, Range 46 East, B.M." This amendment should now be attached to the original permit to which it refers and of which it becomes a part.
2. License and Certificate of Water Right issued under Permit No. 21177 confirming the right with priority of November 15, 1950 to the use of 1.58 second feet of water from Spring Creek, with points of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 36, Township 5 North, Range 45 East, B.M. and NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 31, Township 5 North, Range 46 East, B.M., for irrigation of 79 acres in the SE $\frac{1}{4}$  of Section 36, Township 5 North, Range 45 East, B.M.
3. Departmental receipt #29213 for \$8.00, issued as receipt of the fee for the license.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

Chief Clerk

EPR:nls  
Enclosures (3)

21177

DWS



ROBERT E. SMYLLIE  
Governor

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

GEO. N. CARTER, STATE RECLAMATION ENGINEER

BOISE

October 6, 1958

RECEIVED  
OCT 9 1958  
Department of Reclamation

Re: Permit No. 21177

Mr. Ezra A. Murdock  
Driggs, Idaho

Dear Mr. Murdock:

Your proofs on Permit No. 21177 were made last year and inspection was made on September 10, 1958.

According to the report of the inspector, you were irrigating 79 acres. That will permit only 79 inches on the license since one inch per acre is all that is allowed on land actually irrigated.

If there is a mistake in the number of acres irrigated, it can be reinspected but the report states that you accompanied the inspector and presumably agreed on the acreage.

We will await your reply before issuing a license.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

*E. N. Humphrey*

E. N. HUMPHREY  
Deputy State Reclamation Engineer

ENH:lw

cc: H. S. Forbush  
Attorney At Law  
Driggs, Idaho

*Gentlemen:*  
*I hope that in as much as I have botasprinkler system you could grant more water. But it appears you can't so please send the license.*  
*Thanks,*

21177

*Ezra A. Murdock*

APPLICATION FOR AMENIMENT  
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF IDAHO, NO. 21177

Comes now Era A. Murdock and  
represent to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 21177.

That the point of diversion ~~is~~<sup>was</sup> described in said permit as being located;  
#1 NE 1/4 Sec. 36, Twp 5N, Rge 45E, and #2 NW 1/4 Sec. 31, T5N, Rge 46E.B.M.

That he now requests that the point of diversion be changed to a point  
located #1 NW 1/4 Sec. 36, Twp 5N, Rge 45E, and #2 NW 1/4 Sec. 31, T5N, Rge 46E.B.M.

That the reason for desiring to make such change is as follows:

Figured I would make my dam in the  
NE 1/4 but when we surveyed it it is in the  
NW 1/4 - it is in the middle of my field so can not make  
That no one will be injured by such change, and that such change will be  
made at Permit Holder's own risk.

Signed at Driggs Idaho, this 3 day of Sept., 1958  
Era A. Murdock

Date of receipt at Department of Reclamation Oct. 6, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, HEREBY  
APPROVE the above and foregoing application for amendment to Permit to appropriate  
the Public Waters of the State of Idaho, No. 21177. This approval constitutes  
a new permit and is issued as an amendment to the original permit, to which it refers  
and of which it becomes a part, and said application is approved only insofar as the  
rights of others will not be adversely affected thereby.

Recorded in Book 76 of  
Permits, at Page 21177  
October 6, 1958

DEPARTMENT OF RECLAMATION

Geo. N. Carter  
State Reclamation Engineer

21177

Arden, Idaho  
Oct 3, 1958

Mr. Geo. H. Carter

State Reclamation Engineer  
Boise, Idaho

Dear Sir:

This 79 acres is the land below my ditch.  
Last summer I bought a sprinkling system  
and have watered my whole 160 acres, so  
can you increase this right to the  
160 inches as I applied for at first.

Thanks,

Era A. Murdock

P.S. I can run a ditch south from the  
No. 1 diversion and water an extra about  
20 acres. I am now watering land in each  
of my forties. E.A.M.

21177

October 1, 1958

Re: Permit No. 21177

Mr. Ezra Murdock  
Driggs  
Idaho

Dear Mr. Murdock:

Our field engineer's report on his inspection of the beneficial use of the water under the terms of Permit No. 21177 shows that the works are capable of conveying 79 miners inches (1.58 c.f.s.) of water for irrigation of 79 acres and that the points of diversion are located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$  (#1) of Section 36, Township 5 North, Range 45 East, B.M. and #2 in the NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 31, Township 5 North, Range 46 East, B.M. The record of the permit describes #1 point of diversion as being in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, therefore, it is necessary that the permit be amended to show change in location. We enclose an Application for Amendment for this purpose.

Upon receipt of the amendment, mentioned above, and the statutory fee of \$8.00 (fee based at the rate of two dollars for each 40-acre subdivision) we will issue the License and Certificate of Water Right confirming the right with priority of November 15, 1950 to the use of 1.58 second feet of water from Spring Creek, with points of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 36, Township 5 North, Range 45 East, B.M. and NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 31, Township 5 North, Range 46 East, B.M., for irrigation of 79 acres in the SE $\frac{1}{4}$  of Section 36, Township 5 North, Range 45 East, B.M. (This will license one miners inch to the acre.)

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

Chief Clerk

EHR:nls  
Enc.

21177

Rus

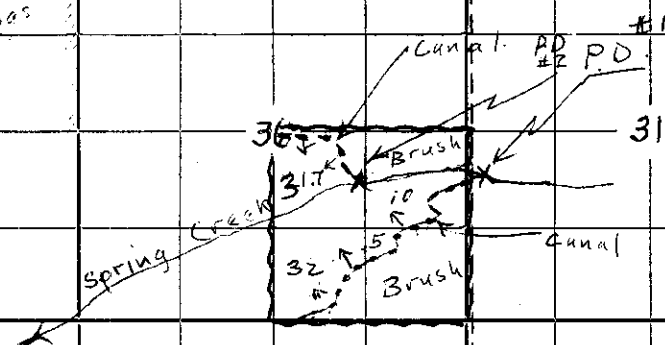
R-45E.

R-46E.

T.  
5  
N.

U.S. HWY. 20A  
TO TETON

35



Subdivisions 4

Land Irrigated 78.7 Acres

32.0  
32.0  
10.0  
5.0  
79.0

$Q = 0.2$  c.f.s. but unused  
because structures  
not sufficiently tight  
to hold small flows.

Note: Freshet flow not  
measured since there  
is none at time (8-10-58)  
of year when examination  
was made.

