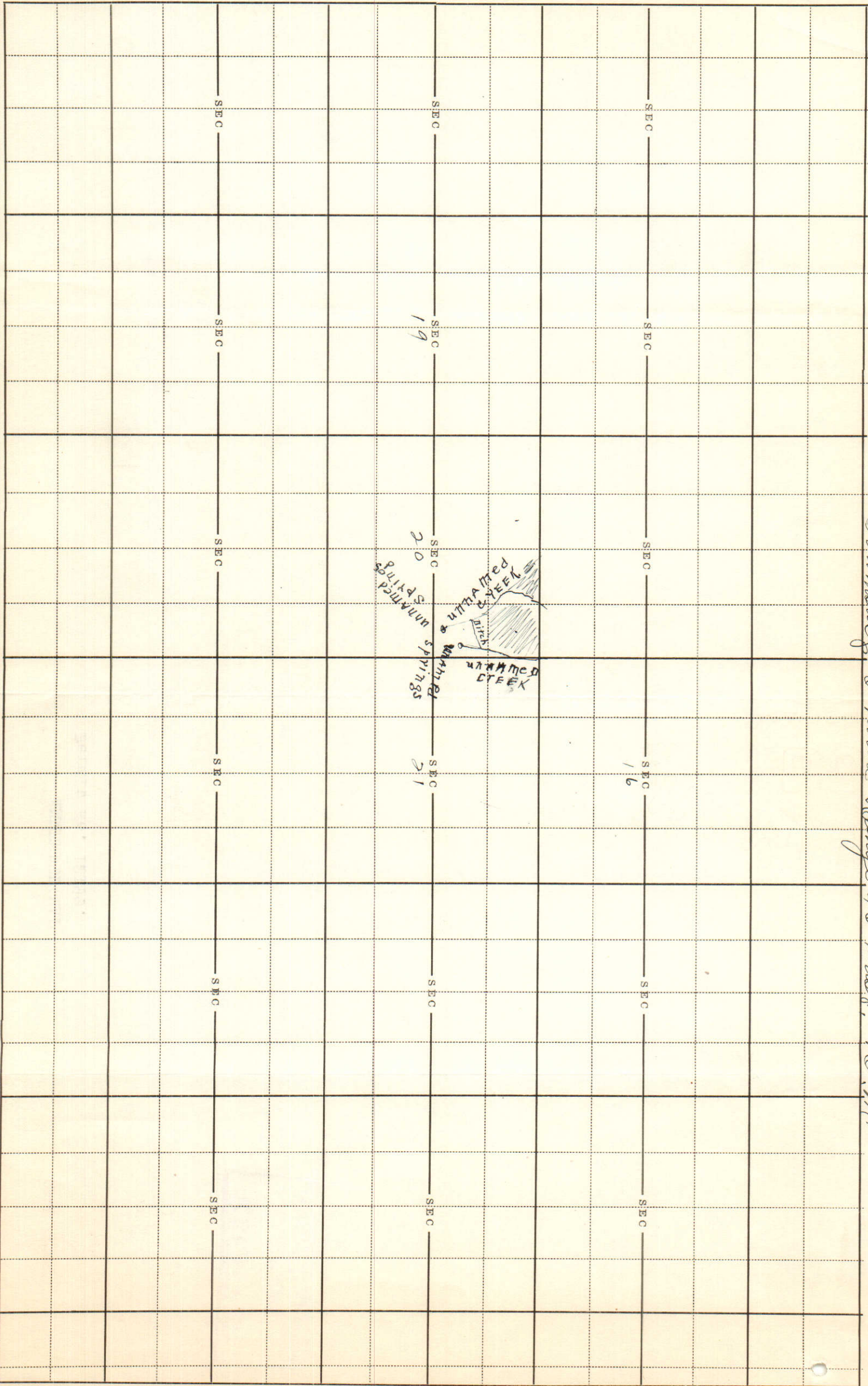


NAME OF APPLICANT

L. Earl Allen, Victor Idaho

Form No. 0



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

12189

T.311. B. 45-6000

amended description

20 47

chapters

20

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE
REPORT OF ENGINEER
PERM. NO.

