

NAME OF APPLICANT Thomas E. Murphy

Beneficial use
Permit #13497

(7/23/21)
H.



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

13497

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a.m. on the 12th day of July, 1919, at Rexburg, County of Madison, State of Idaho, before R. D. Thatcher, U. S. Commissioner or Notary Public, proof will be submitted of the application to beneficial use of one-half of one ($\frac{1}{2}$ of 1) cubic foot per second of the waters of unnamed spring tributary to the Teton River in accordance with the terms and conditions of Permit No. 13497 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Thomas E. Murphy, Rexburg, Idaho.

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

3. The amount applied to beneficial use is one-half of one cubic foot per second.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Intake on SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 24, Twp. 7 North of Range 43 East of Boise Meridian, and point of delivery and use on the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of above section, township and range.

5. The date of the priority which said user is prepared to establish is February 25th, 1918.

W. G. SWENDSEN,
5-29 6-19 Commissioner of Reclamation.

AFFIDAVIT OF PUBLICATION

I, F. C. Madsen, Publisher of the Teton Valley News, a newspaper published weekly at Driggs, Teton County, Idaho, do solemnly swear that a copy of the attached notice was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, beginning with the issue

dated May 29, 1919, and ending with the issue

dated June 19, 1919.

F. C. Madsen

Subscribed and sworn to before me this 21st day

of June, 1919.

Reuben Driggs

Notary Public

13497

Name of Applicant

Thomas E. Murphy

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

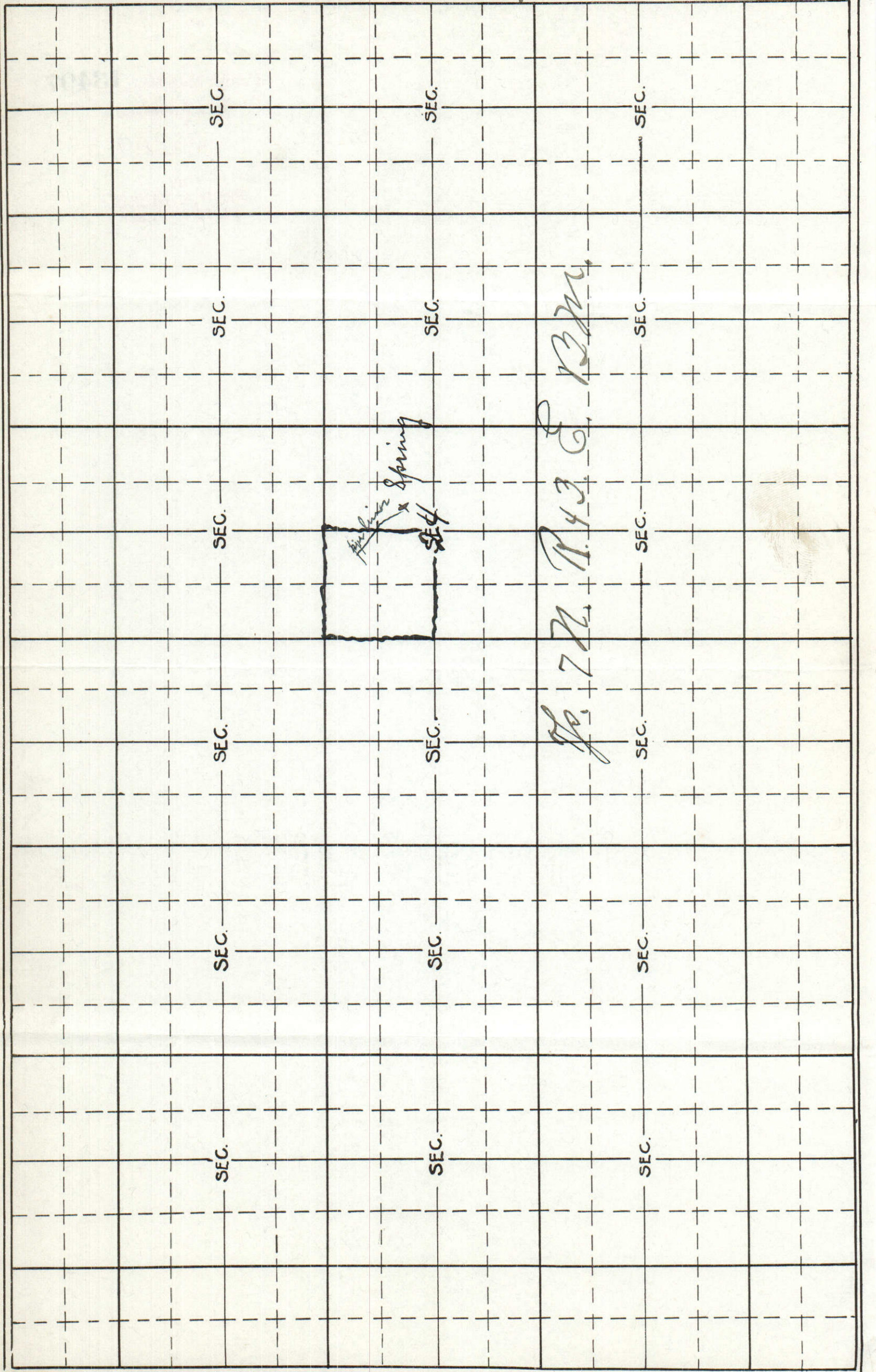
SEC.

SEC.

*Point of view
looking west*

*Sketch
of
structure on
ground*

Name of Applicant Thomas E. Murphy



No. 77. T. 43. E. R. 32.