Subdivisions = 4

Area = 79.0

$Q = 79$  " or

1.58 cfs

much P.D. amount

In L.T.T. 7.15 hour and in the morning in next.

so he will not expect 3.2 cfs

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 21177

REPORT ON PROOF OF Beneficial Use

Ezra A. Murdock, Driggs, Idaho

Ezra A. Murdock  
Driggs, Idaho

Permit No. 21177

Examination for Beneficial Use

County Teton

36-5N-45E  
3-24-146E

3.2 a.s.

Spring Creek

NE. 1/4, Sec. 36, T. 5N, R. 4E,  
NW. 1/4, " 31, " 5N, " 46E.

Driggs

Plan. Aug. 1958

Aug. 2, 1958

W = 2-5-50

## INSTRUCTIONS TO EXAMINERS

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

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SEP 24 1958

Department of Reclamation

P.D. #2

Concrete 10' x 5' x 10' 0"

Ditch 10' x 5' 0"

4 or 5 years.

Ditches in good condition

structures useable and poor.

Glen Taylor has right to Norman flow of Spring Creek he having right on 320" for 210 A.S. of land in 1880 or 1890. Info. supplied by L.A. Taylor

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. 21177

This proof is for Beneficial Use

In Water District No. \_\_\_\_\_

1. Name of applicant Ezra A. Murdock Driggs Telephone 3361

2. Source of water supply: Spring Creek

~~320 Ft. from the~~ 320 Ft. from the NW 1/4 SW 1/4 of Section 31

3. Location of point of diversion: Is in the NE 1/4 SE 1/4 of Section 36

5 N 45 E., B. M.

T. 5 N R. 46 E., B. M. County of Teton

4. Describe works as they exist, giving dimensions and capacities of same: At P.D. #1 a wooden structure diverts the waters of Spring creek into an unlined ditch. At P.D. #2 poorly constructed concrete dam (6' x 10' x 6') causes a small reservoir & diverts the creek water into a second unlined ditch. Either of these ditches have the necessary grade & cross section to carry 3.2 c.f.s. of water.

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 other than irrigation):

111 acres in the SE 1/4 of Sec. 36., Twp. 5 N., Rge. 45 E., B. M.

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

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

Remarks: The Sept. 10 '58 examination was made with Mr. Ezra A. Murdock.

Note: P.D. #2 is in NW 1/4 SE 1/4 Sec. 36 also P.D. #1 is within 50' of the E. side of NE 1/4 SE 1/4 Sec. 36.

There are rights on Spring Cr. superior to the filing of E.A. Murdock actually this filing is for flood flow only.

This examination was made on the 10 day of Sept., 1958

(Signed) James H. Hare

Examiner.

21177

January 13, 1958

RE: Permit No. 21177

Mr. Ezra A. Murdock  
Driggs, Idaho

Dear Mr. Murdock:

We acknowledge receipt of the Depositions of the Holder and two witnesses, also affidavit of publication in the Teton Valley News, all submitted in proof of beneficial use on Permit No. 21177.

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

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

Very truly yours,

MARK R. KIDP  
State Reclamation Engineer  
By

Chief Clerk

EPR  
cc: Mr. H. S. Fernbach  
Attorney At Law  
Driggs, Idaho

21177



ROBERT E. SMYLLIE  
Governor

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

RECEIVED  
JAN 13 1958  
Department of Reclamation

January 6, 1958

Re: Permit No. 21177  
Ezra A. Murdock

Mr. H. S. Forbush  
Attorney At Law  
Driggs, Idaho

Dear Mr. Forbush:

We wish to acknowledge receipt of your letter of November 28, 1957, in which you enclosed Deposition of Holder and each of two witnesses, all in connection with proofs of Mr. Ezra A. Murdock, Permit No. 21177.

Said depositions were acknowledged by you as Notary Public in place of Mr. William A. Strong. Your statement as to the reasons why the holder of said permit and his two witnesses appeared before you in place of Mr. Strong, is what we need in the files to support the permit holder's proofs. However, we have to request of you to further substantiate Mr. Murdock's proofs by furnishing this department with an affidavit stating that Mr. Strong's office or place of business was open on November 27th, the day said proofs were set to be taken as per publication notice, and affidavit to state that no person or persons appeared at Mr. Strong's office to protest the taking of said proofs. An affidavit along these lines is necessary to support proofs of Mr. Murdock, if possible to obtain same.

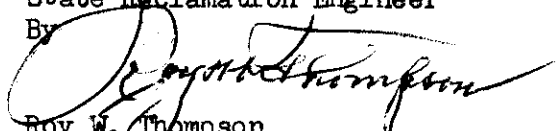
We regret bothering you again in connection with this matter, however we will appreciate your help.

Thanking you kindly.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

By

  
Roy W. Thompson  
Office Manager

RWT:lw

21177

H. S. FORBUSH

*Attorney at Law*

DRIGGS, IDAHO

Jan. 10, 1958

RECEIVED  
JAN 13 1958  
Department of Reclamation

STATE OF IDAHO     )  
                          ) ss.  
COUNTY OF TETON    )

Ezra A. Murdock, being first duly sworn, deposes and says:

That he is a citizen of the United States of America, a long time resident of Teton County, State of Idaho, and is over the age of majority;

The affiant further states that he is the holder of Permit No. 21177, to appropriate the public waters of the State of Idaho, and pursuant thereto a Notice of Publication in the Teton Valley News at Driggs, Idaho, giving notice of the beneficial use and application of said water, and fixing a time before Wm. A. Strong, a Notary Public in and for the State of Idaho, County of Teton on the 27th day of November, 1957, at which time final proof was to be submitted and allowing all persons interested in objecting to the granting of said permit to appear and show cause.

The affiant further states and alleges that on the date set for said hearing to-wit at 10:00 A.M. of the 27th day of November, 1957, Mr. Wm. A. Strong was ill, and could not appear. However, his office which is located in the Courthouse at Driggs, Idaho was open for business and that your affiant was ready and available to appear before said Notary in compliance with the publication as before mentioned. And that on said day, no other person did appear to contest the granting of said Permit, nor offer any objections in writing thereto, nor have any objections been made known since that time.

The affiant further declares that H. S. Forbush, Notary Public in and for said County and State of Idaho, did accept proofs of your affiant, together with two other disinterested persons, and depositions were duly made before him touching on the qualifications of proof of beneficial use of the waters under the terms of said Permit.

IN WITNESS WHEREOF, The affiant hereto has set his hand the day and year first above written.

*Ezra A. Murdock*

Subscribed and sworn to before me this 10th day of January, 1958.

*H. S. Forbush*  
Notary Public in and for said  
County and State.