Name of Applicant H. Earl Allen Victor, Idaho

Journal
31st June
4th July

Hand-drawn map of a river channel. The map shows a winding path with several labeled points and features:

- Unimodal Creek or Natural Channel**: Written along the top of the channel.
- SEC Spring**: Located on the left side of the channel.
- 5520 Spring**: Located below SEC Spring.
- 7029**: Located to the left of 5520 Spring.
- 7019**: Located below 5520 Spring.
- Unimodal Creek or Natural Channel**: Written along the bottom of the channel.
- Ditch**: Labeled twice, pointing to specific features on the right side of the channel.

1115
fund later arranged

State of Idaho

License and Certificate of Water Right

Water License No. 12199
Water District No.

Amount 0.6 Sec. Ft.
Priority 8-30-1924

THIS IS TO CERTIFY that
of Driggs, Idaho, H. Earl Allen, made application for a permit to appropriate the public waters of the State of Idaho, dated May 26, 1916; that Permit No. 12199 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.2 second feet, was issued thereunder on July 7, 1917, showing that said works were completed on the 4th day of June, 1917; and that on the 15th day of September, 1926,

H. Earl Allen

of Driggs, State of Idaho, made proof to the satisfaction of the of Idaho, of the right to use the waters of two unnamed springs, ~~at the same place~~, for the purpose of irrigation and domestic use, under Use Permit No. 12199 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 6 of Licenses, at page 3411, on the 22nd day of November, 1926;

The right hereby confirmed dates from August 30, 1924;

The Point of Diversion is located in the SW 1/4 NE 1/4, Sec. 20, Tp. 3 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 0.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N	45 E	20	NW 1/4 NE 1/4	40	20
			NE 1/4 NW 1/4	20	10
					Total 30

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 22nd day of November, 1926.

GEO. N. CARTER

Commissioner of Reclamation

(Seal)

Application No. 17591
Permit No. 12199

APPLICATION FOR PERMIT

22-2072

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

District No. 36-C.

1. Name of applicant: **H. Earl Allen**

Postoffice address: **Victor**

County: **Teton**

State: **Idaho**

I. If applicant is a corporation, give

- (a) Date and place of incorporation:
- (b) The amount of capital stock:
- (c) The amount paid 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. The quantity of water claimed is **1.2** cubic feet per second.

3. Source of water supply: **Two unnamed springs, which is a tributary of none.**

4. Location of point of diversion: **In the NE $\frac{1}{4}$ SW $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 20, T. 3 N., R. 45 E. B.M. County of Teton.**

County of *Teton*

5. To be used for: **Domestic and irrigation purposes.**

I. Irrigation and domestic use: (a) Amount of land to be irrigated: **60** acres.
(b) In the following legal subdivisions:

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

(a) At what point:

(b) Amount of power to be generated:
(c) Is water to be returned to any stream?
point of return:

H. P. under ft. head
(d) If so, name stream and locate

6. Estimated cost of works: **\$100.00**

7. Description of works for diversion:

I. Kind of works: **Ditches**

II. Dimensions of works:

(a) Height of dam feet, length of dam at top feet,
length of dam at bottom feet. Material used in construction:

(b) Capacity of reservoir acres feet. (c) Size of headgate, width feet,

Height feet. (d) ~~Conduit~~ Ditch: width at bottom **2** feet,

width at water line **2 $\frac{1}{2}$** feet, depth of water **4 in.** ~~feet~~, diameter of pipe

inches; average grade per mile is **20** feet. Length of conduit is **$\frac{1}{2}$** miles,
and it crosses the following quarter sections:

8. The time required for the completion of the construction of such work is **1** years.

9. Time required for the complete application of the water to the proposed use is **1** additional years.

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

H. Earl Allen.

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9:00 A.M. May 26, 1916.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 12199

Recorded in Book 42 Page 12199 Approved June 10, 1916.

