

4-21-49 -

use of three cubic feet per second of the waters of subterranean flow in accordance with the terms and conditions of Permit No. 20949 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Emry Lent of Newdale, Idaho.

The use, to which said water has been applied is for irrigation purposes on applicant's farm.

The amount applied to beneficial use is 3 cubic feet per second.

The place where said water is used — The South-West Quarter of Section 35, Township 7 N., Range 41 E. Boise Meridian.

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

The right to take water from such works is based upon Permit No. 20949.

The source of supply from which such water is diverted is subterranean from a well at a point 15 rods north and 5 rods west of the SE corner of the SW $\frac{1}{4}$ of Section 35, Township 7 North, Range 41 E. B. M.

The date of priority which said user is prepared to establish is February 14, 1949.

MARK R. KULP

State Reclamation Engineer
pub. April 21, 28, May 5, 12, 1949

NOTICE OF ASSESSMENT

Fall River Canal

Notice is hereby given that at a meeting of the Board of Directors of the Fall River Irrigation Company, Ltd., held April 8th, 1949, an assessment of \$2.50 per share was levied upon the capital stock of the corporation, payable in cash to the secretary

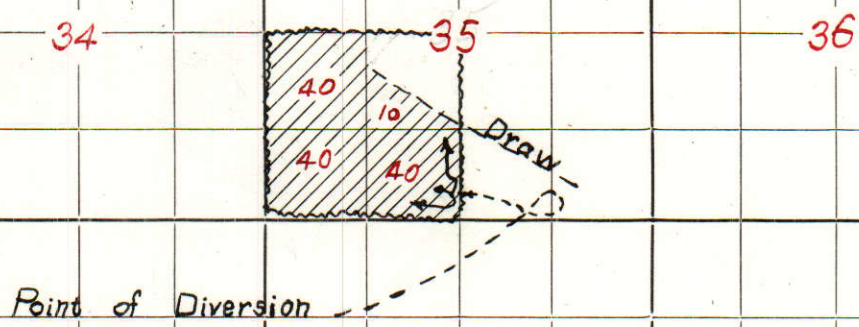
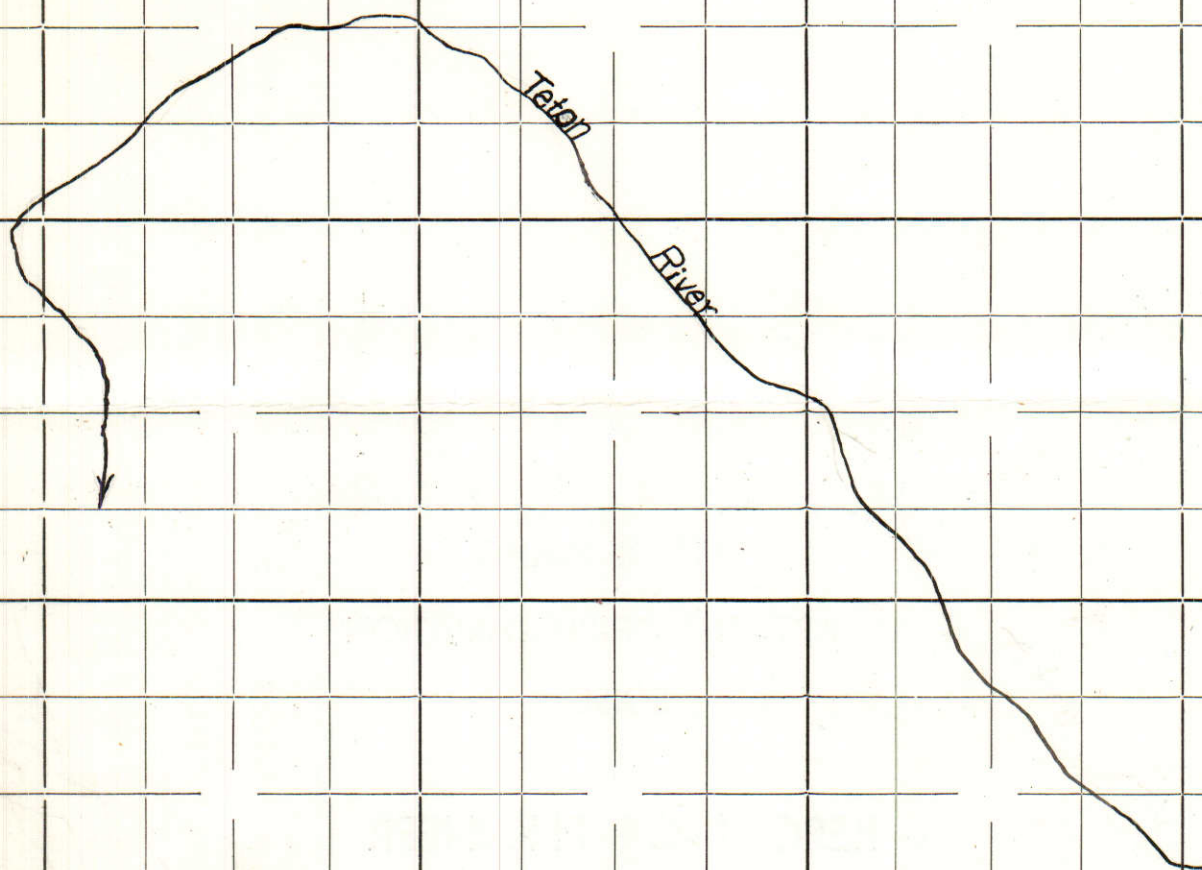
NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 A. M. on the 21st day of May, 1949, at St. Anthony, County of Fremont, State of Idaho, before Willard C. Burton, Notary Public, proof will be submitted of the application to beneficial

COURT
ward in
one council
ward for a four

WILLIAM R. MAYOR

CORA JACKSON, Clerk



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
 ss.
 County of Fremont }

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

That he is the publisher of The Fremont County 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 St. Anthony, in Fremont County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper in said county, for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication

of *Notice of Proof*
Application of water, etc.