State of Idaho
License and Certificate of Water Right

Water License No. 13497
Water District No. 36-C

Amount 0.5 sec. ft.
Priority 2-25-18

THIS IS TO CERTIFY that **THOMAS E. MURPHY**
of **Marysville, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **February 25, 1918**; that Permit No. **13497**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.5 second feet, was issued thereunder on **May 19**, 1919, showing that said works
were completed on the **12th** day of **May**, 1919; and that on the **21st**
day of **July**, 1919,

THOMAS E. MURPHY

of **Baxburg,**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of unnamed spring
, a tributary of **Teton River**, for the purpose of domestic
use, under Use Permit No. **13497** of the State Engineer
and that said right to the use of said waters has been perfected in accordance with the laws of
Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
Volume **5** of Licenses, at page **2839**, on the **22nd** day of **September**, 1921;
The right hereby confirmed dates from **February 25**, 1918;

The Point of Diversion is located
in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. **24**, Tp. **7 N.**, R. **43 E.**, B. M. **County of Teton.**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed **0.5** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			To Be used for domestic purposes in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24 , T. 7 N. R. 43 E.		

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this **22nd** day of **September**, 19 **21**.

W. G. SWENDSEN.
Commissioner of Reclamation.

(SEAL)

22 2085

APPLICATION FOR PERMIT 22-2085

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 19161.
Permit No. 13497.
District No. 36 C.

1. Name of Applicant: Thomas E. Murphy,

Postoffice address: Marysville

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: one-half of one cubic feet per second.

3. Source of water supply: Unnamed spring which is a tributary of Teton River.

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{2}$ NE $\frac{1}{2}$

of Section 24 , T. 7 N, , R. 43 E., B. M., County of Teton.

5. Water is to be used for: Domestic 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: \$ 350.00.

8. Kind of works: Ram and pipe line.

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 1 $\frac{1}{2}$ inches; length of conduit 600 feet.

Average grade per mile 45° feet

12. The time required for the completion of such work is two 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. None.

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:

Thos. E. Murphy, Applicant.

By _____ Agent.

Corrected application received April 5, 1918.

The number of this permit is 13497.
Recorded in Book 47 Page 13497 Approved April 11, 1918.
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 June 10, 1918 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 April 11, 1919.
The whole of said work to be completed on or before April 11, 1920.
Beneficial use of water appropriated in accordance herewith, to be made on or before April 11, 1920.

Fred A. Wilkie,
State Engineer.

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	
			This water is to be raised by use of a ram and carried in a pipe line to applicant's premises on the NW¼ of Section 24, Township 7 N., R. 43 East, B. M., to be used for domestic purposes. That the said spring is located on state lands on which this applicant has leased from the state.																
			Works completed May 12, 1919. Certificate issued May 19, 1919.																
			Permit No. 13497 CERTIFICATE OF COMPLETION OF WORKS.																
			TO ALL WHOM IT MAY CONCERN: This is to certify that Thomas E. Murphy of Rexburg, County of Madison and State of Idaho, the holder of Permit No. 13497 issued upon Application No. 19161 bearing date of priority of February 25th, 1918, authorizing the diversion of 0.5 second feet of the waters of an unnamed spring, County of Teton, State of Idaho, for 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 0.5 second feet of the waters of an unnamed spring; that the point of diversion of said waters is in the SW¼NE¼, Sec. 24, T. 7 N. R. 43 E. B. M.; and that the place of use of said water is described as follows; to-wit: NE¼NW¼ Sec. 24 T. 7 N., R. 43 E. B. M.																
			Witness my hand this 19th day of May, A. D. 1919.																
			W. G. Swendsen. Commissioner of Reclamation. By S. T. Baer.																
			License issued for <u>0.5</u> second feet																

WATER RIGHT NUMBER 22-2085

OWNER LAST NAME - MURPHY

FIRST NAME - THOMAS E.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - MARYSVILLE

STATE - ID ZIP CODE -

SOURCE - SPRING

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 02-25-1918 COUNTY - TETON

TOTAL DIV. RATE - 5000 CFS

TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND -

WATER DIST. - 01 DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWNE 24 07N 43E 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

SWNE 24 07N 43E LOT REDIV -

272.0 489.0 10.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 43.6

FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - 5000 CFS USE DIV. VOLUME - .00 AFA

USE - DOMESTIC

PLACE OF USE - TWN 07N RNG 43E SEC 24 TRACT NENW LOT AC

DECREE NAME -

DATE -

TOTAL ACRES 0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 13497

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

March 12, 1926

Re: Permit 13497

Mr. Roy B. Anderson
Rexburg, Idaho

Dear Sir:

The records in this office disclose that you have been granted a license for five tenths of a cubic foot per second of water under Permit 13497, said water to be used for domestic purposes only. The license further sets out the description of the land upon which the spring water is to be so used. Such being the case, I am satisfied that the licensed right is appurtenant to your land.

It is not known to this office how much water you actually receive. If it should be as much as five tenths of a cubic foot per second, obviously, it is a great deal in excess of the amount that could be consumed for domestic purposes and any surplus quite logically would be used for irrigation. I doubt very much if any person could successfully protest your right to use the surplus for irrigation purposes.

Everything considered, it is my opinion that the water from this spring is appurtenant to the land described in the license and in case of conveyance of the land, the water right, either being conveyed or not mentioned at all, would pass with conveyance of the land.

Very truly yours,

Assistant Commissioner
of Reclamation

GNC:E

13497

Permit 13497

License for 0.5 sec./ft. - metric / imperial - only

From Spring

Reburry Idaho
March 8/26

The State Engineer.

Boise Idaho I bought
State Land owned by
Thomas Murphy. Through the
Farmers & Merchants Bank of
Reburry Idaho Mr. Lloyd Adams
is receiver for same. This also is
a water right operated by a
dam which Thomas Murphy
filed on for domestic and
Culinary purposes does
that water right go with
the Land. They told me
it did. would like very
much to know if this water
belongs to the Land. That is was
a appropriated for.

please advise and oblige

Roy Anderson

Reburry
Lemay - Idaho

13497

May 21, 1924.