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 August 9, 1916. 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 December 10, 1916.

The whole of said work to be completed on or before June 10, 1917

Beneficial use of water appropriated in accordance herewith, to be made on or before June 10, 1918.

Witness my hand this 10th day of June, 1916.

J. H. Smith.

State Engineer.

Remarks:

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

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals.
3 N.	45 E.	20	-40-	-20-			60

Total Number of Acres to be irrigated- 60

15 (a) Is reservoir to be used? No.

This water is appropriated from two springs, thirty inches from each; one is located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, upon land owned by applicant and the other in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, upon Government land. The water in Spring No. 2, runs in a natural channel or creek bed, about one-eighth of a mile and is then diverted through a ditch into a natural channel or creek bed and joined with the water from Spring No. 1. The water from both sources of supply is then diverted in a ditch for the irrigation of the 60 acres described herein. This ditch also passes applicant's home and the water therefrom is used in the house for domestic and culinary purposes.

Proof of completion of works made June 4, 1917. Certificate of completion issued July 7, 1917.

Permit No. 12199.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that H. Earl Allen of Victor, County of Teton, and State of Idaho, the holder of Permit No. 12199, issued upon Application No. 17591, bearing date of priority of May 26, 1916, authorizing the diversion of 1.2 second feet of the waters of two unnamed springs, 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 1.2 second feet of the waters of said springs; that the point of diversion of said waters is in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ & SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 20, T. 3 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: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 20, T. 3 N., R. 45 E., B.M.

Witness my hand this 7th day of July, A. D. 1917.

J. H. SMITH,

State Engineer of the State of Idaho.

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 12199

Comes now H. Earl Allen, and represents to the Commissioner of Reclamation of the State of Idaho,

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 12199, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: 40 acres of land and described as NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 20 acres in NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 20, Twp. 3 North, Range 45 East of Boise Meridian, making a total of sixty acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Driggs, this 20th day of October, 1926.

H. Earl Allen.

Date of receipt at Office of Department of Reclamation November 6, 1926.

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 12199. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

W. G. SWENDSEN
Commissioner of Reclamation

STATE OF IDAHO)
) ss
County of Teton)

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

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 12199.

That he intends to change the point of diversion, as described in said permit, to the following point: Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 20, T. 3 N., R. 45 E., B. M.

That such change will be made for the following reasons, to-wit: because the description on application No. 17591, permit No. 12199 was described as follows, to-wit: the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T. 3 N., R. 45 E., B.M. County of Teton State of Idaho, whereas my intention was to have the description to read as follows, to-wit: SE $\frac{1}{4}$ NE $\frac{1}{4}$, of Sec. 20, T. 3 N., R. 45 E., B. M.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

H. Earl Allen.

Subscribed and sworn to before me this 20th day of October, 1926.

G. L. Dockstader
Justice of the Peace,
Driggs, Precinct.

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9:00 A. M., November 6, 1926.

W. G. SWENDSEN
Commissioner of Reclamation

WATER RIGHT NUMBER 22-2072 -

OWNER LAST NAME - ALLEN

FIRST NAME - H. EARL

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - DRIGGS

STATE - ID - ZIP CODE - 83422 -

SOURCE - SPRINGS

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 08-30-1924 COUNTY - TETON -

TOTAL DIV. RATE -

.6000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. - 01 DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWNE 20 03N 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

SWNE 20 03N 45E LOT REDIV -

272.0 489.0 10.0 48.0 2.0 2.0 0.0 0.0 0.0 0.0 0.8

FROM - TO -

USE - IRRIGATION -

USE DIV. RATE -

.6000 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 03N RNG 45E SEC 20 - TRACT NWNE LOT

AC 20 - TRACT NENW LOT

AC 10 -

DECREE NAME -

DATE -

TOTAL ACRES

30

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 12199 -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

✓
12199

June 26, 1953

Mr. L. H. Merrill
Earl Building
Idaho Falls, Idaho

Dear Mr. Merrill:

Reference is made to your letter of June 26, 1953, inquiring as to priorities on the Lauritzen Springs, located in Section 20, Township 3 North, Range 45 East, B.M.