(Seal)

21177

Next

H. S. FORBUSH

*Attorney at Law*

DRIGGS, IDAHO

Nov. 27, 1957

RECEIVED  
NOV 29 1957

Department of Reclamation

Mr. Mark H. Kulp, State Engineer  
Department of Reclamation  
Capitol Building  
Boise, Idaho

Re: Permit No. 21177  
In name of Ezra A. Murdock:

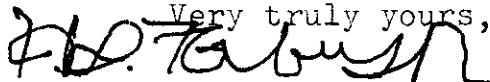
Dear Sir:

A word of explanation is necessary in this particular file, which I should herewith like to make. The Publication in the Teton Valley News specified that Mr. Murdock, Permit Holder and two disinterested witnesses were to appear before Wm. A. Strong, Notary Public of said County, and State of Idaho on or about 10:00 A. M. the 27th day of November, 1957, at which time Proof would be submitted as to the beneficial application of the water under said Permit. However, Mr. Strong before whom they were to appear suffered a very serious heart attack some few days prior to the hearing and because of his continued hospitalization and inability to act with his two witnesses, they have appeared before me, H. S. Forbush, Notary Public in and for Teton County, State of Idaho, and have made the statutory proofs.

Assuming that this slight change will not constitute substantial defect in the regular processing of this water right, I am herewith inclosing the Permit holder deposition together with the depositions of his two witnesses and also the affidavit of Publication in the Teton Valley News.

I trust that the inclosures are in due and proper form, and therefore acceptable to the Department.

Very truly yours,



H. S. Forbush

21177

RECEIVED  
NOV 29 1957  
Department of Reclamation

AFFIDAVIT OF PUBLICATION

State of Idaho, {  
County of Teton, { ss.

I, V. E. Lansberry  
being first duly sworn, depose and say.

That I am the Publisher  
of the Teton Valley News, a newspaper  
as defined by Idaho Codes Annotated,  
Section 58-106, as amended, and that  
said newspaper is a weekly newspaper,  
printed and published at Driggs, in Te-  
ton County, Idaho, having a general  
circulation in said county, and that said  
newspaper has been printed in said  
county for more than 78 consecutive  
weeks prior to the first publication of  
the attached notice, advertisement or  
publication of

Notice--Proof Application  
of Water

And affiant further says that said at-  
tached notice, advertisement or publica-  
tion, as per clipping attached, was pub-  
lished in said newspaper, in the regular  
and entire issue thereof, and not in any  
supplement issue thereof, for Four  
consecutive issues thereof; first publica-  
tion having been made on the 31st  
day of October, 19 57,  
and last publication on the 21st  
day of November, 19 57.

And affiant further says that at the  
times herein mentioned said newspaper  
was made up of at least four pages of at  
least five columns each, printed from  
type matter, of at least seventeen and  
three-fourths inches deep.

VE Lansberry

Subscribed in my presence and sworn  
to before me this 25th day of

Nov., 19 57.

MA River

(SEAL) Notary Public for the State of  
Idaho, residence and postoffice  
address, Driggs, Idaho.

My Commission expires

Oct. 14, 19 57.

Notice for Publication  
NOTICE OF PROOF APPLICA-  
TION OF WATER TO BENEFI-  
CIAL USE.

Notice is hereby given that at  
10:00 a.m. on the 27th day of  
November, 1957, at Driggs, County  
of Teton, State of Idaho, before  
Wm. A. Strong, Notary Public,  
proof will be submitted of the ap-  
plication to beneficial use of 3 1/8  
cubic feet per second of the waters  
of Spring Creek in accordance with  
the terms and conditions of Permit  
No. 21177 heretofore issued by the  
Department of Reclamation of the  
State of Idaho.

The name and postoffice address  
of the person holding said permit  
is Ezra A. Murdock, Driggs, Idaho.

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

The amount applied to beneficial

use is 3 1/8 cubic feet per second.  
The permit is for the purpose of  
using said water for irrigation  
of 100 acres of land.

The name of the person  
or other person to whom the  
water is conserved is  
use is irrigation of  
dams from Spring  
Creek.

The name of the person  
such water is conserved  
No. 21177.

The name of the person  
such water is conserved  
Creek, which is in  
Teton County, Idaho.

The name of the person  
user of the water is  
Ezra A. Murdock.

The name of the person  
Pub. 08187-14-21.

21177

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

**RECEIVED**  
NOV 29 1957  
Department of Reclamation

Permit No. 21177

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

**Ans.** Ezra A. Murdock, Driggs, Idaho, farmer, Driggs, Idaho

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

**Ans.**

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

**Ans.** No. 21177, Aug. 1, 1949, August 1, 195<sup>49</sup>

**Ques. 4.** State source of water supply and give exact location of point of diversion. --Spring Creek

**Ans.** 600 ft. from SE corner NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 36, T. 5N. R. 45, E. B.M. is in NE $\frac{1}{4}$ SE $\frac{1}{4}$  also 320 ft. from NW corner of SW $\frac{1}{4}$  Sec. 31, T. 5N. R. 46, E. B.M., all in Teton County, Idaho, (80 inches from each point)

**Ques. 5.** Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

**Ans.** either point of diversion is capable of conveying 3 1/5 cu. ft. per second, my private ditch diverted from Spring Creek; 21-24 in. diameter culvert crosses the road thru which water is taken on the ground by means of ditches, laterals and small dams.

**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.** irrigational purposes, <sup>has approximately</sup> irrigated, 25 acres in NE $\frac{1}{4}$ ; 35 acres in NW $\frac{1}{4}$ ; 36 acres in SW $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$  all in the SE $\frac{1}{4}$  of Sec. 36, T. 5N. R. 45 E. B.M.  
It is cultivated land, which raised two or three times as much barley this past season, and now can be planted to hay (alfalfa).

21177

Ques. 7. If for other than 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. 3 1/5 cu. ft. per second from both points of diversion.

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. The NW<sup>1</sup>/<sub>4</sub> has been irrigated for about 6 or 7 years, the balance has been irrigated this past season, all in SE<sup>1</sup>/<sub>4</sub> of Sec. 36; through the natural gravity flow through ditches I have made and small laterals and small dams.

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. Watered about 11 acres in the NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> from Permit #24725 from Teton Creek;

and also irrigated about 6 acres in the same quarter under Permit #26787;

and watered 20 acres of the SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> from Permit #26787; (Darby Waste Water) Teton Creek water is available early and then goes dry, and then Spring Creek water comes in later.

(Sign) Era A. Murolock

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 Driggs, County of Teton,

State of Idaho, on this 27th day of November, A. D. 1957.

My commission expires Dec. 21, 1957

21177

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
JUN 15 1957  
Department of Reclamation

PERMIT NO. 21177

## 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. Byron William Christensen, age 50 years, Rancher, Driggs, Idaho

Ques. 2. Are you acquainted with Ezra A. Murdock, the holder of Permit No. 21177? How long have you known him and where does he reside?

