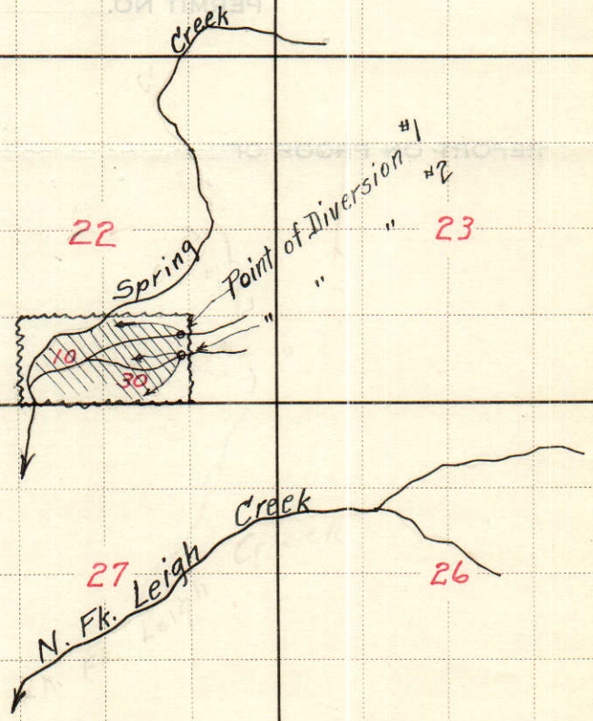
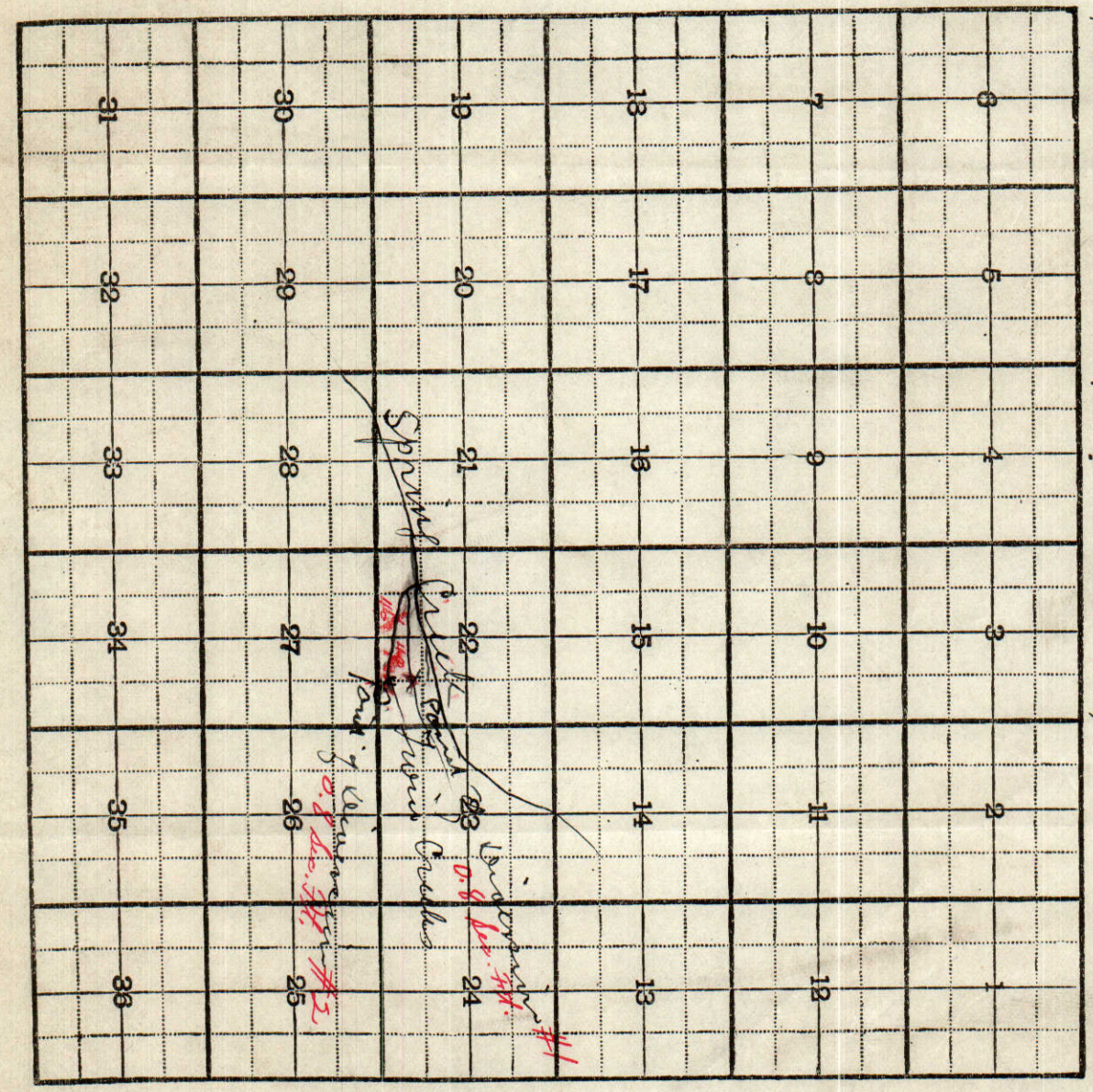


SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

16567

Lydia Phillips

TOWNSHIP PLAT



Printed and for sale by Syms-York Co., Boise

Permit Map No. 16567
As Approved
AUG 28 1926
W. G. SWENDSEN
Commissioner of Reclamation

16567

State of Idaho

License and Certificate of Water Right

Water License No. 16567 — Amount 0.8 second foot

Water District No. — Priority December 10, 1926

THIS IS TO CERTIFY that LYDIA PHILLIPS of Tetonia, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 23, , 1926 ; that Permit No. 16567 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.75 second feet, was issued thereunder on March 27, , 19 31 , showing that said works were completed on the 23rd day of February ,19 31; and that on the 15th day of June ,19 31 ,

LYDIA PHILLIPS

of Tetonia , State of Idaho , made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Twin Creeks , a tributary of Spring Creek , for the purpose of Irrigation and culinary uses , under Use Permit No. 16567 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 4504 , on the 24th day of January , 1950 ;
and License issued to Jedediah Phillips, Assignee of Lydia Phillips;
The right hereby confirmed dates from December 10, 1926 , ~~xxx~~ ;

The Point of Diversion is located in the SW¼ SE¼ ~~in the~~ ~~¼~~ ~~¼~~, Sec. 22 , Tp. 6 N. , R. 45 E , B. M. Teton County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	45 E.	22	SE¼ SW¼	40	10
			SW¼ SE¼	40	30
					40

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 24th day of January , 1950 .

MARK R. KULP
State Reclamation Engineer

(SEAL)

2117

No 16567

22-2117

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

Application No. 23441
Permit No. 16567
District No.

1. Name of Applicant: Lydia Phillips

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

2. Quantity of water claimed: 1.75 cubic feet per second.

3. Source of water supply: Twin Creeks which is a tributary of Spring Creek

4. Location of point of diversion: feet distant from the #1-0.8 sec. ft. / #2-0.8 sec. ft. SW¼ SE¼ corner of Section , T. , R. , B. M., and is in the of Section 22 , T. 6 N. , R. 45 E., B. M., County of Teton

5. Water is to be used for: irrigation and culinary purposes.

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: $ 100.00

8. Kind of works: earth dam and ditch (1 ditch from each stream)

9. Height of dam #1 5 / #2 6 feet; length of dam at top 30 / 50 feet; length of dam at bottom 15 / 20 feet; material used in dam: earth

10. Size of headgate: Width none feet; height feet.

11. Ditches Width at bottom 2 feet; width at water line 2½ feet; depth of water 1 feet; dimensions of flume

Diameter of pipe inches; length of conduit #1-¼ #2-¼ miles.

Average grade per mile 10 feet.

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

13. The time required for the complete application of the water to the proposed use is no additional years.

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

16567

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

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

Lydia Phillips *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: 9 A. M., Aug 23, 1926.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16567
Recorded in Book 59 Page 16567 Approved August 28, 1926
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 27, 1926 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 November 28, 1926
The whole of said work to be completed on or before February 28, 1931
Beneficial use of water appropriated in accordance herewith, to be made on or before February 28, 1931

Witness my hand this 28th day of August, 1926.

W. G. SWENDSEN
Commissioner of Reclamation.

Remarks:

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	
6 N.	45 E.	22												40			40		80

Permit No. 16567

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Lydia Phillips, of Tetonia, County of Teton, and State of Idaho, the holder of Permit No. 16567, issued upon Application No. 23441, bearing date of priority of August 23, 1926, authorizing the diversion of 1.75 second feet of the waters of Twin Creeks, County of Teton, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.75 second feet of the waters of Twin Creeks; that the point of diversion of said waters is in the $SW\frac{1}{4}SE\frac{1}{4}$, Sec.22, Twp. 6 N., R. 45 E.,B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: $SE\frac{1}{4}SW\frac{1}{4}$ and $SW\frac{1}{4}SE\frac{1}{4}$, Sec. 22, Twp. 6 N., R. 45 E.,B.M.

Witness my hand this 27th day of March, A. D. 1931.

GEO. N. CARTER
Commissioner of Reclamation.