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof,

for *4* consecutive issues thereof;
 first publication having been made on the *21* day of *April* 19*49*, and last publication on the *12* day of *May* 19*49*

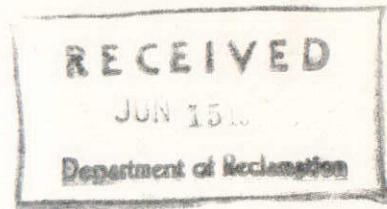
And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches deep.

Ruth Hanamelt
 Subscribed in my presence and sworn to before me this *13th*

day of *June* 19*49*
Robert H. ...

Notary public for the State of Idaho, residence and post office address: St. Anthony, Idaho.

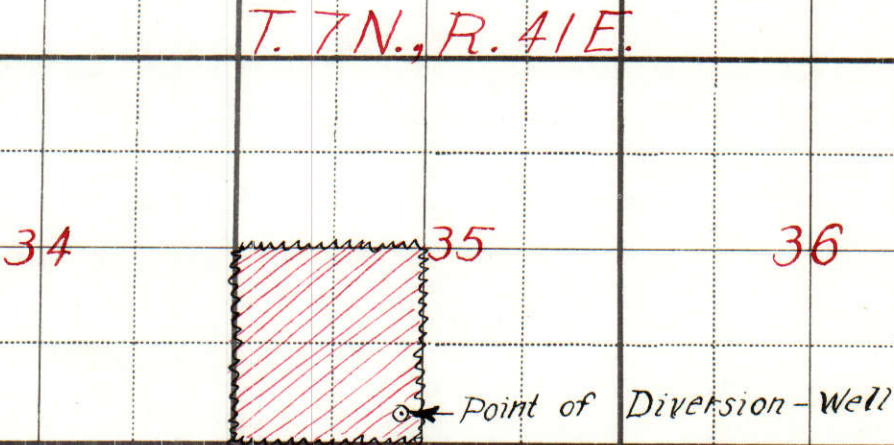
(Seal)



THE FREMONT COUNTY NEWS, ST. ANTHONY, IDAHO

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE Notice is hereby given that at 10:30 A. M. on the 21st day of May, 1949, at St. Anthony, County of Fremont, State of Idaho, before Willard C. Burton, Notary Public, proof will be submitted of the application to beneficial use of three cubic feet per second of the waters of subterranean flow in accordance with the terms and conditions of Permit No. 20949 heretofore issued by <i>20949</i>	the Department of Reclamation of the State of Idaho. The name and postoffice address of the person or corporation holding said permit are Emry Lent of Newdale, Idaho. The use, to which said water has been applied is for irrigation purposes on applicant's farm. The amount applied to beneficial use is 3 cubic feet per second. The place where said water is used — The South-West Quarter of Section 35, Township 7 N.,	Range 41 E. Boise Meridian. The name of the canal or ditch or other works by which said water is conducted to such place of use is a well and pump. The right to take water from such works is based upon Permit No. 20949. The source of supply from which such water is diverted is subterranean from a well at a point 15 rods north and 5 rods west of the SE corner of the SW ¼ of Section 35, Township 7 North, Range 41 E. B. M.	The date of priority which said user is prepared to establish is February 14, 1949. MARK R. KULP State Reclamation Engineer pub. April 21, 28, May 5, 12, 1949
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20949



Permit Map No. 20949
As Approved
FEB 21 1949
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 20949

Amount 2.6 sec. ft.

Water District No.

Priority February 14, 1949

THIS IS TO CERTIFY that EMBY LENT
of Newdale, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 14, 1949; that Permit No. 20949
was issued under said application; that Certificate of Completion of works with a carrying capacity of
three second feet, was issued thereunder on April 5, 1949, showing that said works
were completed on the 3rd day of March, 1949; and that on the 21st
day of May, 1949.

EMBRY LENT
of Newdale, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of subterranean
flow from ~~xxx~~ a well, for the purpose of irrigation
under Use Permit No. 20949 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

8 of Licenses at page 4561, on the 13th day of April, 1950;

The right hereby confirmed dates from February 14, 1949;

The Point of Diversion is located
in the SE 1/4 SW 1/4, Sec. 35, Tp. 7 N., R. 41 E., B. M. Fremont 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 2.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	41 E.	35	NE 1/4 SW 1/4	40	10
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			Number of Acres Actually Irrigated -		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

13th day of April, 1950.

MARK E. KILP
State Reclamation Engineer

(SEAL)

22-2131

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28603
 PERMIT No. 20949
 DISTRICT No.

1. Name of Applicant: **EMRY LENT**

Postoffice address: **Newdale**

County: **Fremont**

State: **Idaho**

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: **Three (3)** cubic feet per second.