Ans. 20 years, Driggs, Idaho

Ques. 3. Have you read or heard read said Permit No. 21177, 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. 600 ft. from SE corner NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 36, T. 5 N. R. 45 E. B. M. is in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; also 320 feet from NW corner of SW $\frac{1}{4}$ , Sec. 31 T. 5 N. R. 46 E. B. M., all in Teton County, Idaho (80 inches from each point) of Spring Creek; either point of diversion is capable of conveying 3  $\frac{1}{5}$  cu. ft. per second through Permit Holder's private ditch diverted from Spring Creek through a 21-24 in. diameter culvert which crosses the road through which water is taken on the grounds irrigated by means of ditches, laterals and small dams.

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. 3  $\frac{1}{5}$  cu. ft. per second through both points of diversion; and I have seen as much so conveyed.

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. Irrigational purposes; has approximately irrigated 25 acres in NE $\frac{1}{4}$ ; 35 acres in NW $\frac{1}{4}$ ; 36 acres in SW $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ , all in the SE $\frac{1}{4}$  of Sec. 36, T. 5 N. R. 45 E. B. M. It is cultivated land, which raised two or three times as much barley this past season, and now can be planted to alfalfa.

21177

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. Loam, and requires an inch to an acre for its profitable cultivation at least.

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. The NW $\frac{1}{4}$  has been irrigated for about 6 or 7 years, the balance has been irrigated this past season, all in SE $\frac{1}{4}$  of Sec. 36, through the natural gravity flow through ditches, small laterals and small dams. This past season I have seen the amount applied for diverted through said ditches irrigating said lands.

(Signed) Byron William Christensen

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 Driggs,  
County of Teton, State of Idaho, on this 27th day of November,  
A. D. 1957.

L. L. Fabius

Notary Public.

My commission expires Dec. 21, 1957

21177

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
NOV 29 1957  
Department of Reclamation

PERMIT NO. 21177

## 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. Claude Dalley, age 58 years, Driggs, Idaho, Farmer, Driggs, Idaho

Ques. 2. Are you acquainted with Ezra A. Murdock, the holder of Permit No. 21177? How long have you known him and where does he reside?

Ans. 18 years, Driggs, Idaho

Ques. 3. Have you read or heard read said Permit No. 21177, 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. 600 ft. from SE corner NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 36, T. 5N. R. 45, E. B. M. is in NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; also 320 feet from NW corner of SW $\frac{1}{4}$ , Sec. 31, T. 5N. R. 46 E. B. M., all in Teton County, Idaho, (80 inches from each point) of Spring Creek; either point of diversion is capable of conveying 3 1/5 cu. ft. per second through Permit Holder's private ditch diverted from Spring Creek through a 21-24 in. diameter culvert which crosses the road through which water is taken on the grounds irrigated by means of ditches, laterals and small dams.

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. 3 1/5 culft. per second through both points of diversion; and I have seen as much so conveyed.

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. Irrigational purposes; has approximately irrigated 25 acres in NE $\frac{1}{4}$ ; 35 acres in NW $\frac{1}{4}$ ; 36 acres in SW $\frac{1}{4}$ ; 15 acres in SE $\frac{1}{4}$ , all in the SE $\frac{1}{4}$  of Sec. 36, T. 5 N. R. 45 E. B. M. It is cultivated land, which raised two or three times as much barley this past season, and now can be planted to alfalfa.

21177

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. Loam, and requires an inch to an acre for its profitable cultivation at least.

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

Ans. None

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

Ans. The NW $\frac{1}{4}$  has been irrigated for about 6 or 7 years, the balance has been irrigated this past season, all in SE $\frac{1}{4}$  of Sec. 36, through the natural gravity flow through ditches, small laterals and small dams. This past season I have seen the amount applied for diverted through said ditches, irrigating said lands.

(Signed) Gaude Dalley

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 Driggs,  
County of Teton, State of Idaho, on this 27th day of November,  
A.D. 19 57.

H. L. T. L. L.  
Notary Public.

My commission expires Dec. 21, 1957

21177

November 27, 1957

Re: Permit No. 21177

Mr. Ezra A. Mardock  
Driggs, Idaho

Dear Mr. Mardock:

Relative to your letter of November 18th stating that according to the notice of publication in the Teton Valley News that Proofs in connection with said permit were to be taken on November 27, 1957.

Your letter and request was inadvertently overlooked by this department, therefore we are unable to get the information to you by November 27th, the time stated in the publication notice for taking Proofs.

We wish to state that the said depositions can be signed by Mr. Forebush in lieu of Mr. William A. Strong who was unable to act on account of a heart attack, however, it will be necessary that you furnish this department with an affidavit signed by a Notary Public stating the reasons why it was necessary for you to change Notaries.

We hope that you have gone ahead and had your proofs and depositions acknowledged as of the date set in the publication notice. If not, it will be necessary for you to include in your affidavit the reasons why you were late in taking said depositions and also to state that no one appeared at the office of Mr. William A. Strong to protest your proofs.

Very truly yours,

MARK R. KUIP  
State Reclamation Engineer  
By

Roy W. Thompson  
Office Manager

RWT:lw

21177

November 19, 1957

RE: Permit No. 21177  
Ezra A. Murdock

Teton Valley News  
Briggs, Idaho

Gentlemen:

Please mail us a copy of a Legal publication on Permit No. 21177  
in the name of Ezra A. Murdock, which was mailed in to you October  
22nd, 1957.

This Notice is to be published prior to November 27th, 1957.

Thank you.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Edna P. Rutledge (Mrs.)  
Chief Clerk

EPR:va

21177

Driggs, Idaho  
Nov. 18, 1957

Mr. Mark R. Kulø  
State Reclamation Engineer  
State House  
Boise, Idaho

**RECEIVED**  
NOV 19 1957  
Department of Reclamation

Re: Permit No. 21177--

Dear Sir:

The notice of publication in the Teton Valley News is still going on, we had Wm. A. Strong, Notary Public as the Notary before whom the affidavits would be acknowledged, but last Monday night he had a severe heart attack and is in the hospital, and will be for several weeks, and is allowed no visitors. Would it be all right to have these notarized before Harold Forbush instead of Wm. A. Strong without making any difference, it could be notarized in the Courthouse anyway, or even before Judge E. D. Stringfellow of the Probate Court if you desired. Please let us know what we should do, about this unavoidable question. Thanking you very much for your cooperation.

Yours truly

*Ezra A. Murdock*

Ezra A. Murdock  
Holder of Permit No. 21177--

21177

October 22, 1957

RE: Permit No. 21177

Mr. Ezra A. Murdock  
Driggs, Idaho

Dear Mr. Murdock:

This acknowledges receipt of proof of application of water to beneficial use under Permit No. 21177, to be made at Driggs at 10:00 A.M. on the 24th day of November, before Mr. Wm. A. Strong, Notary Public.