Proof of completion of works made Feb.23,1931
Certificate of Completion issued Mar.27,1931

WARRANTY DEED

Instrument 26650

THIS INDENTURE, Made the 22nd day of August, in the year of our Lord, One Thousand Nine Hundred and Thirty-four , between Lydia Phillips, a widow, of the County of Teton, and State of Idaho the party of the first part, and Jedediah Phillips her son, of the County of Teton, and State of Idaho, the party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One....Dollars, and other valuable consideration lawful money of the United States of America to her in hand paid by the said party of second part the receipt whereof is hereby acknowledged, does by these presents, Grant, Bargain, sell and Convey and Confirm unto the said party of the second part and to his heirs and assigns forever all that certain lot, piece or parcel of land situate, lying and being in the County of Teton, and the State of Idaho, and bounded and described as follows, to-wit:

> The Southwest quarter of the Northeast quarter; the East Half of the Southwest quarter; the West Half of the Southeast quarter and the Southeast quarter of the Northwest quarter of Section Twenty-two, Township Six North, Range Forty-five, East of Boise Meridian, subject to all liens and encumbrances of record.

together with all and singular the tenements, hereditaments and appurtenances water and water rights, thereunto belonging, or in any wise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, ALL and singular the said premises together with all appurtenances and privileges thereunto incident, unto the said party of the second part, to his heirs and assigns, forever. And the said party of the first part and her heirs, the said premises in the quiet and peaceable possession of the said party of the second part his heirs assigns, against the said party of the first part, and her heirs, and against all and every person or person whosoever, lawfully claiming or to claim the same, shall and will warrant any, and by these presents forever defend.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of) (SEAL)
Robert R. Wedeking) Lydia Phillips (SEAL)
) (SEAL)

STATE OF IDAHO)
County of Teton) ss.

On the 22nd day of August, in the year 1934, before me, Albert Choules a Notary Public in and for said County and State, personally appeared Lydia Phillips a widow, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

Albert Choules
Notary Public for the State
of Idaho,
Residing at Driggs, Idaho

(Notarial seal)
My Commission expires:
July 1 1935

Filed for record at the request of Jedediah Phillips at 50 minutes past 3 o'clock P.M., this 22nd day of August, 1934.

Earl Floyd, Recorder

Received and filed for record in the Department
of Reclamation at Boise, Idaho, at
9:00 A.M. January 19, 1950

Mark R. Kulp
State Reclamation Engineer.

0.8 SEC. FT.
page 4504

WATER RIGHT NUMBER 22-2117

OWNER LAST NAME - PHILLIPS FIRST NAME - LYDIA ORIG OWNER -
ADDRESS LINE 1 - ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - TETONIA STATE - ID ZIP CODE - 83452
SOURCE - TWIN CREEKS TRIBUTARY OF - SPRING CREEK
STAGE - LICENSE STATUS - PRIORITY - 12-10-1926 COUNTY - TETON TOTAL DIV. RATE - .8000 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SWSE 22 06N 45E LOT 00 REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
SWSE 22 06N 45E LOT REDIV - 272.0 489.0 10.0 6.0 0.0 0.0 0.0 0.0 0.0 0.0 8.9
FROM - 00-00 TO - 00-00 USE - IRRIGATION USE DIV. RATE - .8000 CFS USE DIV. VOLUME - .00 AFA
FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .0000 CFS USE DIV. VOLUME - .00 AFA
USE - IRRIGATION PLACE OF USE - TWN 000 RNG 000 SEC 00
USE - IRRIGATION PLACE OF USE - TWN 06N RNG 45E SEC 22 TRACT SESW LOT AC 10 TRACT SWSE LOT AC 30
DECREE NAME - DATE - TOTAL ACRES 40
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 16567
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

January 26, 1950

Re: Permit No. 16567

Mr. J. I. Phillips
Tetonia, Idaho

Dear Mr. Phillips:

We return herewith the certified copy of deed from Lydia Phillips to yourself, which has been duly recorded in this Department, in connection with Permit No. 16567.

We enclose License and Certificate of Water Right confirming your right to the use of 40 inches or 0.8 cubic foot per second of water from Twin Creeks, a tributary of Spring Creek, with points of diversion in the SW¼ SE¼ of Section 22, Township 8 North, Range 45 East, B.M., for irrigation and culinary use on 40 acres in the SE¼ SW¼ and SW¼ SE¼ of said Section 22; priority date December 10, 1926.

We also enclose Departmental Receipt No. 22038, for $4.50, which includes $4.00 license fee, and 50 cents for recording the deed.

Very truly yours,

M. K. KULP
State Reclamation Engineer
By

Chief Clerk

Encls.

16567

C. A. ROBINS
GOVERNOR

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

January 19, 1950

Re: Permit No. 16567

JAN 24 1950
Department of Reclamation

Mr. J. I. Phillips
Tetonia, Idaho

Dear Mr. Phillips:

We acknowledge receipt of certified copy of Warranty Deed from Lydia Phillips to Jededish Phillips, together with your check for $4.00, both sent in reply to our letter of October 26, 1949, advising that License could be issued in your name upon receipt of evidence that you are the present owner of the water right under Permit No. 16567.

There is a fee of fifty (50) cents for recording this Deed, for which please send us your check, and upon receipt thereof, License will be issued to you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By Jeanne L. Anderson
Chief Clerk

A:bh

16567

C. A. ROBINS
GOVERNOR

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

October 26, 1949

Re: Permit No. 16567

Mr. J. I. Phillips
Tetonia, Idaho

Dear Mr. Phillips:

In reply to your letter of October 21, 1949, in regard to Permit No. 16567 in the name of Lydia Phillips.