Re: Permit No. 13497.
Thomas E. Murphy.

Mr. F. L. Soule, *
Attorney at law,
St. Anthony, Idaho.

Dear Sir:-

Referring to your letter of the 19th inst. would say
License was issued under the above permit September 22, 1921,
for 0.5 second feet of the waters of unnamed springs located
in the Southwest quarter of the Northeast quarter of Section 24,
Township 7 North, Range 43 East of Boise Meridian.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

13497

FRANK L. SOULE

LAWYER

FIRST NATIONAL BANK BUILDING

ST. ANTHONY, IDAHO

May 19, 1924.

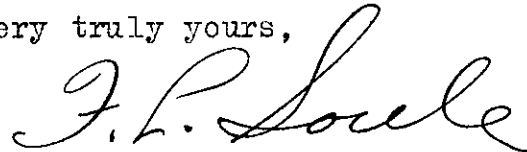
W. J. Swendsen,
Commissioner of Reclamation
Boise, Idaho

Dear Sir:

Will you kindly advise me whether
or not ~~patten~~ has ever issued upon Permit 13497
for the waters of a unnamed spring located in
the Southwest quarter of the Northeast quarter
of Section twenty four, Township Seven North,
Range forty three, and if not then please advise
me whether or not proof of completion of works
and application of water to beneficial use has
been made, so that the same is entitled to patten^t

FLS:LP

Very truly yours,



yes-Ly C. 0.3-

13497

January 6, 1924.

Re: Permit No. 13497

Mr. R. C. Wilson,
c/o Commercial National Bank,
St. Anthony, Idaho.

Dear Sir:

Referring to your of January 3, would say that Thomas E. Murphy is the holder of Permit No. 13497 for 0.5 second feet of the waters of an unnamed spring, located in the SW $\frac{1}{4}$ NE Section 24, Township 7 North, Range 43 East, Boise Meridian.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

CB:E

By

Chief Clerk.

13497



No. 7230

THE COMMERCIAL NATIONAL BANK

J. E. COSGRIFF, President
R. C. WILSON, Cashier C. F. PRICE, Asst. Cashier

ST. ANTHONY, IDAHO

January 3, 1924,

Mr. W. C. Swenson,
Commissioner of Irrigation,
Boise, Idaho.

Dear Sir:

I would like to know if T. E. Murphy, or Thomas E. Murphy, or Camilla Murphy ever signed up a water right or right to use water from a certain spring situated in Teton County.

This water right would be out of the Teton River or if it was a permit to use water from a spring it would be a spring located close to the Teton River.

Any information you can give will be appreciated and if you are unable to give us this information it may be that you can tell us where we can find it.

Yours very truly,

RCW:SRC

Cashier.

13497

July 23, 1923.

Re: Permit No. 13497

Messrs. Taylor & Denman,
Attorneys at Law,
Rexburg, Idaho.

Gentlemen:

We have carefully checked the license issued under the above numbered permit and find that the water is to be used for domestic purposes on the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 7 North, Range 43 East. This description is the same as given in the original permit.

For your information we are enclosing herewith a sketch of the map submitted by the engineer in his report on beneficial use of water under this permit.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

Chief Clerk.

13497

C. J. PROSECUTOR
MADISON
OR
ATTORNEY
INTY

ALVIN MAN

Taylor & Denman
ATTORNEYS & COUNSELORS
COURT HOUSE
REXBURG, IDAHO

July 20, 1923.

Mr. W. G. Swendsen
State Reclamation Commissioner,
Boise, Idaho

Dear Sir:

In Re: Permit Number 13497

Referring to your letter of June 1st, it appears from the State Land Sales Certificates held by Mr. T. E. Murphy that he is purchasing from the State the South half of the Northwest quarter of Section 24, and the West half of the Southwest quarter of Section 12, in Township Seven, North of Range 43, E. B. M. According to your correspondence which we have from you, or from your office the water right held by Mr. Murphy under the above permit covers water from a spring on the Southwest quarter of the Northeast quarter of Section 24. This land lies adjacent to Mr. Murphys property. But from your letter of June 1st it appears that the license granted Murphy is for the use of this water on the Northeast quarter of the Northwest quarter of Section 24. Property, in which so far as we know, Mr. Murphy has no interest. His dwelling and other buildings are located on the Southeast quarter of the Northwest quarter of Section 24, and we are wondering whether by some mistake the license was issued for use on the wrong forty, or whether your letter of the first correctly described the place of use.

May we ask you to recheck this matter and advise us whether there is any mistake? Thanking you we are,

Very truly yours

Taylor & Denman

By:

C. J. Taylor

CJT:HS

NE 1/4 Sec 24 -

7N. 43 E

13497

May 1, 1923.

Re: Permit #13497.

Messrs. Taylor & Denman,
Rexburg, Idaho.

Gentlemen:-

Referring to yours of the 29th ult.,
would say that license was issued under the above
permit for domestic use , on the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 24,
Twp. 7 N., R. 43 E., B.M.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By
Chief Clerk.

13497

Rexburg, Idaho
May 28, 1923.

Commissioner of Reclamation
State House
Boise, Idaho

Dear Sir:

In Re: Permit Number 13497

We have your letter of May 21 and
thank you for the prompt reply to our inquiries.

We have, however, one further question
with respect to this matter, to-wit: Can you
give us a description of the land on which proof
of beneficial use of the water was made, that is,
to what land has the water become appurtenant
under the statute?