3. Source of water supply: **A well from which water is pumped** which is a tributary of

West

4. Location of point of diversion: About 15 rods North and 5 rods ~~feet~~ distant from the **Southeast**
 of **SW $\frac{1}{4}$**
 corner of Section 35, T. 7 N., R. 41 E., B.M., and is in the **SE $\frac{1}{4}$ SW $\frac{1}{4}$**
 of Section 35, T. 7 N., R. 41 E., B.M., County of **Fremont**

5. Water is to be used for **Irrigation of SW $\frac{1}{4}$ Section 35, Twp. 7 N., Rge. 41 E., B.M.**

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: \$ **12,000.00** Paid.

8. Kind of works: **A well tapping subterranean water beneath above described property.**

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

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

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
 dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is **Work is now complete** years.

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

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **15 shares in the Canyon Creek
 Irrigation Company**

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.

EMRY LENT Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. February 14, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20949

Recorded in Book 75 Page 20949 Approved February 21, 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 Completed 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 -

The whole of said work to be completed on or before May 21, 1949

Beneficial use of water appropriated in accordance herewith, to be made on or before May 21, 1949

WITNESS My hand this 21st day of February, 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 21st

day of February, 1949

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 N.	41 E.	35									40	40	40	40					160
Permit No. 20949 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that EMRY LENT of Newdale, County of Fremont, and State of Idaho, the holder of Permit No. 20949, issued upon Application No. 28603 bearing date of priority of February 14, 1949, authorizing the diversion of Three (3) second feet of the waters of a well (subterranean) County of Fremont, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho; that said works are adequate for diverting and conveying to the place of intended use Three (3) second feet of the waters of said well; that the point of diversion of said waters is in the SW$\frac{1}{4}$ Section 35, Township 7 North, Range 41 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW$\frac{1}{4}$ Section 35, Township 7 North, Range 41 East, B.M. Witness my hand this 5th day of April, A. D. 1949. MARK R. KULP State Reclamation Engineer Proof of Completion of Works made March 3, 1949. Certificate of Completion of Works issued April 5, 1949.																			

LICENCE ISSUED FOR 2.6 SEC. FT.

p. 4561

4-21-49

use of three cubic feet per second of the waters of subterranean flow in accordance with the terms and conditions of Permit No. 20949 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Emory Lent of Newdale, Idaho.

The use, to which said water has been applied is for irrigation purposes on applicant's farm.

The amount applied to beneficial use is 3 cubic feet per second.

The place where said water is used — The South-West Quarter of Section 35, Township 7 N., Range 41 E. Boise Meridian.

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

The right to take water from such works is based upon Permit No. 20949.

The source of supply from which such water is diverted is subterranean from a well at a point 15 rods north and 5 rods west of the SE corner of the SW $\frac{1}{4}$ of Section 35, Township 7 North, Range 41 E. B. M.

The date of priority which said user is prepared to establish is February 14, 1949.

MARK R. KULP

State Reclamation Engineer
pub. April 21, 28, May 5, 12, 1949

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one council
ward for a four

WILLIAM L.
Mayor

CORA JACKSON, Clerk

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

Notice is hereby given that at 10:30 A. M. on the 21st day of May 1949 at St. Anthony, County of Fremont, State of Idaho, before Willard G. Burton, Notary Public, proof will be submitted of the application to beneficial

NOTICE OF ASSESSMENT

Fall River Canal

Notice is hereby given that at a meeting of the Board of Directors of the Fall River Irrigation Company, Ltd., held April 28, 1949, an assessment of \$2.50 per share was levied upon the capital stock of the corporation, payable in cash to the secretary

✓
April 18, 1950

Re: Permit No. 20949

Mr. Emory Lent
Newdale, Idaho

Dear Mr. Lent:

We enclose License and Certificate of Water Right issued under your Permit No. 20949, confirming your right to the use of 2.6 second feet of water from a well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, Township 7 North, Range 41 East, B.M. with priority of February 14, 1949, for the irrigation of land in the SW $\frac{1}{4}$ of said Section 35.

We also enclose Departmental Receipt No. 22835 for the \$8.00 fee paid in connection with Beneficial Use Proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20949



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

March 29, 1950

Re: Permit No. 20949

APR 11 1950
Department of Reclamation

Mr. Emory Lent
Newdale, Idaho

Dear Mr. Lent:

We now have on file the report of our Field Engineer on examination for Beneficial Use under your Permit No. 20949.

This report shows that you have irrigated 130 acres in the SW $\frac{1}{4}$ Section 35, Township 7 North, Range 41 East, B.M.

Therefore, upon receipt of the statutory fee of \$8.00, a License will be issued for 2.6 second feet of water from a well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeanne L. Anderson
Chief Clerk

A:bn

Emory Lent

Emory Lent

Permit No.

20949

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

Permit No. 20949

This proof is for Beneficial use In Water District No. _____

1. Name of applicant Emry Lent, Newdale, Idaho
2. Source of water supply: Subterranean from well
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35
T. 7 N. R. 41 E. County of _____
4. Describe works as they exist, giving dimensions and capacities of same:
Johnson Turbine Pump, Serial 14299, HE 110, Ratio 4 - 5, BHP of pump 110 @
1750 R.P.M., 8" discharge, lift 8'-10' to 40' flume and ditch 3' x 1' deep.
Pump driven by a Grey Marine Diesel Engine directly connected by shaft and
two toggle joints. Model 64-HN9, Engine No. C-38745.
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):
Southwest Quarter of Section 35, Twp. 7 North, Range 41 East, 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?
- Unknown

Remarks: _____

This examination was made on the 25 th day of September, 19 49

(Signed)

F. A. Tolman

Examiner.