The records in this Department show that on December 21, 1931, Mrs. Phillips was informed that upon receipt of the statutory fee of $4.00, a License would be issued.

If you are the present owner of this property, a License can be issued to you upon receipt of the $4.00 fee and a certified copy of the Deed or Decree of Distribution of Lydia Phillips Estate, showing that you are the present owner.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By Jeanne L. Anderson
Chief Clerk

A:bh

16567

October 26, 1949

Re: Permit No. 16567

Mr. J. I. Phillips
Tetonia, Idaho

Dear Mr. Phillips:

In reply to your letter of October 21, 1949, in regard to Permit No. 16567 in the name of Lydia Phillips.

The records in this Department show that on December 21, 1931, Mrs. Phillips was informed that upon receipt of the statutory fee of $4.00, a License would be issued.

If you are the present owner of this property, a License can be issued to you upon receipt of the $4.00 fee and a certified copy of the Deed or Decree of Distribution of Lydia Phillips Estate, showing that you are the present owner.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

16567

RECEIVED
OCT
Department of Reclamation

Tetonia Idaho
Oct. 21 1949

Department of Reclamation
Boise Idaho

Back in 1926 on behalf of My Mother Lydia Phillips I began an application for permit to use water in tributary to Spring Creek (Twin Creeks).

Discribed as follows
Application # 23441
Permit # 16567
Tetonia Teton Co Idaho
Twin Creeks tributary to Spring Creek.

All work was done and all proof was made accept $5.00 for recording fees
reowns 16567

Mother 83 years old & helpless sister became such a burden and finaly died, and the War came on my boy had to go. I was left so hurt that I forgot about this $5.00/100 recording fee.

Could it be this still on your files so it can be recorded?

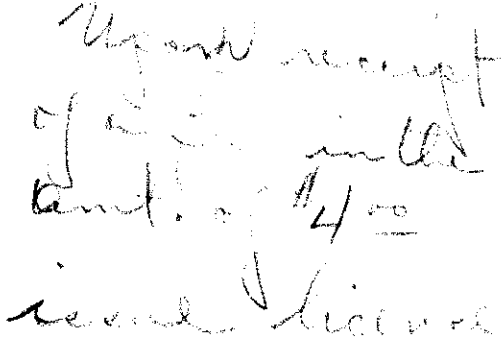
Please let me know and inclose statement of any additional fees.

Thanking you for all favors I am

Jed Phillips

16567

16567



16567

December 21, 1931

Re: Permit No. 16567

Lydia Phillips
Tetonia, Idaho

Dear Madam:

The engineer's report for beneficial use on your permit has been placed on file in this Department. Upon receipt of the $4.00 fee, we will issue you a license.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By_____

PH/LP

16567

Form 28

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

Permit No. 16567

This proof is for BEN. USE In Water District No.

1. Name of applicant: Lydia Phillips
2. Source of water supply: Twin Creeks
3. Location of point of diversion: Is in the - (2 points) SW¼SE¼ of Section 22
   T. 6 N R. 45 EBM County of Teton
4. Describe works as they exist, giving dimensions and capacities of same: Diversion #1 is by earth dam 3' high & 30' long, Diversion #2 is by a similar dam 3 ft. high & 50 ft long. Ditches are 2 ft wide & 1 ft. deep
5. Water is used for: Irrigation and domestic use
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SW¼SE¼ and SE¼SW¼, Sec. 22, Twp. 6 N., R. 45 EBM.

(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:

This examination was made on the 19th day of Oct. 1931

(Signed) Fred A. Dolman
Examiner.