As of this date, we have mailed the Notice to the Teton Valley News with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and to then mail the affidavit of publication and statement of costs to you.

In completing the enclosed depositions, it is very important that they be executed by you and two disinterested witnesses, who are familiar with the terms and the work done thereunder, at the time, date, place and before the Notary as advertised in the publication Notice, as well as all other necessary information called for. The signatures and the Notary's seal are essential.

When returning the depositions to this office, please be sure to include the affidavit of publication.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Edna P. Rutledge (Mrs.)  
Chief Clerk

EPR:vm  
Encl.  
cc. Wm. A. Strong

21177

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RE: Permit No. 21177  
Eara A. Murdock

Date: October 22, 1957

Teton Valley News  
Driggs, Idaho  
Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **November 27th, 1957** the date set for proof; the expense of the publication is to be paid by the applicant, **Eara A. Murdock** of **Driggs Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

**MARK R. KULP**  
State Reclamation Engineer  
By

**Edna P. Rutledge (Mrs.)**  
Chief Clerk

EPR:vm  
Encl.

21177

RECEIVED  
OCT 22 1957

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE  
Department of Reclamation

(Date) Oct. 16, 1957

Driggs, Idaho  
Address

Driggs, Idaho  
City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my  
expense in the Teton Valley News of Driggs, Idaho  
published in the county in which the works are  
situated.

By Era A. Murolock

(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

21177

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

**RECEIVED**  
OCT. 22 1957  
Department of Reclamation

Dec 8-13-1957

Notice is hereby given that at 10:00 A. M. on the 27 day of November, 1957,  
at Driggs, County of Teton, State of Idaho, before  
Wm. A. Strong, Notary Public, proof will be submitted of the  
application to beneficial use of 3 1/5 cubic feet per second of the waters of Spring Creek  
NE 1/4 Sec. 36, T. 5N. - R. 45E. B. M. in accordance with the terms and conditions of Permit No. 21177  
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit

Ezra A. Murdock, Driggs, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 3 1/5 Cu. Ft. per second

The place where said water is used SE 1/4 Sec. 36, T. 5N. - R. 45E. B. M.

Southwest Quarter of Section 36, Township Five North, Range 45 E. B. M.

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

ditches, laterals and small dams from Spring Creek

The right to take water from such works is based upon Permit No. 21177

The source of supply from which such water is diverted is spring

Spring Creek, which is a tributary of Teton Creek

The date of priority which said user is prepared to establish is August 1, 1950

MARK R. KULP

State Reclamation Engineer.

21177

RAT

. Reclamation Bureau:

Dear Sir:

This should reach Driggs Wednesday to go in the paper, if this is not possible change the hearing date, if you can get it here by then the date will be all right.

Thanks

Ezra A. Murdock

21177

October 8, 1957

Re: Permit No. 21177  
Permit No. 23408  
Permit No. 23409

Mr. Ezra A. Murdock  
Box 365  
Driggs, Idaho

Dear Mr. Murdock:

We are enclosing forms for making proofs on Permit No. 21177 on which the proofs were due August 13, 1956. Proofs can be made at any time after you have a certificate of completion of works but the priority will be as much later than the August 1, 1949 priority as the proofs are later than August 11, 1956.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in the County newspaper. For this required information, we have enclosed Form 10, in duplicate, which you are to complete and return. In filling out this form be sure to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the place where the depositions will be taken, and the name of the notary public before whom you will appear to make the depositions of proof (any place convenient for you and your two witnesses) and the quantity of water filed on, for what purpose it is used, the point or points of diversion and the lands which are irrigated - by legal land description.

Also enclosed is Form 11, which is the authorization for us to have the notice of proof published in the designated county newspaper, at your expense. This is to be returned with Form 11.

At the time we send the notice to the newspaper, we will also send to you the forms for the depositions of holder and two disinterested witnesses, which are to be executed at the time, on the date set, at the place and before the notary public, as was advertised in the publication of notice.

Permits Nos. 23408 and 23409 will be five years old on December 17, 1957 and can not be extended. You may make new filings to take their place.

Very truly yours,

21177  
MARK R. KULP  
State Reclamation Engineer

MRK:lw

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

RECEIVED  
OCT 7 1957  
Department of Reclamation  
Briggs, Idaho  
Oct. 4, 1957

Re. Permit No. 23409  
No. 623408

Dear Sir:

I didn't realize my time was up on these.  
I dug a well (pit) with a ~~drag~~ drag line about  
20 feet deep near Spring Creek. This has plenty of water  
in it each summer. I spent about \$1500. last year  
leveling my land and making ditches, headgates and  
~~to~~ Culverts. This fall I have leveled \$7000 worth.  
I got the water on about 70 acres of new land  
last summer. But I have not been able to develop  
or put a pump on the well nor buy a sprinkler  
system. Can you please give me an extension of time?  
Re: 28846 Aug. 1, 1949 - Completion of Works Certificate No. 21177.  
I had not applied water to enough acres to apply  
for title a year ago. Now I have irrigated some in  
each 40 acres of the 160. I think I have watered  
all it is possible to water without using  
power to apply it to the higher parts.

Please send me papers so I can apply  
for title to this.

Thanks,

Gra Murdock  
Box 365  
Briggs, Idaho

21177

June 20, 1956

RE: Permit No. 21177

Mr. Ezra A. Mardock  
Box 365  
Driggs, Idaho

Dear Mr. Mardock:

We acknowledge receipt of your letter of June 18, 1956, regarding an extension of time on the above captioned Permit.

Originally, the date set for Beneficial Use proof on Permit No. 21177 was August 13, 1951, but on June 1, 1951, an extension of time was granted for five years. Therefore, another extension of time cannot be granted, as five years is the maximum time for an extension.

We find Permit No. 21177 in good standing and will remain so since completion of works proof was made August 11, 1950.

Beneficial Use proof can be made at any time which you are prepared to do so and your only penalty is that the priority date will be advanced as many days as you are late in making this proof.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

Rshll

21177

Exp Aug. 13, 1956 - R/W filed 8-13-56  
C/W made 8-11-1959 3.2 Spring Creek

Driggs Idaho  
June 18, 1956  
Box 365

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

RECEIVED  
JUN 19 1956

Department of Reclamation

Dear Mr. Kuff,

I have your notice that Aug. 13, 1956 is my  
time limit for proving up on Permit No. 21177  
on Spring Cr. near Driggs, Idaho

The first year (1949) I farmed this land  
had a wonderful crop but the snow hit it  
so I only got half. Three years ago I arranged  
for a sprinkler system to irrigate all of it. That  
year I didn't have any water nor have  
the last two years. This year we have plenty  
of water.