20949

Newdale, Idaho

Permit No. 20249

Examination for Beneficial use

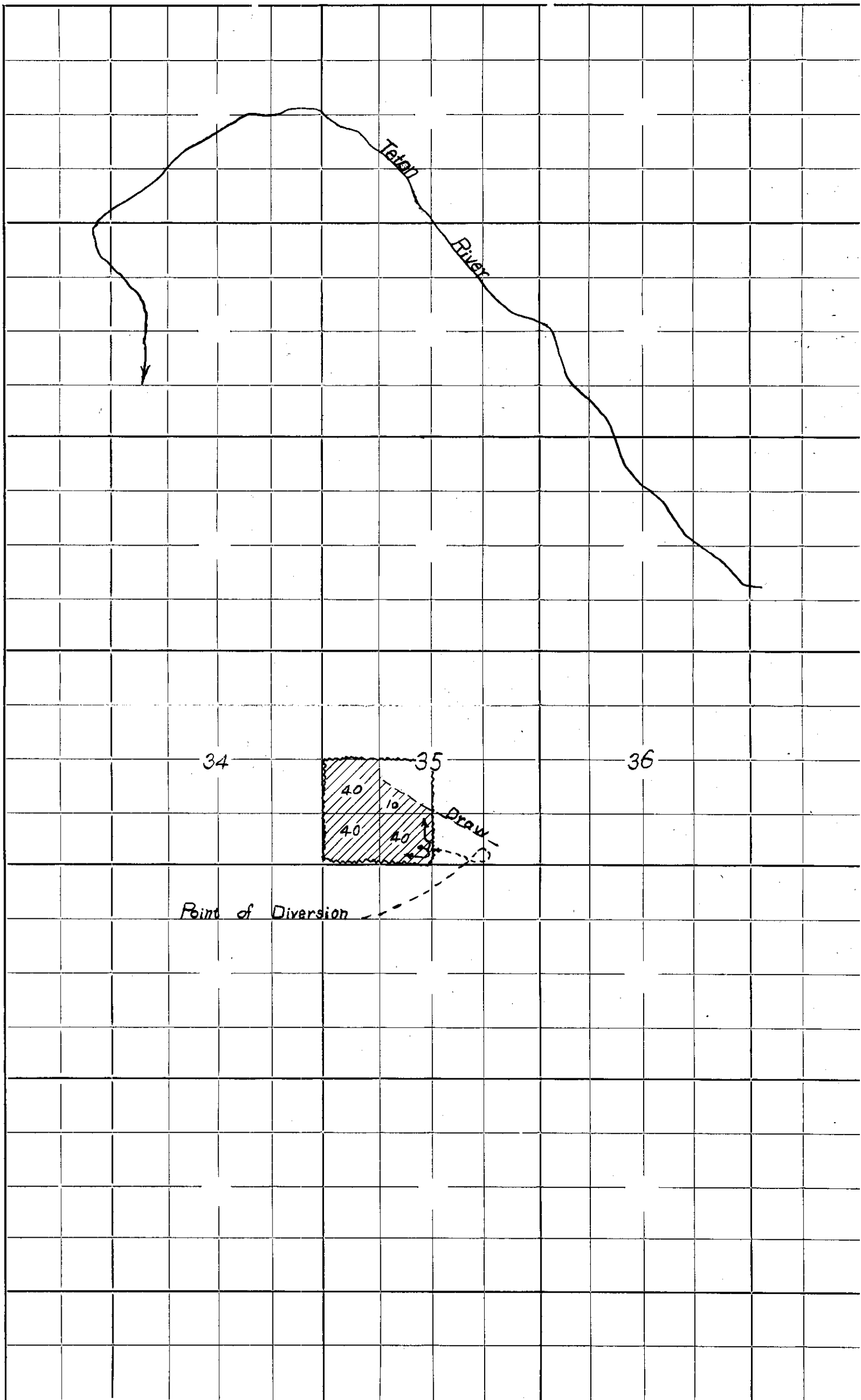
County Fremont

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.

RECEIVED
MAR 10 1950

Department of Reclamation



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20949

REPORT ON PROOF OF Beneficial use

2.6 af
SINK

2.6 af 3 6.00

190 acres
4-1105

✓
September 8, 1949

Re: Permit No. 20949

Mr. Emory Lent
Newdale, Idaho

Dear Mr. Lent:

Reference is made to your letter of September 5, inquiring as to final papers on your Permit No. 20949.

As stated in our former letter, a field examination must be made by an Engineer from this Department and as we have but one Field Engineer, he tries to combine as many examinations in one territory as possible.

As soon as this examination has been made and his report filed, we shall notify you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

20949

Newdale Ida

9/5/49

Dept Reclamation.

Boise Idaho.

Dear Sirs.

To date I have not received
The final papers for my sub surface
water which I made application
for earlier this year.

would you check this matter
and see if it can be finished.