16567

Lydia Phillips

Tetonia

Permit No. 16567

Examination for BEN. USE

County TETON

INSTRUCTIONS TO EXAMINERS

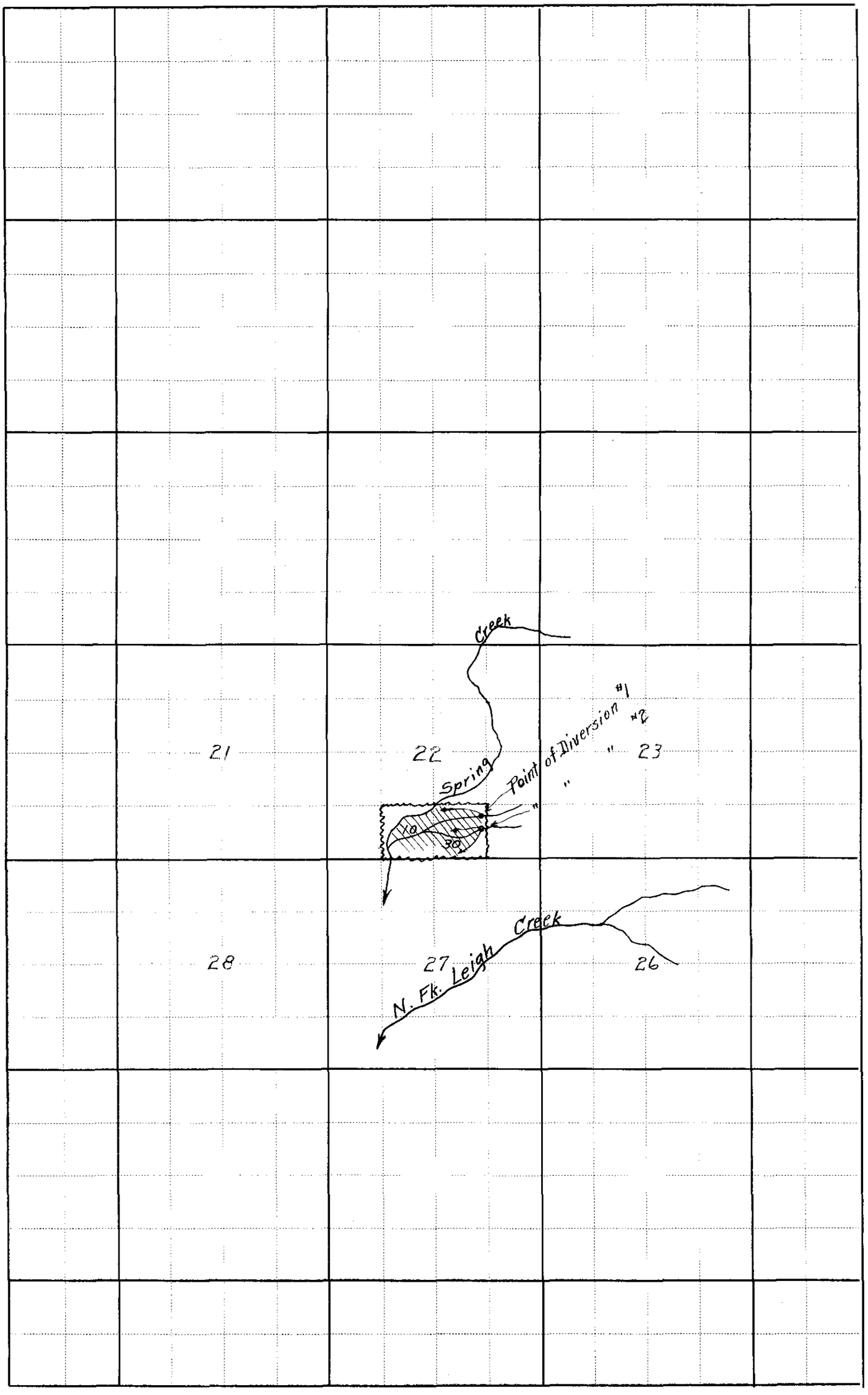
1. Always carefully note the location of the point of diversion, and accurately plat same.

2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.

3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns. lakes, large streams and public roads.

4. If any unusual conditions are discovered, make a plain statement of them under remarks.

5. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.



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

16567

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

REPORT OF ENGINEER

PERMIT NO._____

REPORT ON PROOF OF_____

June 17, 1931

Re:. Permit No. 16567

Mrs. Lydia Phillips
Tetonia, Idaho

Dear Madam:-

We are today in receipt of depositions of yourself and two witnesses in the matter of proof of beneficial use of water under your above permit. These are in proper form and will be held without final action until the examination and report can be made by our field engineer, at which time you will be advised as to fees due before issuing license.

There also remains to be filed the affidavit of publication from the Teton Valley News.

Very truly yours,
R. W. FARIS
Commissioner of Reclamation.

By

Chief Clerk.

16567

Form 16.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No......

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Lydia Phillips, Teton Ida

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. 16567, Aug. 28, 1926, July 1, 1900

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

Ans. Twin Creeks, On west line of SE¼ of SE¼ of Sec. 22, Twp 6, N. R. 45 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. Earth dams, at point of diversion, ditches capable of conveying 2 second feet Private Ditch

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

Ans. For culinary purpose, and irrigating 25 acres, land cultivated, part natural meadow Clearing away brush & plowing wild land

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

Ans. .....

16567

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

Ans. Two second feet

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

Ans. .....

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

Ans. Every season since 1900, I have used about two second feet during irrigating season, and smaller amount at other months

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. .....

(Sign) Lydia Phillips

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 Tetonia, County of Teton, State of Idaho, on this 15 day of June, A. D. 1931.

Notary Public

My commission expires Jan 1, 1933

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO._____

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. [illegible] 37 [illegible]

Ques. 2. Are you acquainted with _____, the holder of Permit No. [illegible]? How long have you known him and where does he reside?

Ans. [illegible]

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

Ans. _____

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water frrom point of diversion to place of use.

Ans. _____, West line of S.E. 1/4 of N.E. 1/4 of Sec. 22, Twp. 6, N.R. 40 E.B.M. Earth 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. 2 second feet

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

Ans. Stockwater and irrigation of south West 1/4 of South East 1/4 of Sec. 22, Twp. 6, R. 40, part plowed, and part natural meadow.

16567

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. Cultivated, and natural meadow 2 acre feet

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. Almost every year for 15 yrs, I have neighbored with Mrs. Phillips, and have been on the land

(Signed) [illegible]

I hereby certify that the foregoing testimony was read to the above subbscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Teloma, County of Teton, State of Idaho, on this day of June 15, A. D. 1931

[illegible]
Notary Public.