I am writing to ask you to extend my  
term (I hope another five years) then I  
hope to get it all watered. The last few  
years has hit me so hard I couldn't.  
Hail hit me last year also drought.  
If you can do this I will surely  
appreciate it.

yours truly,

21177

Ernest Murdock

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

June 1, 1956

Mr. Ezra A. Murdock  
Driggs  
Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 21177. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than August 13, 1956, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

21177

✓  
June 1, 1951

Re: Permit No. 21177

Mr. Kare A. Mardock  
Driggs, Idaho

Dear Mr. Mardock:

We enclose approval of the State Reclamation Engineer of your application for extension of time for beneficial use under Permit No. 21177 to August 13, 1956.

This should be attached to your original Permit of which it now forms a part.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hh  
Enc.

21177

**STATE OF IDAHO**  
**Department of Reclamation**

Permit No. 21177

**Application for Extension of Time for Beneficial Use Proof**

STATE OF IDAHO

County of Teton } ss

Era A. Murdock, of Driggs (Bx 365)  
State of Idaho, 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. 21177

That, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by Aug 13, 1951

That he has heretofore put to beneficial use 3 1/2 second feet of water and has irrigated about 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: I have not been able to level all the land and get the rest of the ditches made

STATE RECLAMATION ENGINEER

WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ extend the time for the making of proof of beneficial use under said permit to Aug 13, 1956

Subscribed and sworn to before me this 31 day of May, 1951

My commission expires April 14 - 1953

Notary Public.

Date of receipt at office of Department of Reclamation June 1, 1951

STATE RECLAMATION ENGINEER  
APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~  
State Reclamation Engineer

I, Mark R. Kulp, ~~Commissioner of Reclamation~~ 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. 21177, to

August 13, 1956

Witness my hand this 1st day of June, 1951

21177  
Mark R. Kulp  
~~Commissioner of Reclamation~~  
State Reclamation Engineer

May 4, 1951

Re: Permit No. 21177  
(Application No. 28846)

Mr. Ezra A. Murdock,  
Driggs, Idaho

Dear Mr. Murdock:

Reference is made to your letter of May 2nd,  
in regard to final proof on your Permit No. 21177.

According to the terms of this permit your final  
proof, or proof of beneficial use, is due on or before  
August 13, 1951. However, this proof should not really  
be made until you have your land in cultivation, and irri-  
gated to the fullest possible extent, as your license can only  
be in proportion to the number of acres that an inspection  
by our field engineer shows to have been irrigated.

You may be allowed additional time for  
making this proof, and it will not in any way affect your  
priority, which is the date the application was filed  
in this Department. The statutes allow up to a maximum  
of six years, after making proof of completion of works,  
which in your case would be until August 13, 1956.

We enclose a form of application for such  
extension, which you may execute for as much time as you  
think will be required, and return to this Department for  
approval and record.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

Encl.

21177

Driggs, Idaho  
May 2, 1951

Permit No. 21177

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

I have my certificate of completion of  
works - No. 28846.

I was advised to ask your office about  
final title.

My ditch will carry 3.2<sup>sec</sup> ft of water  
and I have used it. But I want  
to level my land more also plant  
hay.

Should I try to get the final title  
now or wait a year or 2 until  
I get the land levelled and more  
ditches.

Thanks

Era A. Murdock

21177

app - 8-13-49

c/hr 811-50

B/W 8-13-51

RECEIVED  
MAY 3 1951  
Department of Reclamation

21177

✓  
September 7, 1950

Re: Permit No. 21177

Mr. Ezra A. Murdock  
Driggs, Idaho

Dear Mr. Murdock:

We enclose Certificate of Completion of Works issued on Permit No. 21177 for the diversion of 3.2 second feet of water from Spring Creek, a tributary of Teton Creek, with point of diversion in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 36, Township 5 North, Range 45 East, B.M. for the irrigation of land in the SE $\frac{1}{4}$  of said Section.

We also enclose Departmental Receipt No. 22636 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK H. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:dh  
Enc.

21177



C. A. ROBINS  
GOVERNOR

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

August 28, 1950

Re: Permit No. 21177

RECEIVED  
SEP 5 1950

Department of Reclamation

Mr. Ezra A. Murdock  
Driggs, Idaho

Dear Mr. Murdock:

We acknowledge receipt of your letter of August 22, 1950, returning Proof of Completion of Works under Permit No. 21177.

However, we note that you describe the point of diversion from Spring Creek as in the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 36, Township 5 North, Range 45 East, B.M., whereas the Permit describes it in the NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of this Section.

If this is an error in your proof, we can correct it upon instructions from you to do so, but if there has been a change from the point of diversion originally described, it will be necessary to make application for change of point of diversion.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

By

Chief Clerk

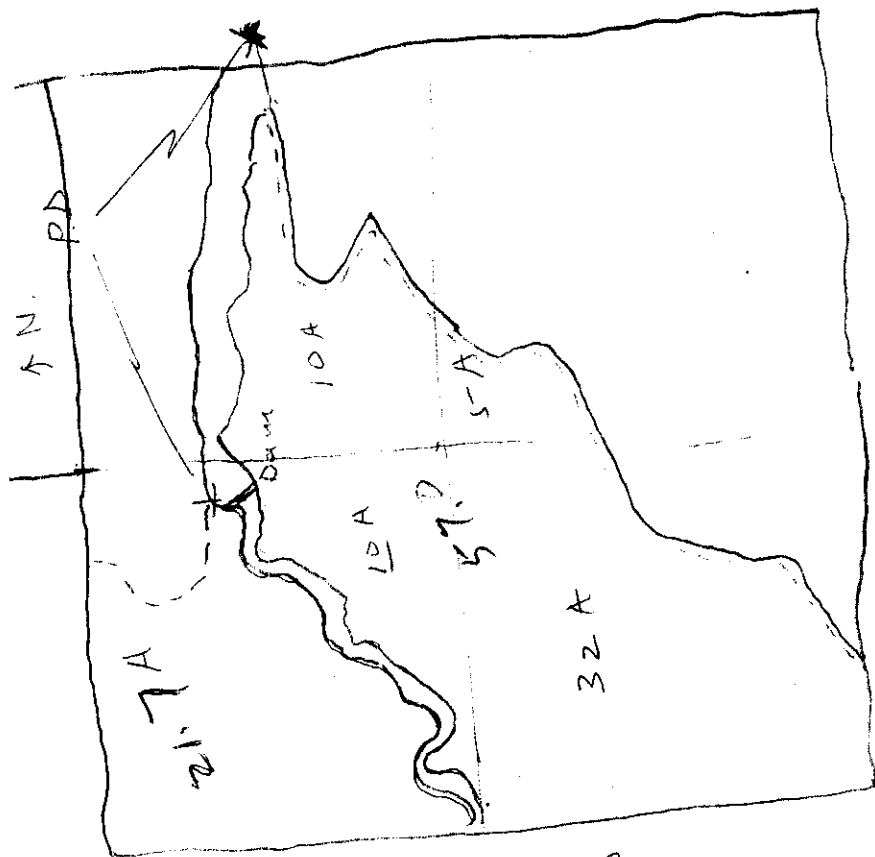
*Jeanne L. Anderson*  
*Driggs, Idaho*

A:bh

*Department of Reclamation, Sept 1st 50*  
*I beg your pardon, the permit was*  
*right. It is the N.E.  $\frac{1}{4}$  S.E.  $\frac{1}{4}$  of Section 36.*  
*Thanks,*