The records in this department show License No. 12199, issued to H. Earl Allen for 0.6 of a second foot of water from two unnamed springs located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20, Township 3 North, Range 45 East, B.M., with priority of August 30, 1924; water to be used on the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20.

Our records also show Permit No. 10524, filed by H. Earl Allen, October 11, 1937, for 1 $\frac{1}{2}$ second feet of water from Lauretsen Springs, with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20, Township 3 North, Range 45 East, B.M. However, the statutory proofs were not made and this permit was cancelled December 20, 1941.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

12199

L. H. MERRILL
COUNSELOR AND ATTORNEY AT LAW
EARL BUILDING
IDAHO FALLS, IDAHO

June 26, 1953

RECEIVED
JUN 26 1953
Department of Reclamation

Department of Reclamation
Office of Commissioner
Boise, Idaho

Re: Filing Right for water
Andrew Larsen, also known as
A. Larsen July 1, 1896.

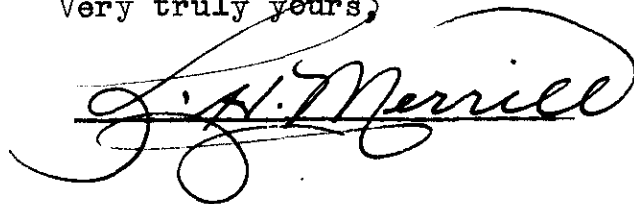
Dear Commissioner:

Would you please have your records checked and inform me as to all priorities of water that has been filed on and put to beneficial use on property known as the Lauritzen Springs and Tributaries, located on Section 20, Township 3, Range 45, E.B.M. at Victor, Idaho.

Will you also send me the necessary forms for filing on any excess water from said Springs and for flood rights.

Thanking you for this information, I remain,

Very truly yours,



LHM/m

12150

Nov. 23, 1926.

Re: Permit No. 12199--H. Earl Allen.

Mr. A. H. Wilkie,
Attorney-at-Law,
Odd Fellows Building,
Idaho Falls, Idaho.

Dear Sir:

We are enclosing herewith License and
Certificate of Water Right No. 12199; also
receipt for \$4.00 for fee paid.

Very truly yours,

GEO. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P

Enc.

12199

A. H. WILKIE
ATTORNEY AND COUNSELOR AT LAW
ODD FELLOWS BUILDING
IDAHO FALLS, IDAHO

November 20, 1926

Geo. N. Carter
Commissioner of Reclamation
Boise, Idaho

Dear Mr. Carter:

Re- Permit No. 12199

H. Earl Allen.

As requested of yours of recent date
I am sending you herewith Mr. Allen's check
for \$4.00 to cover your fees in this case.