Thanking you for an early reply, we are,

Very truly yours,

Taylor & Denman

By:

C. G. Taylor

CJT:HS

13497

RECEIVED

MAY 31 1923

DEPARTMENT OF COMMERCE

domestic purchaser -
no NW-24-72-432

May 21, 1923.

Re: Permit No. 13497.

Messrs. Taylor & Dehman,
Attorneys at law,
Rexburg, Idaho.

Gentlemen:-

Referring to yours of the 19th inst. would say the above numbered permit is held by Thomas E. Murphy, for 0.5 second feet of the waters of an unnamed spring, located in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 24, Twp. 7 N., R. 43 E., B.M., application for which was filed February 25, 1918. Proof of completion of works and beneficial use of water have both been made and the certificate and license issued. The holder of the permit has complied with the terms and conditions of said permit and the right is in good standing upon our records.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By
Chief Clerk.

13497

TAYLOR
PROSECUTING ATTORNEY
M. TETON COUNTY

ALVIN DENMAN

Taylor & Denman
ATTORNEYS & COUNSELORS
COURT HOUSE

REXBURG, IDAHO
May 19, 1923

State Department of Reclamation,
Boise, Idaho.

Gentlemen:

Will you please advise us of the date of the application of Thomas E. Murphy for permit to use the water of a certain spring in Teton County? That date and number of his permit, and as to whether or not he had made proof of application to the beneficial use. We desire to know what the present status of his title to the water is. We would also, like to know what land the spring is on.

Thanking you for a early reply,

we are,

Yours truly,

Taylor & Denman,

By: *C. G. Taylor*

13497

September 23, 1921.

Re: Permit 13497.

Mr. Thomas E. Murphy,
P. O. Box 765,
Rexburg, Idaho.

Dear Sir:

Enclosed you will find Water License
issued under the above numbered Permit, together
with receipt for fees paid.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By _____
Chief Clerk.

CB/E

13497

Reynolds Sept 18, 1921.

W. G. Swendsen Commissioner,
Department of Reclamation
Boise Idaho
Dear Sir:

Enclosed find check for \$5.00 Amount
required for License (or Patent) to
Spring described by Permit 13497.

Awaiting an early reply I am
Respectfully Yours Truly

Thomas E. Murphy.

135 West-main St.

Reynolds, Idaho.

13497

September 13, 1921.

Re: Permit 13497.

Mr. Thomas.E. Murphy,

P. O. Box 765,

Rexburg, Idaho.

Dear Sir:

The report of our examining engineer has just been filed covering your proof of beneficial use of water under the above numbered permit. The fee in this case is \$5.00; immediately upon receipt of the same, license will issue.

Very truly yours,

T. G. SWENDSEN,
Commissioner of Reclamation

By

Chief Clerk.

13497

REPORT OF ENGINEER

This proof is for beneficial use

In Water District No. 36 & B

1. State name of applicant and number of permit: Thomas E. Murphy, Permit: 13497

2. State source of water supply: unnamed spring

3. Location of point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T. 7 N., R. 43 E. B. M.

4. Describe works as they exist, giving dimensions and capacities of same: Hydraulic Ram

18" high x 6" diam set in creek. Discharge pipe 3/4" Intake
pipe 1 1/2" x 200 ft. long head about 50 ft. Disch 1/4 mile
long & elev. of discharge end about 700 feet above ram

5. State whether or not water has been turned into works of diversion: yes

6. Give exact location 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):

Domestic use: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, T. 7 N., R. 43 E. B. M.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? one

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach?

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks: Ram not in operation, Disch pipe 1" diam at end
and 3/4" diameter in central section

This examination was made on the 23rd day of July 1921

(Signed)

Fred S. Polman

Examiner.

13497

(This report must be sworn to when not made by an attache of the State Engineer's office.)

STATE OF IDAHO,

County of _____

} ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 19____

My commission expires _____

Notary Public.