My commission expires Jan 1, 1933.

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO.----------

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. Jas Powlson
Victoria Idaho

Ques. 2. Are you acquainted with Lydia Phillips, the holder of Permit No. 16567? How long have you known him and where does he reside?

Ans. 32 years

Ques. 3. Have you read or heard read said Permit No. 16567, 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 frrom point of diversion to place of use.

Ans. Twin Creeks. West line of
N.E. 1/4 of S.E. 1/4 of Sec. 24. Twp. 6
N. R. 45 E B.M.
Earth 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. 2 second feet

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

Ans. Culinery purpose, Also irrigation of
South West 1/4 of South East 1/4 of Sec. 24,
Twp 6, N.R. 45. Part plowed for grain,
and part used for natural meadow

16567

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. Natural meadow, and grain land 2 acre feet.

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. Have worked there in harvest, and have neighbored with Phillips family many years.

(Signed) _____

I hereby certify that the foregoing testimony was read to the above subbscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Selma, County of Teton, State of Idaho, on this day of June 13, A. D. 1921.

_____
Notary Public.

My commission expires Jan. 1, 1923.

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, June 1, 1931

Mrs. Lydia Phillips
c/o A. C. Miner,
Tetonia, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 16567

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On June 15, 1931, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to at Tetonia before A. C. Miner, notary public,

2. When the depositions have been taken, they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

R. W. FARIS

Commissioner of Reclamation.

16567

TETON VALLEY NEWS
F. C. MADSEN, Publisher
Only Newspaper Published in
Teton County, Idaho
We do all kinds of Job Printing. Our Prices
are Reasonable and Our Service Prompt
DRIGGS, IDAHO

May 2, 1931

Department of Reclamation,
Boise, Idaho.

Gentlemen:

"Notice of Proof Application of Water to Beneficial Use, re Lydia Phillips, Tetonia, Idaho, received in today's mail. Will be published in May 7-14-21-28, 1931, issues, as per instructions. Copy of first publication will be sent to your office.

Very truly,

F. C. Madsen

16567

Form No. 11-A

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date April 30, 1931

TETON VALLEY NEWS
Driggs, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 15, 1931, the date set for proof, the expense of the publication to be paid by the applicant, Lydia Phillips, of Tetonia, Ida.,

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,

R. W. FARIS

Commissioner of Reclamation

16567

March 27, 1931.

Re: Permit No. 16567

Mrs. Lydia Phillips
Tetonia, Idaho

Dear Madam:-

Enclosed you will find certificate of completion of works issued under your above numbered permit, with receipt for fees paid.

Very truly yours,
GEO. N. CARTER
Commissioner of Reclamation.
By
Chief Clerk.

Encl.

16567

BUREAU OF WATER RESOURCES
MYRON SWENDSEN
ASSISTANT COMMISSIONER

STATE OF IDAHO

H. C. BALDRIDGE, GOVERNOR
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, COMMISSIONER
BOISE

March 23, 1931.

Re: Permit No. 16567

Mrs. Lydia Phillips
Tetonia, Idaho

Dear Madam:-

We are today in receipt of your notice of proof of beneficial use of water under your above numbered permit. In view of the fact that the proof is being made three months and sixteen days later than the date specified in the permit, the date of priority will be brought down to December 9, 1926. This correction has been made in the notice. One copy will be mailed to the Teton Valley News in time for the required four weeks publication prior to June 15th, the date set for proof, and deposition blanks for holder and two witnesses will be mailed to the notary public, A. C. miner, before whom proof is to be made.

Very truly yours,
GEO. N. CARTER
Commissioner of Reclamation.
By C. B. Browning
Chief Clerk.

P.S.- There yet remains to $5.00 fee for proof of completion of works before the certificate of completion can be issued.

Dept of Reclamation Ida.
Mr. Miner,

Tetonia Ida.
May 25 1931

Complying with the above P.S. I am inclosing my check for $5.00 Thanking you for kindness I am Yours truly
Lydia Phillips

16567

March 23, 1931.

Re: Permit No. 16567

Mrs. Lydia Phillips
Tetonia, Idaho

Dear Madam:-

We are today in receipt of your notice of proof of beneficial use of water under your above numbered permit. In view of the fact that the proof is being made three months and sixteen days later than the date specified in the permit, the date of priority will be brought down to December 9, 1926. This correction has been made in the notice. One copy will be mailed to the Teton Valley News in time for the required four weeks publication prior to June 15th, the date set for proof, and deposition blanks for holder and two witnesses will be mailed to the notary public, A. C. miner, before whom proof is to be made.

Very truly yours,
GEO. N. CARTER
Commissioner of Reclamation.
By
Chief Clerk.

P.S.- There yet remains to $5.00 fee for proof of completion of works before the certificate of completion can be issued.

16567

February 25, 1931.