Respectfully

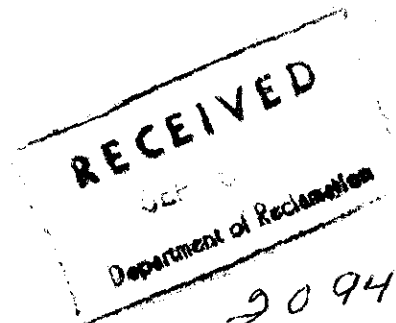
Emmy Lent

Newdale
Idaho.

20949

Bl made

writing Eng R/V.



20949

✓
June 15, 1949

Re: Permit No. 20949

Mr. Emory Lent
Newdale, Idaho

Dear Mr. Lent:

We are this morning in receipt of Affidavit of Publication in the Fremont County News in connection with Beneficial Use Proof under your Permit No. 20949.

This, together with the depositions previously submitted completes your proof, but before final action is taken in the matter, the law requires that a field examination be made by an Engineer from this Department.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

20949

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Fremont

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

That he is the publisher of The
Fremont County 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 St. Anthony,
in Fremont County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed and published as a weekly
newspaper in said county, for more
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publication

of *Notice of Proof*
Application of water, etc.

And affiant further says that said
attached notice, advertisement or pub-
lication, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof, and
not in any supplement issue thereof,

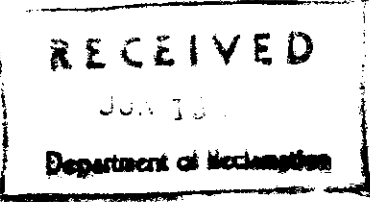
for *4* consecutive issues thereof;
first publication having been made
on the *21* day of *April*
19*49*, and last publication on the
12 day of *May*
19*49*

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.

Ruth Hanan
Subscribed in my presence and

sworn to before me this *13th*
day of *June* 19*49*
Robert H. ...

(Seal) Notary public for the
State of Idaho, residence
and post office address:
St. Anthony, Idaho.



THE FREMONT COUNTY NEWS, ST. ANTHONY, IDAHO

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE Notice is hereby given that at 10:30 A. M. on the 21st day of May, 1949, at St. Anthony, County of Fremont, State of Idaho, be- fore Willard C. Burton, Notary Public, proof will be submitted of the application to beneficial use of three cubic feet per second of the waters of subterranean flow in accordance with the terms and conditions of Permit No. 20949 heretofore issued by <i>20949</i>	the Department of Reclamation of the State of Idaho. The name and postoffice ad- dress of the person or corporation holding said permit are Emory Lent of Newdale, Idaho. The use, to which said water has been applied is for irriga- tion purposes on applicant's farm. The amount applied to benefi- cial use is 3 cubic feet per sec- ond. The place where said water is used — The South-West Quar- ter of Section 35, Township 7 N.	the Department of Reclamation of the State of Idaho. The name of the canal or ditch or other works by which said water is conducted to such place of use is a well and pump. The right to take water from such works is based upon Per- mit No. 20949. The source of supply from which such water is diverted is subterranean from a well at a point 10 rods north and 5 rods west of the SE corner of the SW 1/4 of Section 35, Township 7 North, Range 4 E. B. M.	The date of priority which said user is prepared to establish is February 14, 1949. MARK R. KULP State Reclamation Engineer pub. April 21, 28, May 5, 12, 1949
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20949

✓
June 1, 1949

Re: Permit No. 20949

Mr. Emory Lent
Newdale, Idaho

Dear Mr. Lent:

We acknowledge receipt of the depositions of yourself and two witnesses in proof of beneficial use under Permit No. 20949.

However, the Affidavit of Publication is a necessary part of this proof and if you have not received it from the Fremont County News, we suggest that you take the matter up with them and forward the affidavit to this Department at your early convenience.

Very truly yours,

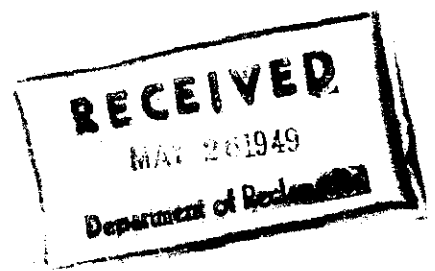
MARK R. KULP
State Reclamation Engineer
B.

Chief Clerk

A:bh

20949

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 20949

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Emry Lent; Newdale, Fremont County, Idaho; farmer; Newdale, 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. Not a corporation

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

Ans. 20949; permit was granted 21st February, 1949; priority Feb. 14, 1949

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

Ans. the water comes from a subterranean source; the point of diversion is 15 rods north and 5 rods west of SE corner of SW $\frac{1}{4}$ of Sec. 35, T. 7 N., Range 41 E. B. M.

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

Ans. It is an 8 inch pipe with 10 inch Johnson pump pulled by Gray Marine 671 Diesel engine, capable of carrying a maximum of 3 second feet or 150 inches 300 ft. pipe (length) is the conduit.

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 of farm land. 160 acres in the SW $\frac{1}{4}$ of Sec. 35, T. 7 N., R. 41 E. B. M. The land is cultivated. As a direct result of the use, the land has been converted from dry farm land to irrigated land.

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc. not for other purpose.

Ans. _____

20949

Hart

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

Ans. 3 second feet, or 150 inches

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. I am the person to whom the permit was granted.

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

Ans. It was used in the fall of 1948 and has been used in the spring of this year. The entire amount allowed has been used and has been used in preparing the crop for this year. over the entire farm.