Dist: 36 ^B

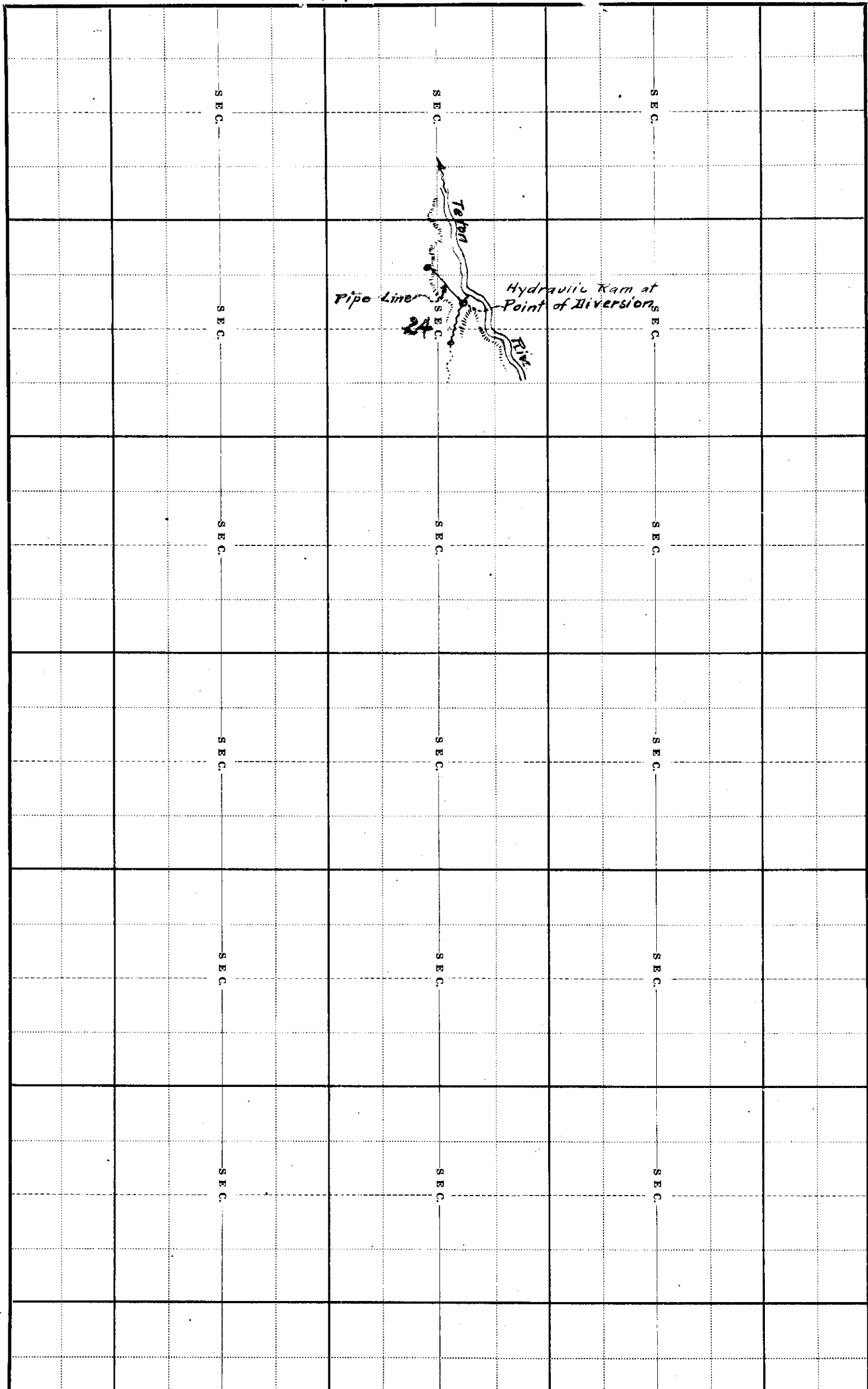
Thomas E. Murphy
Rexburg

Permit: 13497

Instructions To Examiners

1. Examiners will not be permitted to examine any of the records in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own rights in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. 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.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. 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.

NAME OF APPLICANT Thomas E. Murphy Permit # 13497



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

13497

July 18th,
1919

In re: Permit #13497

Thomas E. Murphy,
P. O. Box 765,
Rexburg, Idaho.

Dear Sir:

This will acknowledge receipt of proof of beneficial use and depositions submitted under the above numbered permit. The matter of issuing a license under this permit will be taken up after the statutory examination is made by an engineer from this Department. Due to the great number of examinations that have accumulated in this Department for the past three years which cover the entire state; the reason for such accumulation is unknown to the writer, it will be some time before our field man can reach your territory.

Rest assured, however, that this examination will be made just as soon as possible.

Yours very truly,

W. G. SWENDSEN
Commissioner of
Reclamation

By

L:M

13497

R.H. SMITH,
PRES.

R.D. THATCHER,
MGR.



47

Rexburg, Idaho July 12, 1919.

Mr. W.G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho.

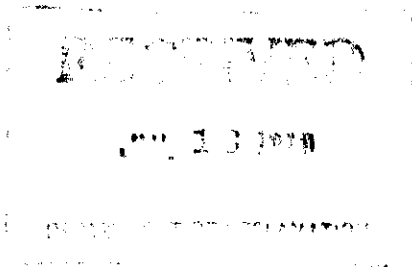
Dear Sir:-

Enclosed herewith you will find the Proof of Application in connection with Permit # 13497, issued to Thomas E. Murphy, now residing at Rexburg, Idaho.

Hopeing that these will prove to be properly filled out and attended to, I am,

Very truly yours,

R.D. Thatcher
U. S. Commissioner.



13497

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a.m. on the 15th day of July, 1918, at Rexburg, County of Madison, State of Idaho, before H. D. Thatcher, U. S. Commissioner or Notary Public, proof will be submitted of the application to beneficial use of one-half of one ($\frac{1}{2}$ of 1) cubic foot per second of the waters of unnamed spring tributary to the Teton River in accordance with the terms and conditions of Permit No. 13497 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Thomas E. Murphy, Rexburg, Idaho.

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

3. The amount applied to beneficial use is one-half of one cubic foot per second.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Intake on SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 24, Twp. 7 North of Range 43 East of Boise Meridian, and point of delivery and use on the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of above section, township and range.

5. The date of the priority which said user is prepared to establish is February 25th, 1918.

W. G. SWENDESEN,
5-29 6-19 Commissioner of Reclamation.

AFFIDAVIT OF PUBLICATION

I, F. C. Madsen, Publisher of the Teton Valley News, a newspaper published weekly at Driggs, Teton County, Idaho, do solemnly swear that a copy of the attached notice was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, beginning with the issue

dated May 29, 1919, and ending with the issue

dated June 19, 1919.

F. C. Madsen

Subscribed and sworn to before me this 21st day

of June, 1919.

Ben Wriggs

Notary Public

13497

PERMIT No. 13497**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. Thomas E. Murphy, age 46; Rexburg, Idaho., Farmer, P.O. Rexburg,
Idaho. P.O. Box 765

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and 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. Number 13497, February 25th, 1918. February 25th, 1918.

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

Ans. Unnamed spring, tributary to the Teton River, Southwest quarter
Northeast quarter, Section 34, Twp. 7 North, Range Forty-three East
Boise Meridian.

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. The works in connection herewith consist of One 2 1/2 inch Ram,
which forces the water up the hill from the River Bed to the top of
the hill where it is put to use.