Yours very truly,

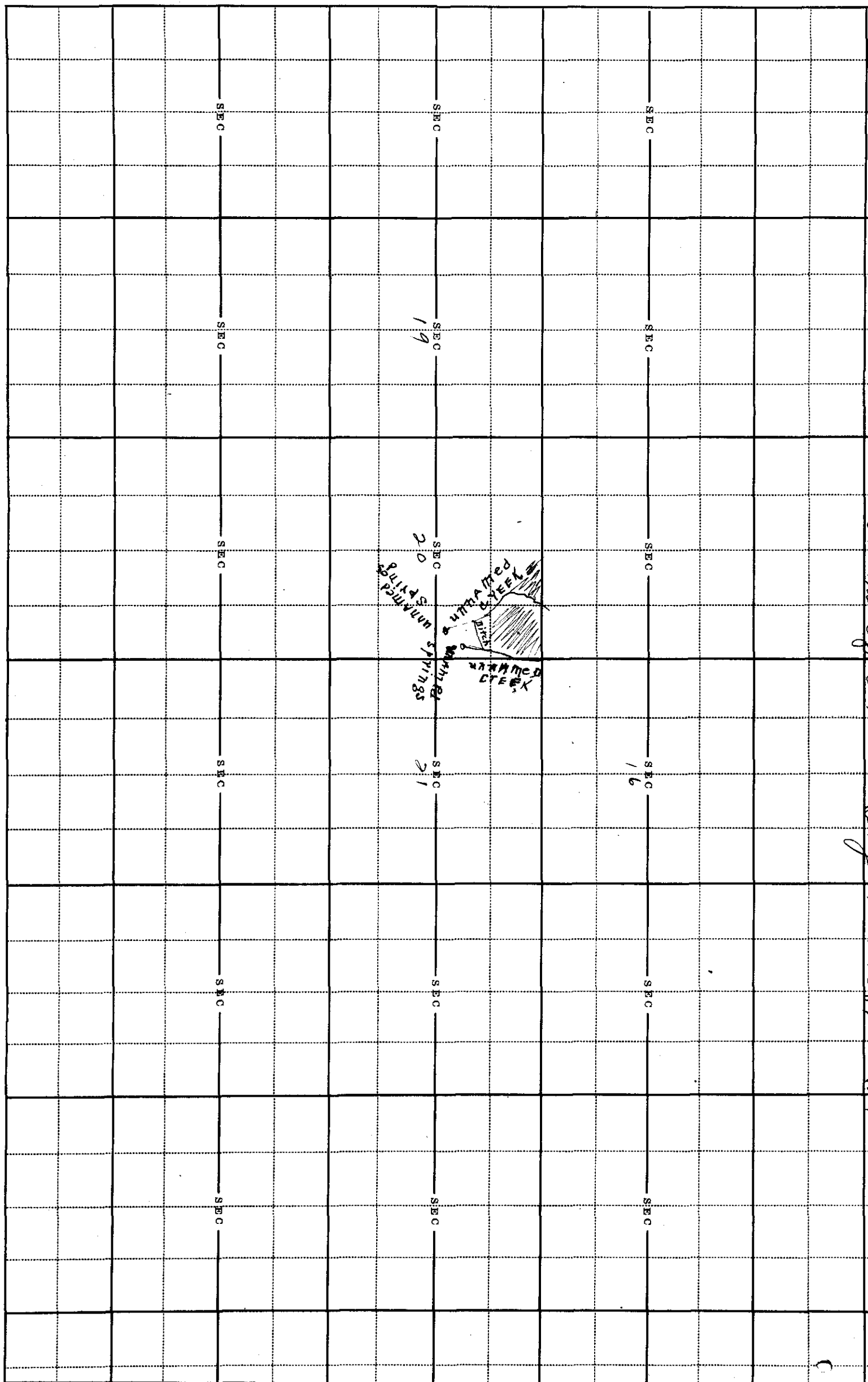
AHW:VB
Incl.



12199

NAME OF APPLICANT H. Earl Allen, Victor Idaho

Form No. 0

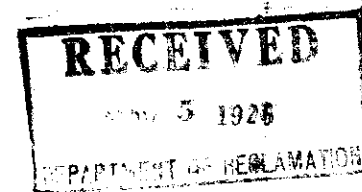


Journaling 3 North Range 45 East, 13 mi.

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

12109

AMENDED MAP
Permit No. 12199.



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

Permit No. 12199This proof is for Beneficial UseIn Water District No. 36-C

1. Name of applicant: H. Earl Allen
2. Source of water supply: two unnamed springs
3. Location of point of diversion: Is in the ~~NW 1/4~~ & SW 1/4 of Section 20
T. 3 N., R. 45 E.B.M. County of Teton

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

Plow furrow ditches, capacity at 40" each take water directly on to land. Springs rise on land of applicant.

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 for other than irrigation): NW 1/4 and NE 1/4 NW 1/4, Sec. 20, Twp. 3 N., R. 45 E.B.M.

20A,
10A.

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

8. What large stream would the water here appropriated finally reach? Would flow thru applicant's land, and sink in fields below.

Remarks:

about 30 acres hay, and 20 acres more sub for pasture.