Re: Permit No. 16567

Mrs. Lydia Phillips
Tetonia, Idaho

Dear Madam:-

We are in receipt of your affidavit for proof of completion of works under your above permit. This has been checked and is satisfactory hence the certificate of completion will be issued upon receipt of statutory fee of $5.00.

It is not the notice of proof of completion of works that is required to be advertised on small filings but the notice of proof of beneficial use of the water. This proof was also due on February 28th. However, this final proof will be accepted when made at a later date than specified in the permit but the date of priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made. If you have used the water for irrigation of the land to the extent you intend, the enclosed blanks should be filled out and returned to this office. The date for making proof should be set far enough ahead to allow for the required four weeks publication of the notice.

Depoaition blanks for the holder and two witnesses will then be mailed to the notary public, or other officer named by you in the notice, before whom proof is to be made.

Very truly yours
GEO. N. CARTER
Commissioner of Reclamation.

By_____
Chief Clerk.

Enc.

16567

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Feb 20 1931

(P. O.) Tetonia Ida.

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

Lydia Phillips

(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.

16567

Form 10

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 15th day of June, 1931, at Tetonia, County of Teton, State of Idaho, before A. C. Miner, notary public, proof will be submitted of the application to beneficial use of 1.75 cubic feet per second of the waters of Twin Creeks in accordance with the terms and conditions of Permit No. 16567, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Lydia Phillips, Tetonia, Idaho

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

The amount applied to beneficial use is 1.75 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW¼SE¼ and SE¼SW¼, Sec. 22, Twp. 6 N., R. 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

The right to take water from such works is based upon Permit No. 16567.

The source of supply from which such water is diverted is Twin Creeks.

The date of the priority which said user is prepared to establish is December 9, 1926.

R. W. Faris

Commissioner of Reclamation.

16567

Form 10

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 15 day of June, 1931, at Tetonia, County of Teton, State of Idaho, before A. L. Minner, , proof will be submitted of the application to beneficial use of ½ 1.75 cubic feet per second of the waters of Twin Creeks in accordance with the terms and conditions of Permit No. 16567 heretofore issued by the of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Lydia Phillips Tetonia Idaho

The use to which said water has been applied is Irrigation & Culinary

The amount applied to beneficial use is ½ second ft

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) S. W. ¼ of the S. E. also S. E. of the S. W. of Section 22 T. 6, R. 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

The right to take water from such works is based upon Permit No. 16567

The source of supply from which such water is diverted is Twin creeks

The date of the priority which said user is prepared to establish is ~~June 15 1931~~ Dec 9-1926

2 Pts in
→ S½ S E - 22-6N-45E

Commissioner of Reclamation.

Tetons

16567

Orig Pri - 8-23-1926
Bk, Pg - 2-28-1931

Pri Aug 23 - 1926 + 3 dis = Nov 23 - 1926 +
[illegible] 16 =
Dec 9 - 1926

Pri ~~[illegible]~~ 28 - 1931
mar 28 [illegible]
apr 28
May 28 - 3 mo -
~~June~~ June 15 = 16 days - [illegible]

23
7
9 do Dec

Form 6

Permit No. 16567

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Teton } ss

Lydia Phillips, 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. 16567, and that his postoffice address is Tetonia Idaho State of

Second: That the name of the stream from which said water is to be diverted is Twin Creeks

Third: That the point of diversion of said water is 1 rod west of the east line of South west 40 of the southeast ¼ of Section 22, Town Ship 6 Range 45

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Feb. 28, 1931.

Fifth: That the use for which said water is intended is Agaculture

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: 2 Dams 2 ditches
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work: ~~Dams 1 ft 6~~ 1,6 ft

(a) Height of dam 1.5, 1.6 feet, length of dam at top 1-30 1-50 feet, length of dam at bottom 1-15 1-20 feet. Material used in construction Earth
(State whether wood, earth, stone or concrete.)

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

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

(d) Conduit ..... width at bottom ..... feet, width at water line .....
(State whether ditch, flume or pipe.)
feet, depth of water ..... feet; diameter of pipe ..... inches, average grade per mile is 10 feet. Length of conduit is #1 = ¼ #2 = ¼ miles.

Seventh: That said works are capable of conducting to the place of intended use 1.75 second feet of water.

Eighth: That water appropriated under said permit is available for 40 acres of land described as follows: in South west of the South east ¼ & the southeast ¼ of the southwest ¼ of Section 22 Town Ship 6 N. Range 45

Ninth: Remarks: That

Lydia Phillips
(Sign here)

Subscribed and sworn to before me this 23 day of Feb, 1931

A. A. Miner
Notary Public.

My commission expires Jan 6 1933

16567

Form No. 9

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Dec. 1, 1930

Lydia Phillips

Tetonia, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. ...16567....., which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is....Feb.28,1931 ....., and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

GEO. N. CARTER,
Commissioner of Reclamation.

16567

Form

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Lydia Phillips
Tetonia, Idaho

Boise, Idaho, Dec. 1,1930

Dear Sir:—

Under the terms of your permit No. 16567 you are required to complete your diversion works on or before Feb.28,1931. 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,

GEO. N. CARTER

Commissioner of Reclamation.