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. The purpose for which the water is used is Household and
domestic purposes and the watering of the stock, and the point of
delivery is the Northeast quarter of the Northwest quarter of Section
34 Twp. 7 North of Range 43 East of the Boise Meridian. No Irrigation.

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

Ans. Only used for household and watering stock, and no horsepower
generated.

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

Ans. One half of one cubic foot (1/2 of 1).

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. _____

13497

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

Ans. About May 1st, 1919, through the Ram, about three gallons per minute, and used since that time to water the Farm Stock and for all household purposes.

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

Ans. None

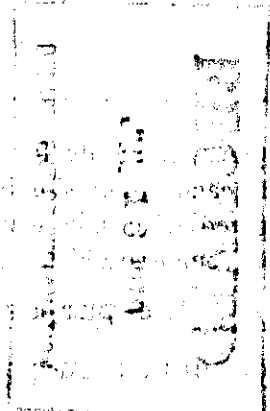
(Sign)

Thos E Murphy

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 Rexburg, Madison County of Madison State of Idaho, on this 18th day of July A. D. 1919.

R. D. Thatcher

13497



Permit No. 13497

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Alfred Silvester, age 44, Rexburg, Idaho, Florist,
Rexburg, Idaho.

Ques. 2. Are you acquainted with Thomas E. Murphy, the holder of Permit No. 13497? How long have you known him and where does he reside?

Ans. Yes, about thirty years.

Ques. 3. Have you read or heard read said Permit No. 13497, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Unnamed spring, The Southwest quarter of the Northeast quarter
of Section 24, Twp. 7, north, of Range 43 East of the Boise Meridian
Works consist of a complete Ram System with intake pipe of 3½ inches

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. Water delivered at Residence about three gallons per minute.

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. The water is used for the purpose of watering the farm stock
and furnishing water for the Residence for culinary and household
purposes. No land irrigated. Constructing a Cement Cistern for the
storing of any surplus water not immediately used up.

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

Ans. No power. Just domestic use.

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.

13497

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

Ans. None

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

Ans. From beginning to completion of works, and to the full extent.

(Sign)

Alfred Silvester

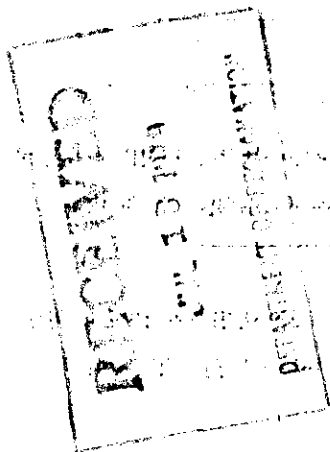
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Rexburg, County of Madison, State of Idaho, on this 12th, day of July, A. D. 1919.

R. D. Thatcher
Notary Public.

U. S. COMMISSIONER

My commission expires _____

13497



Permit No. 13497

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. J.H. Jones, age 30 Rexburg, Idaho, Plumber, Rexburg, Idaho.Ques. 2. Are you acquainted with Thomas E. Murphy, the holder of Permit No. 13497? How long have you known him and where does he reside? **Yes**Ans. about one year and his residence is Rexburg, Idaho.Ques. 3. Have you read or heard read said Permit No. 13497, and are you familiar with its provisions and conditions?Ans. Yes.

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

Ans. Unnamed spring, The southwest quarter of the northeast quarter of Section 24, Twp 7, North of Range 43 East of the Boise Meridian.

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 gallons per minute at the point of delivery.

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. For the use of the household, and the watering of the farm stock. Improvements in the way of a cement cistern.

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

Ans. No power, Stock watered and household purposes.

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. _____

13497

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

Ans. Installed by me.

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. Upon completion and to the full extent.

(Sign) J. H. Jones

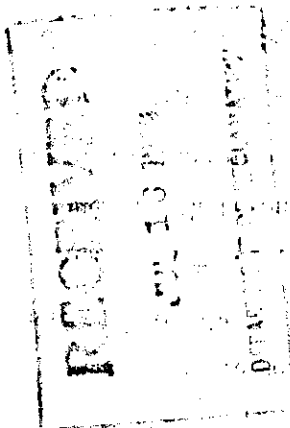
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Rexburg, County of Madison, State of Idaho, on this 13th, day of July

R. D. Thatcher
U. S. COMMISSIONER

Notary Public.

My commission expires _____

13497



State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

BOISE, IDAHO,

June 10th, 1919

Thomas E. Murphy
Care: R. D. Thatcher
Rexburg, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under Permit No.-----**13497**-----

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 the permit holder's rights:

1. On-----**July 12th, 1919**-----, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to at-----**the office of R. D. Thatcher, Rexburg, Idaho**-----

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 examining engineer, you will be further advised as to fees due before issuing license.

Yours truly,

W. G. Swendsen-----
Comm. of Reclamation Engineer.

13497

(P. O.)

Driggs, Idaho

(Date)

May 22, 1919

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of *May 20th, 1919* enclosing notice of proof under
Permit No. *13497* which will be published as you request, beginning with our issue of *May 29*

Idaho Valley News
by *F. C. Madson*

13497

July 12

May 19th
1919

In re Permit: 13497

Thomas E. Murphy
Rexburg, Idaho.

Dear sir:

Herewith find certificate of completion of works issued under the above permit, together with receipt covering fees submitted.

Proof of beneficial use will be published in the Teton Valley News of Driggs, setting date of proof as of July 12th, 1919 at the hour of ten a. m., before R. D. Thatcher; blank proof papers will be forwarded to Mr. Thatcher for use in taking proof.