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. I own 51 shares of Canyon Creek Water in addition to the water obtained through this permit. That water is used for irrigation of my farm but is not sufficient to irrigate it. After the spring of the year it dries up and I have no water from that source.

(Sign)

Emmy Lou

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 St. Anthony, County of Fremont,

State of Idaho, on this 21st day of May 1949

Notary Public

Residing at: St. Anthony, Idaho

My commission expires Jan. 23, 1950

20949

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20949

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. L. Dean Davis, 29 years of age, Conservation Officer, St. Anthony, Idaho

Ques. 2. Are you acquainted with Emry Lent, the holder of Permit No. 20949? How long have you known him and where does he reside?

Ans. I am; three years; Newdale, Idaho

Ques. 3. Have you read or heard read said Permit No. 20949, and are you familiar with its provisions and conditions?

Ans. I have; 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. Subterranean; Emry Lents Farm; A well; a pump, and a conduit pipe;

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. three; three.

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. Irrigation; Emry Lent's Farm in Sec. 35, T 7 N., R. 41 E. B. M.
The land is cultivated; The irrigation has changed dry farm land to irrigated
land.

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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. Dry farm land; ~~Three second feet necessary for profitable cultivation~~

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. In the fall of 48 and this srping. ~~It seems to be accomplishing~~
~~the desired purpose and is used on the entire farm, to the full amount~~
allowed.

(Signed) J. Dean Davis

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 St. Anthony, Idaho,
County of Fremont ~~St. Anthony~~, State of Idaho, on this 21st day of May,
A. D. 1949.

[Signature]

Notary Public.

My commission expires Jan. 23, 1950

20949

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20949

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. Clarence Hawes, 55 years of age, of Newdale, Idaho, farmer, Newdale, Idaho

Ques. 2. Are you acquainted with Emry Lent, the holder of Permit No. 20949? How long have you known him and where does he reside?

Ans. Yes; 5 years; He lives at Newdale, Idaho

Ques. 3. Have you read or heard read said Permit No. 20949, and are you familiar with its provisions and conditions?

Ans. yes; 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. It comes from underground, near the South-East corner of the SE $\frac{1}{4}$ of Section 35, T. 7 N., R. 41 E. B. M.; It is a well and pump

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. 150 inches; ^{per day.} same

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. Irrigation; farm land in the SW $\frac{1}{4}$ of the Sec. 35, T. 7 N., R. 41 E. B. M.
The land is cultivated and is about 160 acres in the section, mentioned above.
It has changed the land from dry farm land to irrigated land capable of
producing crops common to irrigated land, as well as the ordinary dry farm
crops.

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

Ans. _____

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

Ans. The land was dry farm land, a sort of clay soil, is capable of raising ordinary farm crops common in the area if irrigated, as it is now. It would require about an inch to the acre *per day*.

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. None whatsoever.

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. In the fall of 1948 and now in the spring of 1949. I am a neighbor and have noted that the entire amount allowed was used, and it seems capable of rendering the farm capable of raising ordinary farm crops which it has not been able to raise before.

(Signed) *Laurence H. Hanks*

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 St. Anthony, Idaho, County of Fremont, State of Idaho, on this 21st day of May, A. D. 1949.

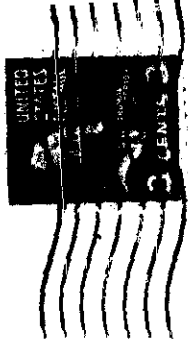
[Signature]

Notary Public.

My commission expires Jan. 23, 1950.

20949

WILLARD C. BURTON
ATTORNEY AND COUNSELOR AT LAW
Griddle - Toone Building
ST. ANTHONY, IDAHO



STATE OF IDAHO

Department of Reclamation

Boise, Idaho

20949

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

Notice is hereby given that at 10:30 A. M. on the 21st day of May, 19 49,
at St. Anthony, County of Fremont, State of Idaho, before
Willard C. Burton, Notary Public, proof will be submitted of the
application to beneficial use of three cubic feet per second of the waters of subterranean flow
in accordance with the terms and conditions of Permit No. 20949
heretofore issued by the Department of Reclamation of the State of Idaho.

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

Eary Lent of Newdale, Idaho

The use to which said water has been applied is for irrigation purposes on applicant's
farm

The amount applied to beneficial use is 3 cubic feet per second

The place where said water is used ~~(if for irrigation, give full and accurate description of the~~
~~lands irrigated)~~ The South-West Quarter of Section 35, Township 7 N., Range 41
E. Boise Meridian

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

The right to take water from such works is based upon Permit No. 20949
from a well

The source of supply from which such water is diverted is subterranean/at a point
15 rods north and 5 rods west of the SE corner of the SW $\frac{1}{4}$ of Section 35, Township
7 North, Range 41 E. B. M.

February 14, 1949

The date of priority which said user is prepared to establish is January 16, 1948

MARK R. KULP

State Reclamation Engineer.

20949

✓
April 7, 1949

Re: Permit No. 20949

Mr. Willard C. Burton
Attorney at Law
St Anthony, Idaho

Dear Mr. Burton:

We enclose Certificate of Completion of Works issued under Permit No. 20949 in the name of Emory Lent for the diversion of three second feet of water from a well in the NE¹/₄ SW¹/₄ Section 35, Township 7 North, Range 41 East, E.M. for the irrigation of the SW¹/₄ Section 36.

We also enclose Departmental Receipt No. 21401 for the \$5.00 fee paid in connection with Completion of Works Proof.