16567

Form No. 18

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 16567 Sept. 1, 1926

Lydia Phillips
Tetonia, Idaho

Boise, Idaho,

Dear Sir:

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

Enc:Permit-R#11468

W. G. SWENDSEN
Commissioner of Reclamation.

16567

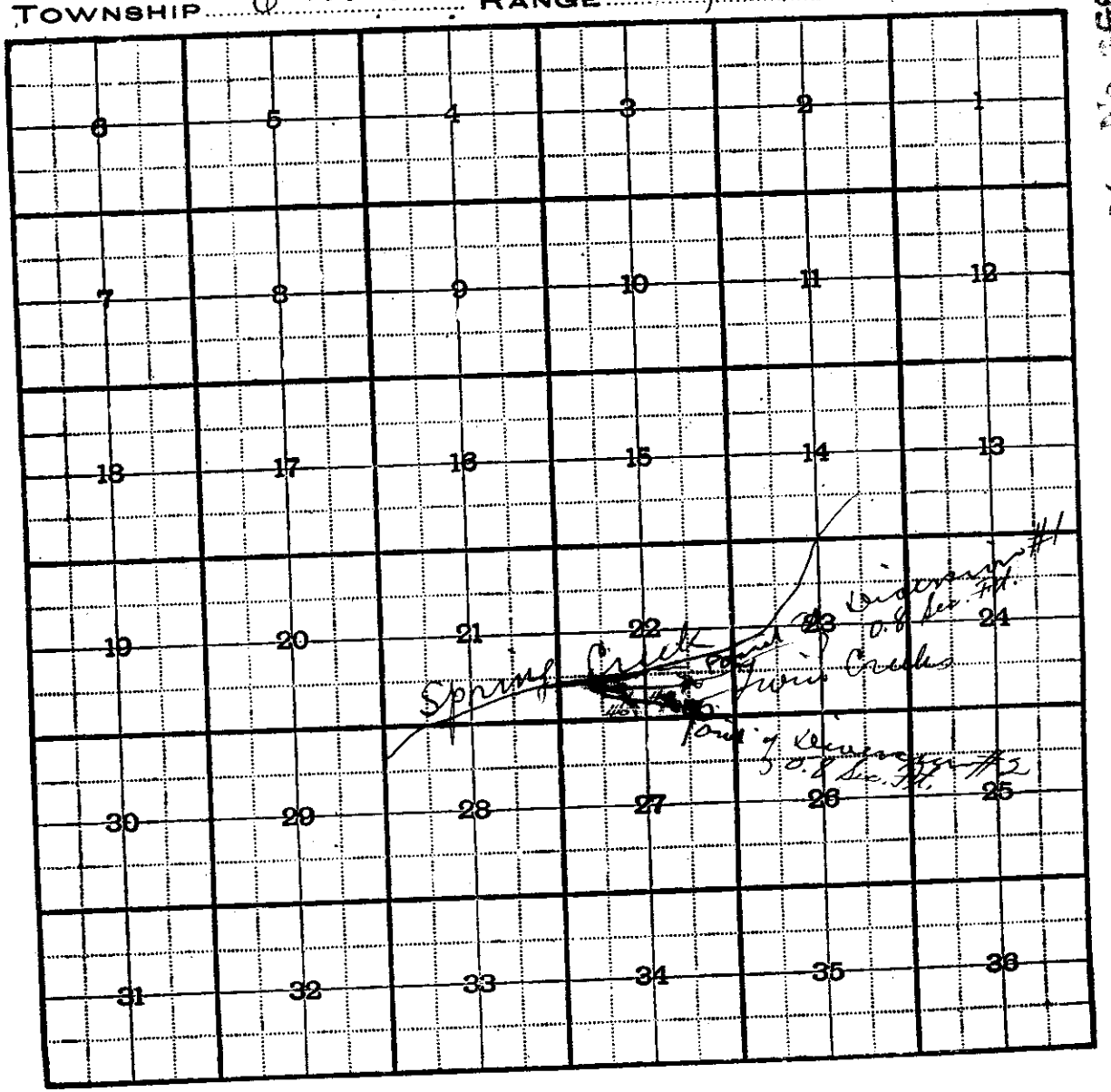
TOWNSHIP PLAT

Printed and for sale by Syms-York Co., Boise

6 - 45

SCALE: ONE INCH TO MILE

TOWNSHIP 6 North RANGE 45 E.



Lydia Phillips

Permit Map No. 46567
As Approved

W. G. SWENDSEN
Commissioner of Reclamation

16527

B. W. DRIGGS
ATTORNEY-AT-LAW
DRIGGS, IDAHO

Aug.20,1926

Mr. W.G.Swendsen

Com.of Reclamation, Boise

Dear Sir:

I had none of your form of maps for inclosed. If these will not do kindly make copy on your form or send blanks to me and oblige.

These "Twin Creeks" are two small streams that run through the land of applicant and been used by her for 30 years,but she has no record title. The land consums all the water in these two little streams.

Yours truly,

B.W.Driggs

16567