Yours very truly,

W. G. Swendsen,
Commissioner of
Reclamation.

By:

13497

Name of Applicant

James E. Murphy

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

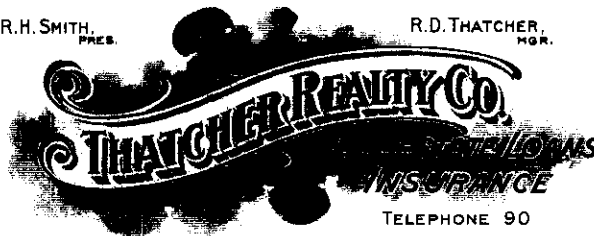
SEC.

Paul J. Murphy

*Settled on
the 1st of May*

R.H. SMITH,
PRES.

R.D. THATCHER,
MGR.



TELEPHONE 90

Rexburg, Idaho

May 17, 1919.

Department of Reclamation,
W. G. Swendsen, Commissioner.
Boise, Idaho.

Dear Sir:

In re: Permit: 13497.

I am herewith returning to you the papers connected with the proof of completion of works, under above permit, for Thomas E. Murphy. The notice of Publication, we have corrected answer No. 4, showing the intake on the South West Quarter of the North East Quarter, and the point of delivery, on the Northeast Quarter of the Northwest Quarter, and in your Proof of Completion under question No. 8, we have corrected to read: "Household and Domestic use, at point of delivery, on the Northeast Quarter of the Northwest Quarter, Section 24, Township 7 North, Range 43 East, Boise meridian.

We are also enclosing herewith a sketch of Section 24, illustrating the point in question, and hope that same is now clear and satisfactory. If this does not comply with your request of May 14th, return the papers to us, and we will make the necessary corrections.

Yours truly,

THATCHER REALTY COMPANY

By.

R.D. Thatcher
Mgr. & U. S. Commissioner.

13497

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 12 day of July, 1919,
 at Rexburg, County of Madison State of Idaho,
 before R. D. Thatcher U.S. Commissioner or
Notary Public, proof will be submitted
 of the application to beneficial use of one half of one ($\frac{1}{2}$ of 1) cubic feet per second of the
 waters of Un named spring tributary to the Teton River in accordance with the terms and conditions of
 Permit No. 13497 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are-----
Thomas E. Murphy, Rexburg, Idaho.

2. The use to which said water has been applied is Domestic purposes.

3. The amount applied to beneficial use is One half of one cubic feet per second.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands
 irrigated) Intake on SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 34, Twp. 7 North of Range 45 East of Boise
Meridian., and point of delivery and use on the Northeast $\frac{1}{4}$ of the
Northwest $\frac{1}{4}$ of above section, township, and range.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use
 is Ran and pipe line.

6. The right to take water from such works is based upon Permit No. 13497

7. The source of supply from which such water is diverted is Un named spring tributary
to the Teton River.

5 8. The date of the priority which said user is prepared to establish is February 25th, 1918.

*Teton Valley News
 Aug 1919*

36 C.

State Engineer.

13497

May 14th
1919

Thomas E. Murphy,
Rexburg, Idaho.

In re: Permit: 13497

Dear sir:

I am returning herewith your affidavit of completion of works, for the following reason: You do not state therein the place of use of the water under question sight; but in your notice of intention to submit proof you described the place of use as being in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 7 N., R. 43 E. B. M.

Your permit describes the place of use of the water as the NW $\frac{1}{4}$ of Section 24, Township 7 North, Range 43 E. B. M.

If the place of use of water as described in the permit has been changed, it will be necessary for you to make application for amendment of permit on the inclosed form, submitting therewith duplicate maps.

If the description in the proof and notice is not correct, correct the same and return to this office; otherwise return the proof and notice together with the application for amendment showing the correct place of use, and after the same has been approved and placed of record, certificate of completion of works will issue and publication be ordered for proof of beneficial use.

I am ~~holding back~~ in the sum of five dollars until proof of completion of works is returned.

Yours very truly,

W. G. Swendsen,
Commissioner of
Reclamation.

By:

13497

R.H. SMITH,
PRES.

R.D. THATCHER,
MGR.



49
Ch 1244
95

Rexburg, Idaho

May 12, 1929.

Idaho State Engineer,
Boise, Idaho.

Dear Sir:

Enclosed please find, 1st, Affidavit of Proof of Completion of work, Permit #13497. 2nd. Notice of proof of Application of Water To Beneficial Use. 3rd. Check # 1244 to the amount of \$5.00, to cover fees of proof.

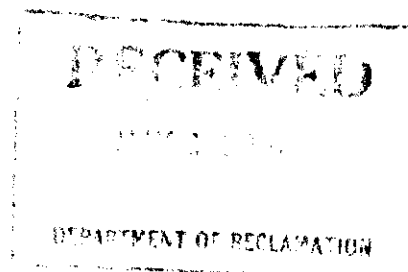
Please give this your immediate attention, and oblige,

Yours truly,

THATCHER REALTY COMPANY

R. D. Thatcher
S.W.B.
Mgr. & U. S. Commissioner.

3 Enc.



13497

Permit No. 13497

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Teton

} ss.

Thomas E. Murphy

, 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. 13497, and that his postoffice address is Rexburg, State of Idaho.

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

Un named spring tributary to the Teton River

Third: That the point of diversion of said water is in the SW 1/4 NE 1/4 of Sec. 24, Twp. 7 North of Range 43 East of the Boise Meridian, Teton County.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 11, 1920., 1920

Fifth: That the use for which said water is intended is Domestic purposes.

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: Columbia Ram 2 1/2 " 150 ft. of 2 1/2 " pipe; 100 ft. of
(Reservoir, dam, ditch, flume, pipe or otherwise.)
2 " pipe; 750 ft. of 1 1/2 " pipe; 800 ft. of 1 " pipe.

II. Dimensions of work: Ram installed as above described in stream from
spring (a) Height of dam feet, length of dam at top feet, length of dam at
 bottom feet. Material used in construction Iron pipe.