Total 50 acres

12199

This examination was made on the 7th day of August 19 26

(Signed)

R. L. Schell

Examiner.

H. Earl Allen
Driggs

Permit No. 12199

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.
-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO._____

REPORT ON PROOF OF_____

T. 3 N. R. 45 E. Sec. 11

amended description

20 40

40 40

20

November 6, 1926.

Re: Permit No. 12199-
H. Earl Allen

Mr. A. H. Wilkie,
Attorney at Law
Idaho Falls, Idaho.

Dear Sir:-

We are today in receipt of your letter of the 4th inst., in which you inclosed the affidavit of holder for change of point of diversion and the application for amendment of lands to be irrigated, under the above numbered permit. These have been recorded under the record of the permit in this office and the originals are returned herewith, for the applicants own files.

Upon the receipt of fees in the sum of \$4.00, the license will be issued.

Very truly yours,

W. G. SWENDBEN
Commissioner of Reclamation

By _____
Chief Clerk

CB:HH
Encls.

12199

A. H. WILKIE
ATTORNEY AND COUNSELOR AT LAW
ODD FELLOWS BUILDING
IDAHO FALLS, IDAHO

November 4, 1926

W. G. Swendsen
Commissioner of Reclamation
Boise, Idaho

My dear Mr. Swendsen:

Re- Permit No. 12199. H. Earl Allen.

In accordance with your suggestion of October 9th, I am forwarding you herewith the following papers: Affidavit of intention to change point of diversion, application for amendment to permit with duplicate maps, deposition of permit holder in support of proof, deposition of witnesses (2) in support of proof.

Trusting that you will find this satisfactory so that certificate of appropriation to beneficial use may be issued to Mr. Allen, I am

Yours truly,



AHW:VB

12199

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 12199

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. H. Earl Allen 35 years, farmer, Victor, Idaho.

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

Ans. _____

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

Ans. _____

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

Ans. two unnamed springs

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 description of the works is a small unnamed ditch and it is capable to carry 60 inches of water and is located on the SW¹ of NE¹ of Sec. 20 T 3 N Range 45 East, Boise Meridian and carries the water from the natural channel of spring No. 2 to the natural channel of spring No. 1 thence by ditch to land to be irrigated

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 water was used for irrigation and culinary purposes, and the lands irrigated are as follows all of the NE¹ of the NE¹ and twenty acres on the East half of the NW¹ of the NE¹ Sec. 20, Tow. 3 North, Range 45 East, B. M. the said described land has all been plowed and made to grow hay and grain by irrigation.

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

Ans. _____

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

Ans. sixty 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. _____

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

Ans. the said water has been used during the irrigation season since May
16th, 1916 and for culinary purposes during all of said time

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) H. Earl Allen

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Driggs, County of Teton
State of Idaho, on this 20 day of October A. D. 19 26

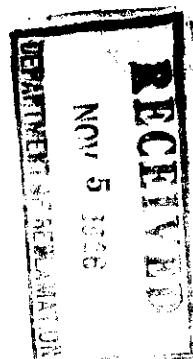
G. L. Dockstader

Justice of the Peace,

Driggs, Precinct.

My commission expires _____

12139



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. William W. Allen age 28, occupation farmer, Victor, Idaho.

Ques. 2. Are you acquainted with H. Earl Allen, the holder of Permit No. 12199? How long have you known him and where does he reside?

Ans. know him ever since I can remember; and he resides at Victor, Idaho.

Ques. 3. Have you read or heard read said Permit No. 12199, and are you familiar with its provisions and conditions?

Ans. Yes I have read it over and are familiar with its provisions

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. two unamed springs; form the natural channel on spring No 2, to natural channel of spring No, 1 about two thirds of the way to the north end of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec 20, T 3 N. R 45 E. B.M?

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. at least 60 inches; and that is about all I would say in my best judgment

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 improvements which have been made as a direct result of said use.