Notice of Beneficial Use Proof to be made under this Permit on May 21 will be sent to the Fremont County News with instructions to publish it once a week for four consecutive weeks prior to that date and to send Mr. Lent the Affidavit of Publication together with statement of costs.

We have had to change the priority date to be established under this Permit as the date the application is filed is the earliest priority that can be established under the Permit. In this case, it would be February 14, 1944.

While it is true that the law requires that Beneficial Use Proof be made within six years of date of completion, that is the maximum length of time that can be allowed and such proof can be made at any earlier date that the Permit holder is prepared to make it.

This proof is made by the Permit holder and two witnesses on forms enclosed and should not be made until the date set for proof in the publication notice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20949

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 20949

Date: April 16, 1949

Fremont County News

St. Anthony, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **May 21, 1949**, the date set for proof, the expense of the publication to be paid by the applicant, **Emory Tent** of Newdale, **Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

20949

Permit No. 20949

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Fremont

ss.

Emory Lent

, 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. 20949, and that his postoffice address is Newdale, State of Idaho.

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

Third: That the point of diversion of said water is approximately 15 rods north and five rods west of the South-East corner of the South-West Quarter of Section 35, Township 7 N, Range 41 E. B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 21, 1949.

Fifth: That the use for which said water is intended is irrigation of farm land.

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: Well and pump
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) ~~Height of dam~~ feet, length of dam at top ~~feet~~, length of dam at bottom ~~feet~~, Depth of Well 325 feet, material used in construction ~~xxxxxx~~

Well is through hard rock and is not lined, surface is concrete.
(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit 8" Diam. pump well 13 inches in diameter, width at bottom feet, width at water line ~~xxxxxx~~
(State whether ditch, flume or pipe)

ten inch pump discharges through 8 inch column feet, depth of water feet, diameter of pipe inches, average grade per mile is feet, Length of conduit is miles

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

Eighth: That water appropriated under said permit is available for 170 acres of land described as follows: SW 1/4 of Section 35 Twp. 7 N., R. 41 E. B. M.

Ninth: Remarks: That

Emory Lent
(Sign Here)

Subscribed and sworn to before me this 3rd day of March, 1949

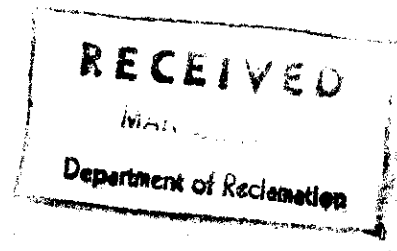
My commission expires Jan. 23, 1950

Notary Public.

20949

WILLARD C. BURTON

ATTORNEY AT LAW
ST. ANTHONY, IDAHO



State Department of Reclamation
Boise, Idaho

Dear Sir:

The enclosed papers relate to proof of completion of works on Emry Lent's application for permit to divert subterranean waters, permit No. 20949. Also enclosed is notice for publication of application of water to beneficial use.

I did not know what date to use for the proof of application to beneficial use. The well has actually been dug and the pump installed and the water used before the application for permit was ever made, and proof of its application to beneficial use can be made by Mr. Lent at any time after Proof of completion of works has been accepted. Since the date for that has been set for the 21st of May, I have chosen that date as the time when he will be prepared to prove the application to beneficial use. I note that the law prescribes that the proof of beneficial use must be made within 6 years from the date of completion, but I do not note a minimum time for making it, and assuming that it may be made at any time after completion when the proof is ready, I have chosen the earliest time, May 21st. If you feel that the date should be later, we will accept whatever other date you choose to substitute.

I note that two affidavits must be filled out to show application to beneficial use, and notice must be given the department that the applicant is ready to submit proof of beneficial use on forms to be supplied by the department. I suppose that those affidavits may be filled out any time before the date set, but to date we do not have the forms. I assume that they will not be sent until proof of completion of works has been accepted and certificate issued. But I note that the publication is supposed to be made after the notice of readiness to prove beneficial use has been made. For that reason, it may be that you will want to change the date for such proof to a date reasonably later than the date on which the notice may be sent.

Very truly yours,

Willard C. Burton

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NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 3rd, 1949

(P. O.) Bewdale, Idaho

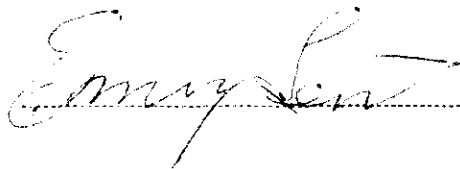
STATE RECLAMATION ENGINEER

TO THE ~~COMMISSIONER OF RECLAMATION~~:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Fremont County News of St. Anthony, Idaho, published in
the county in which the works are situated.



(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.

20949

February 22, 1949

Re: Permit No. 20949

Mr. Willard C. Burton
Attorney at Law
St. Anthony, Idaho

Dear Mr. Burton:

We enclose Permit No. 20949 in the name of Emory Lent; also Departmental Receipt No. 21281 for the \$5.50 filing fee.

Since the Application states that the work is completed and all that remains is to make your statutory proofs, we have allowed three months, or until May 21, 1949, within which to make the Proofs.

The Affidavit of Completion of Works, of course, could not be accepted until the Application for Permit was approved, and Permit issued.