Cistern (State whether wood, earth, stone or concrete.)
 (b) Capacity of reservoir 5000 Gal. ~~XXXXXX~~

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

(d) Conduit width at bottom feet, width at water
(State whether ditch, flume or pipe)
 line feet, depth of water feet; diameter of pipe inches;
 average grade per mile is 45 Degrees Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use
3 Gal. per Minute XXXXXXXX feet of water at point of delivery.

Eighth: That water appropriated under said permit is available for NO acres of land
 described as follows: Household and domestic use, at point of delivery on
the Northeast 1/4 of the Northwest 1/4 Sec. 24, Twp. 7 North 43 East of
Boise Meridian.

Ninth: Remarks: That the above works were and are now completed and
water is now being used for domestic purposes.

Thomas E. Murphy
 (Sign here)

Subscribed and sworn to before me this 13th, day of May, 1919

My commission expires

R.D. Thatcher
 Notary Public.
 NOTARY PUBLIC, DEPARTMENT OF LAND,
 MY COMMISSION EXPIRES
 JAN. 8, 1921.

13497

State of Idaho
ENGINEERING DEPARTMENT
- BOISE

Re: Permit No. 13497.
Mr. Thomas E. Murphy,
Marysville, Idaho.
Dear Sir:

Boise, Idaho, April 12, 1918.

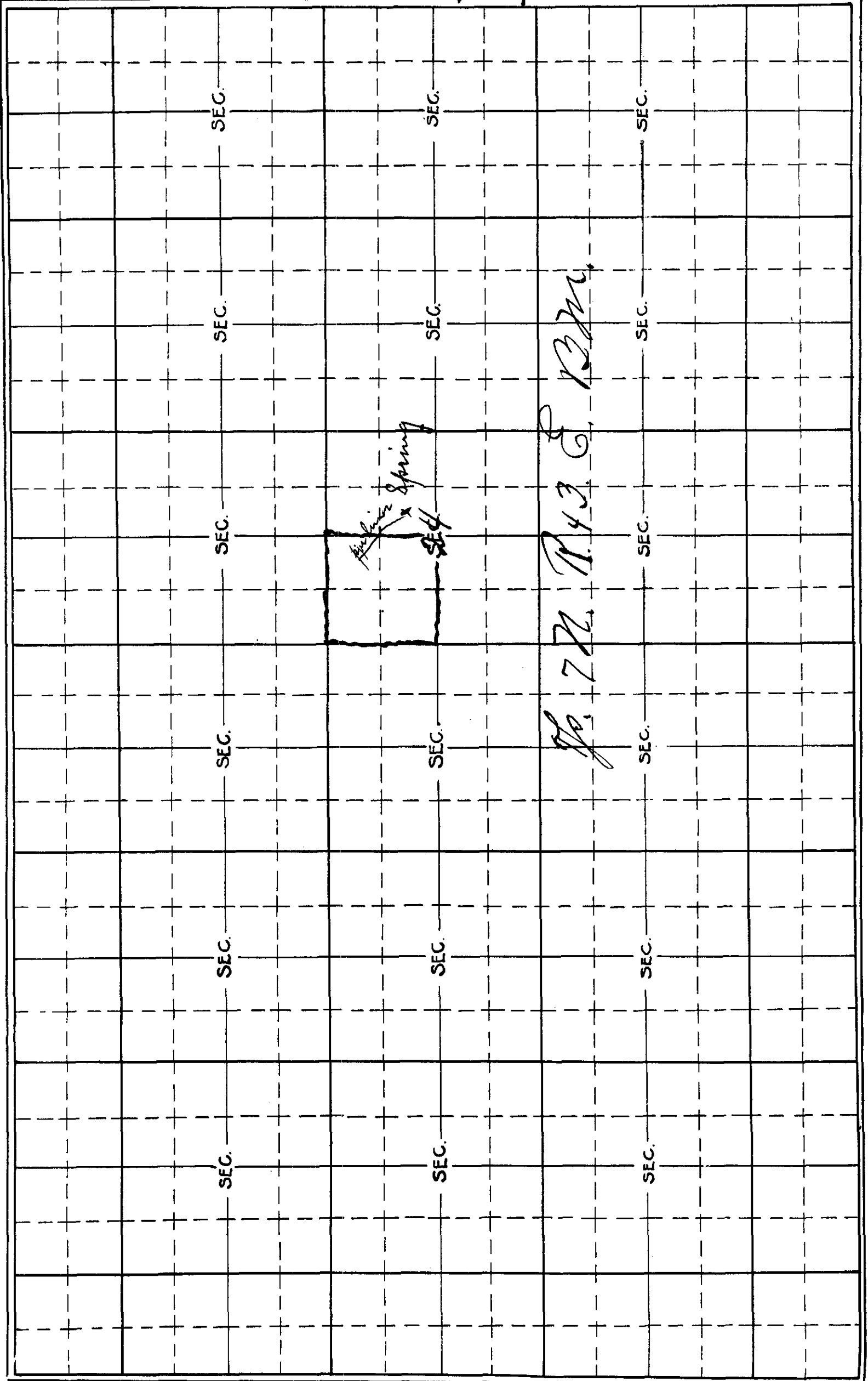
I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND
CONDITIONS OF SAME as given under approval of State Engineer on the third page.

Fred & Wilbur J. H. SMITH,

State Engineer.

13497

Name of Applicant Thomas E. Murphy



No. 77. T. 43. S. R. 32. W.

Feb. 25, 1918.

19161-

Mr. Thomas E. Murphy,
Marysville, Idaho.

Give diameter, length and grade of pipe in Paragraph 11.

13497

BB.

19161- R. 1695-