*Ezra A. Murdock*  
*21177*

Geo. A. Murdock



Exact Copy made from  
aerial photo.

Biggs, Idaho  
Aug, 22, 1950

Mr Mark R. Kulp  
State Reclamation Engineer,

Dear Mr. Kulp,

I did not survey the ditch on East.  
Then I was working there it rained  
hard and I found the old ditch had  
been used to bring water from  
Teton creek, north a couple of miles,  
so I will not take water <sup>out</sup> of Spring  
creek. <sup>There</sup> But I finished dam and  
ditch in my field and used  
the water, 160 inches or more.

Maybe when this is inspected  
you can grant the title.

Thanks,

Era A. Murdock

RECEIVED  
AUG 25 1950  
Department of Reclamation

21177



C. A. ROBINS  
GOVERNOR

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

August 15, 1950

Re: Permit No. 21177

Mr. Ezra A. Murdock  
Driggs, Idaho

Dear Mr. Murdock:

We acknowledge receipt of your letter of August 11,  
enclosing Proof of Completion of Works under Permit No. 21177.

It will not be necessary to change your Permit in  
order to take the full 160 inches from the natural flow of  
Spring Creek, but we are returning your affidavit in order  
that you may state more definitely under Question 3, the point  
or points of diversion.

The Permit itself gives two points of diversion, one  
in the ~~NE~~<sup>1</sup>/<sub>4</sub> ~~SE~~<sup>1</sup>/<sub>4</sub> Section 36, Township 5 North, Range 45 East,  
and the other in the ~~NW~~<sup>1</sup>/<sub>4</sub> ~~SW~~<sup>1</sup>/<sub>4</sub> Section 31, Township 5 North,  
Range 46 East, B.M.

Very truly yours,

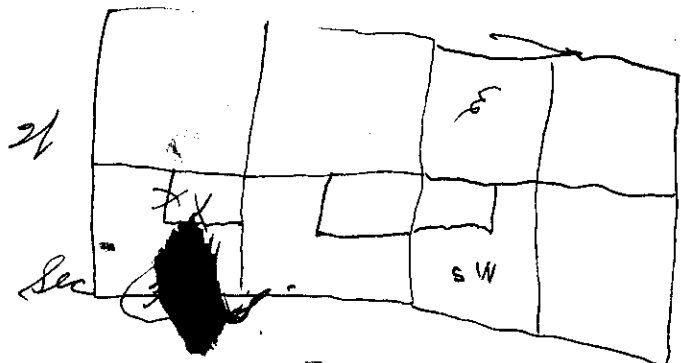
MARK R. KULP  
State Reclamation Engineer

By

*Jeannie L. Anderson*  
Chief Clerk

A:bh  
Enc.

*Over  
Please*



Permit No. 21177STATE OF IDAHO  
Department of Reclamation

## Proof of Completion of Works

## AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Teton

SS.

....., being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 21177, and that his postoffice address is Briggs, State of Idaho

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

Spring Creek (North, East of Briggs about 2 Mi.)Third: That the point of diversion of said water is about 64 rods west of my east fence line and 35 rods S. of N line in NE 1/4 Sec 36, T 5 N, R 45 EFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Aug. 13, 1950.Fifth: That the use for which said water is intended is irrigation.Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:I. Kind of works: Dam and ditch

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: about(a) Height of dam 4 1/2 feet, length of dam at top 100 feet, length of dam at bottom about 100 feet. Material used in construction earth and concrete

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir — acre feet.(c) Size of headgate: Width 2 feet, height 4 1/2 feet.(d) Conduit ditch width at bottom 2 feet, width at water line 3

(State whether ditch, flume or pipe)

feet, depth of water — feet; diameter of pipe — inches, average gradeper mile is 10 feet. Length of conduit is 1/2 miles.Seventh: That said works are capable of conducting to the place of intended use 4 second feet of water.Eighth: That water appropriated under said permit is available for 160acres of land described as follows: S.E. 1/4, Sec 36, Twp. 5 N, R 45 E, B.M.Ninth: Remarks: I put a cement dam east of my ground also one further down Spring Creek as described on my application, but we had so much rain this yearNinth: Remarks: That that did not need to water my grain, so I did not flow other ditches. I used 3.2 sf. of water in this middle ditch with dam in NE 1/4, SW 1/4 Sec 36, T 5 N, R 45 E, B.M. The upper dam in NW 1/4 SW 1/4 Sec 31, T 5 N, R 46 E, B.M. was a mistake so I shall not use it.

(Sign Here)

Subscribed and sworn to before me this 11 day of August, 1950My commission expires April 14, 1953

Notary Public.

21177

✓  
August 15, 1950

Re: Permit No. 21177

Mr. Ezra A. Mardock  
Driggs, Idaho

Dear Mr. Mardock:

We acknowledge receipt of your letter of August 11,  
enclosing Proof of Completion of Works under Permit No. 21177.

It will not be necessary to change your Permit in  
order to take the full 160 inches from the natural flow of  
Spring Creek, but we are returning your affidavit in order  
that you may state more definitely under Question 3, the point  
or points of diversion.

The Permit itself gives two points of diversion, one  
in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 36, Township 5 North, Range 45 East,  
and the other in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 31, Township 5 North,  
Range 46 East, B.M.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

Aibh  
Enc.

*21177*

Origen, Idaho  
Aug. 11, 1950

Mr. Mark R. Kulp.  
Boise, Idaho

Dear Sir:

A year ago there was only 1 or 2 s.f. of water in Spring Creek on my place. So when we made my application we asked for 80 in. from spring water and 80 in. from natural flow. This year there has been 700 in. most of the time and at present there is 300 or 400 in. in the creek. So I should like you to grant the title for the full 160 in. from the natural flow.

Thanks.