Ans. the water has been used for irrigation and has been used on the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ and the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec 20, T 3 N. R 25 E. B. M.
the land has all been plowed, except a few trees and willows outhewise it is all under cultivation

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. _____ land is dark soil, it will take all water he is asking for to irrigate the land

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

Ans. _____ No

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

Ans. _____ I have seen the water used since the fall of 1914, and I have seen him us all the water he could get from this source

(Signed) William W. Allen

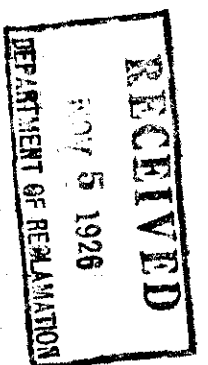
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Driggs, County of Teton, State of Idaho, on this 20th day of October, A. D. 1926.

G. L. Dockstader
Justice of the Peace ~~Notary Public~~

My commission expires _____

Driggs Precinct

12199



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 12199

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. W. F. Blanchard age 30 years, farmer, Victor, Idaho.

Ques. 2. Are you acquainted with H. Earl Allen, the holder of Permit No. 12199? How long have you known him and where does he reside?

Ans. Yes, know him for 10 years, he is my neighbor and resides on his homestead

Ques. 3. Have you read or heard read said Permit No. 12199, 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. two unnamed springs, the place of deveision is form the natural channel of spring No 2 to the natural channel sprind nNo 1 toward the north end of SE 1/4 of the NE 1/4 of Sec 20, T 3 N, R 45 E, E. B. M. by a ditch which said ditch will 60 inches or more

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. I estimate the ditch would carry at least 60 inches and possibly 100 inches

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 improvements which have been made as a direct result of said use.

Ans. It is used for irrigation; NE 1/4 of NE 1/4 Sec 20, On the east one half of the NW 1/4 of the NE 1/4 of Sec 20, T. 3 N. R 45 East, Boise Meridian, the land is al cultivated and is all under the plow but a few brush and trees but has all benn irrigated

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 is a dark soil. and I would estimate that he would not have any surplus water.

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. Seen the water used on the aforementioned land at least 10 years ago

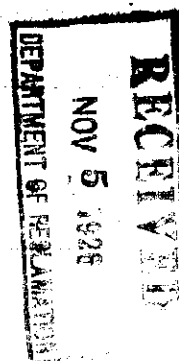
(Signed) W. F. Blanchard

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Driggs, County of Teton, State of Idaho, on this 20th day of October, A. D. 19 26.

My commission expires _____

G. L. Dockstader
Justice of the Peace Notary Public
Driggs Presmit

12199



October 9, 1926

Re: Permit No. 12199
H. Earl Allen

Mr. A. H. Wilkie
Attorney at Law
Idaho Falls, Idaho

Dear Sir:-

Referring to your letter of the 7th inst., would say that the holder of the above numbered Permit should file an application to amend the description of lands, and also an affidavit to change the point of diversion. These should be accompanied by duplicate maps showing the correct location of the lands and point of diversion.

The proof should be made as soon as possible before the Notary Public and the correct description of the land and point of diversion shown in the depositions. The Notary Public Should also submit a statement to the effect that the holder appeared at his office on the date set and that the hearing was continued until such time as the records could be corrected.

Inclosed you will find the forms to be filled out and returned to this office with the depositions of the holder and witnesses.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By _____ Chief Clerk

CB:HH
Encls.

12199

A. H. WILKIE
ATTORNEY AND COUNSELOR AT LAW
ODD FELLOWS BUILDING
IDAHO FALLS, IDAHO

October 7, 1926

W. G. Swendsen
Commissioner of Reclamation
Boise, Idaho

Dear Sir:

Re- H. Earl Allen, Driggs, Idaho. Permit No. 12199

When Mr. Allen came to make proof in support of his application to beneficial use, he discovered that the land that he desired to use the water on was not correctly described, and that the location of the spring was erroneously described.