We enclose Form 6 which is the regular form used for making Proof of Completion of Works. This should be executed by Mr. Lent before a Notary Public and returned to this Department with the Statutory fee of \$5.00, upon receipt of which, a Certificate of Completion of Works will be issued.

Beneficial Use Proof requires publication once a week for 4 consecutive weeks in a county newspaper. This notice should be made out in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom the proof is to be made. The time, of course, should be set sufficiently far ahead to allow for the 4 weeks publication.

Both copies of Form 10 should be returned to this Department, together with Form 11, which is Mr. Lent's authorization for us to have the notice published at his expense, in the designated County newspaper.

We shall then send a copy of the notice to the newspaper, with instructions to publish same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

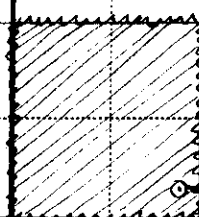
20949

T. 7 N., R. 41 E.

34

35

36



Point of Diversion - Well

Permit Map No. 20949

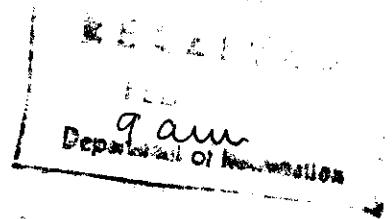
As Approved

FEB 21 1949

MARK R. KULP

State Reclamation Engineer

WILLARD C. BURTON
ATTORNEY AT LAW
ST. ANTHONY, IDAHO
February 7, 1949



Department of Reclamation
State of Idaho
Boise, Idaho

Gentlemen:

The enclosed papers, I believe, are self explanatory. Mr. Emry Lent has drilled a well upon his property, approximately 200 ft. deep - I don't know the exact depth - and has installed a pump for the purpose of bringing water upon his land from this subterranean source for irrigation purposes, all of which is alleged in the affidavit enclosed.

Mr. Lent understands that for the purposes mentioned above, a well and pump installed in the manner mentioned upon his own property need not be approved by the State. He understands, however, that the water he has tapped is the same water that flows under the land of many of his neighbors, and he realizes that other neighbors may in the future appropriate that water as he has done, and he would like to have on file his permit as a prior appropriator. Furthermore, he has been informed that there is some indication that a law may be passed in the near future requiring such appropriators to obtain a permit, and if that is so, he would like to have his on file to answer the purpose of such a law that might be passed.

Realizing that the filing was not required, when he first started the work on this project, he did not fill out the application - which, as I understand it, should have been done. It appears that the application should be filed and the permit obtained before work is begun. However, in this instance, since the particular work does not come within the provisions of the law, it was believed, when he decided to apply that perhaps that fact would not prevent his application being acted upon.

We understand that further work must be done in this connection before the work can be accepted, in the way of publication, etc., and if you will send us the forms with the corresponding instructions, we shall be glad to comply.

Very truly yours,

Willard C. Burton

20949

AFFIDAVIT

STATE OF IDAHO)
 : ss
COUNTY OF FREMONT)

Emry Lent, being first duly sworn, deposes and says: That he is the person whose application is being tendered for a permit to appropriate the public waters of the State of Idaho; that the name of the applicant is: Emry Lent; that the Post Office Address of the said applicant is: Newdale, Idaho; that the permit has not been granted yet and that a number has not been yet assigned to it; that nevertheless, affiant has already completed the works by which the contemplated appropriation of water is to be accomplished; that the source of the said water is subterranean, said water existing feet under the surface of the land, the real property description of which land is:

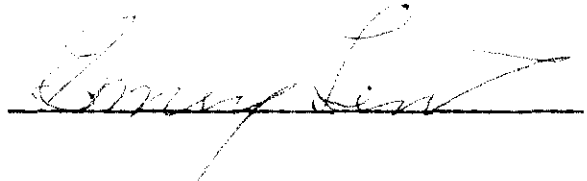
The South-West Quarter of Section 35
Township 7 North, Range 41 E. B. M.

that the said water is reached by a well and is brought to the surface and made available for irrigation purposes by means of a pump; that affiant Emry Lent, is the owner and in possession of the said property described as the South-West Quarter of Section 35, Township 7 North, Range 41 E. B. M.; that the said well and pump have been constructed at a place on that said property about 15 rods north and five feet west of the North-East corner of said Quarter Section, and on the said property owned by affiant; that the purpose for which said well and pump have been constructed is to afford irrigation water for said South-West Quarter of said Section 35, Township 7 North, Range 41 E. B. M. for agricultural purposes; that without such supply of irrigation water, there is not sufficient water available for the irrigation of the said tract of land; that the works, well and pump, for appropriation of water have been constructed prior to making of application for a permit to use such waters, for the reason that affiant did not realize until recently that such permit was necessary to appropriate water beneath his own property and for benefit of his own property and by means of construction wholly upon his own property; that he is now making such application and tendering with such application this proof of completion

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of works; that the total cost of construction has been about \$12,000.00;
that the same is wholly paid;

Wherefore, affiant requests that he be granted a permit to
so appropriate said waters, that this affidavit be accepted as proof
of completion of works, and that affiant be furnished with necessary
forms, notices, depositions, etc., for proof of beneficial use of said
appropriation, and that a date be set for the taking of such proof.



Subscribed and sworn to before me this 5th day of January, 1949.



Notary Public

Residing at: St. Anthony, Idaho

Affidavit can not be
considered
~~accepted~~ as proof of
completion of work unless
application for permit is approved
and permit issued.

app 28403

20949