Gra

RECEIVED  
AUG 14 1950

Department of Reclamation

21177

**State of Idaho**  
**DEPARTMENT OF RECLAMATION**  
**BOISE**

**INSTRUCTIONS**  
**PROOF OF COMPLETION OF WORKS**

**Mr. Ezra B. Murdock**

Boise, Idaho

**June 1, 1950**

**Driggs, Idaho**

Dear Sir:-

Under the terms of your permit No. ~~21177~~-----you are required to complete your diversion works on or before ~~August 13, 1950~~----. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

**MARK R. KULP**

State Reclamation Engineer

21177

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

Permit No. 21177

Date August 18, 1949

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

Mr. Ezra A. Marlock  
C/o A. T. Atchley  
Driggs, Idaho

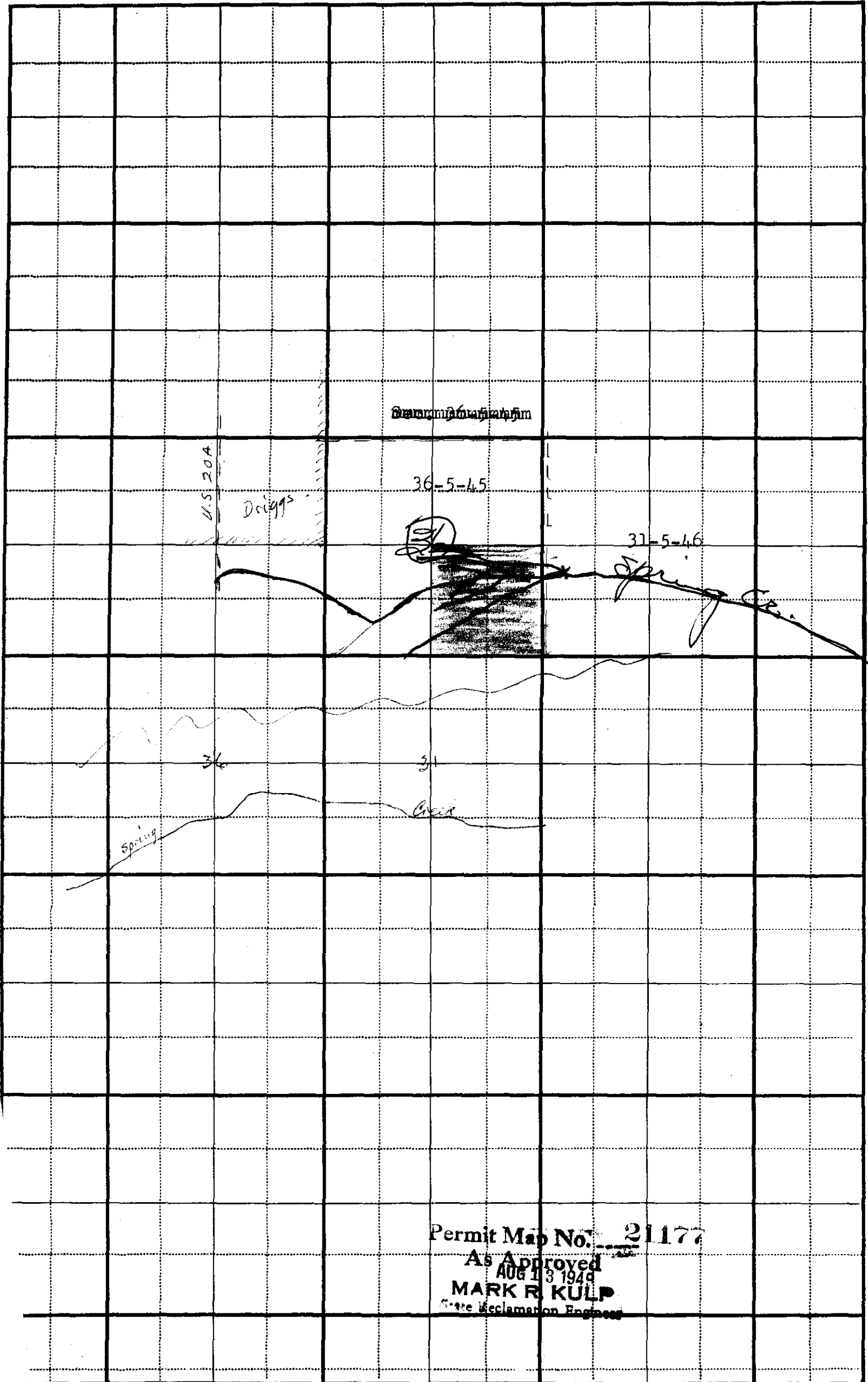
MARK R. KULP  
State Reclamation Engineer

Enc. Departmental Receipt No. 21707.

21177

NAME OF APPLICANT E. A. Murdock

FORM No. 0



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

21177

January 6, 1958

Re: Permit No. 21177  
Ezra A. Murdock

Mr. H. S. Forbush  
Attorney At Law  
Driggs, Idaho

Dear Mr. Forbush:

We wish to acknowledge receipt of your letter of November 28, 1957, in which you enclosed Deposition of Holder and each of two witnesses, all in connection with proofs of Mr. Ezra A. Murdock, Permit No. 21177.

Said depositions were acknowledged by you as Notary Public in place of Mr. William A. Strong. Your statement as to the reasons why the holder of said permit and his two witnesses appeared before you in place of Mr. Strong, is what we need in the files to support the permit holder's proofs. However, we have to request of you to further substantiate Mr. Murdock's proofs by furnishing this department with an affidavit stating that Mr. Strong's office or place of business was open on November 27th, the day said proofs were set to be taken as per publication notice, and affidavit to state that no person or persons appeared at Mr. Strong's office to protest the taking of said proofs. An affidavit along these lines is necessary to support proofs of Mr. Murdock, if possible to obtain same.

We regret bothering you again in connection with this matter, however we will appreciate your help.

Thanking you kindly.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Roy W. Thompson  
Office Manager

RWT:lw

21177

October 6, 1958

Re: Permit No. 21177

Mr. Ezra A. Murdock  
Driggs, Idaho

Dear Mr. Murdock:

Your proofs on Permit No. 21177 were made last year and inspection was made on September 10, 1958.

According to the report of the inspector, you were irrigating 79 acres. That will permit only 79 inches on the license since one inch per acre is all that is allowed on land actually irrigated.

If there is a mistake in the number of acres irrigated, it can be reinspected but the report states that you accompanied the inspector and presumably agreed on the acreage.

We will await your reply before issuing a license.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

E. N. HUMPHREY  
Deputy State Reclamation Engineer

ENH:lw

cc: H. S. Forbush  
Attorney At Law  
Driggs, Idaho

21177