He owns the $E\frac{1}{2}NE\frac{1}{4}$ and the $NW\frac{1}{4}NE\frac{1}{4}$ and the $NE\frac{1}{4}NW\frac{1}{4}$, Section 20, Township 3 N. Range 45 E. While the description in the proof of notice was $W\frac{1}{2}NE\frac{1}{4}$ and the $N\frac{1}{2}NW\frac{1}{4}$ of said section. In the permit the spring or point of diversion is described as $NE\frac{1}{4}SW\frac{1}{4}$ and the $SW\frac{1}{4}NE\frac{1}{4}$ of said section, while it is actually located on the $SE\frac{1}{4}NE\frac{1}{4}$ of said section.

Because of these discrepancies, the notary public, J.L. Dockstader, before whom proof was to be made did not take the proof or make any report, but recently submitted the matter to me for my consideration. I am in doubt as to what should be done in order to protect Mr. Allen's rights under the circumstances, so I thought it best to submit the matter to you for your consideration.

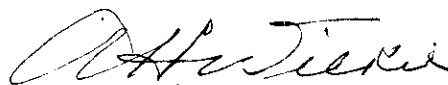
It seems to me that these discrepancies are not very material, but if he had gone ahead and made his proof and made a report, the errors could have been rectified, but as that was not done ~~can-~~ not the permit be amended and the proofs made under it or will it be necessary for him to make a new filing?

Thanking you for ^{prompt} ~~further~~ reply in regard to this matter, I remain

Yours very truly,

12199

AHW.VB



G. L. DOCKSTADER
DRIGGS, IDAHO

September 16, 1926.

Department of Reclamation,
Boise, Idaho.

Attn. Mr. W. G. Swendsen.

Gentlemen:

You will please be informed that Mr.
H. Earl Allen; who was to make proof on
Permit No. 12199 "Proof of Application of Water
to Beneficial Use" before the writer on the
15th, day of September, 1926; did not complete
the same for the reason that there was a
typographical mistake in the advertising; and
he is now taking steps to re-advertise.

Very truly,

G. L. Dockstader

12199

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

September 3, 1926
BOISE, IDAHO,

H. Earl Allen,
c/o G. L. Dockstader,
Driggs, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 12199

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 September 15, 1926, 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 Driggs before G. L. Dockstader, Justice of the Peace.
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,

W. G. SWENDSEN,

Commissioner of Reclamation.

12199

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date July 31, 1926.

Teton Valley News,
Driggs, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 15, 1926, the date set for proof, the expense of the publication to be paid by the applicant, H. Earl Allen, Driggs, 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,

W. C. SWENDSEN,

Commissioner of Reclamation.

July 16, 1926.

In re: Permit No. 12199
H. Earl Allen

Mr. A. H. Wilkie.
Attorney at law,
Idaho Falls, Idaho.

Dear Sir:-

We are today in receipt of notices for proof of beneficial use of water under the above permit. In checking the notices we find that the proof is being made 8 years, 3 months and 4 days later than the date specified in the permit for such proof hence the priority will have to be brought down that length of time from the date of the filing or to August 30, 1924. This change has been made in the notices.

One copy will be mailed to the Teton Valley News in time for the required four weeks publication prior to September 15, and deposition blanks will be mailed to the notary public before whom proof is to be made.

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

By _____
Chief Clerk.

12199

A. H. WILKIE
ATTORNEY AND COUNSELOR AT LAW
ODD FELLOWS BUILDING
IDAHO FALLS, IDAHO

July 13, 1926.

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

Dear Sir:

Re, H. Earl Allen, Permit #12199

I am sending herewith the application to make
proof of application to beneficial use, and two notices for
publication, which please give the necessary attention.

Yours very truly,



12199

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 1926.

(P. O.) Driggs, Idaho.

To the State Engineer,
Boise, Idaho.

Dear Sir:

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

H. Carl Allen

(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.

12700

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 September, 1934, ~~1933~~
 at Driggs, County of Teton, State of Idaho,
 before G. L. Dockstader, Justice of the Peace, proof will be submitted
 of the application to beneficial use of one and two-tenths cubic feet per second of the
 waters of two unnamed springs in accordance with the terms and conditions of
 Permit No. 12199 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 _____

H. Earl Allen, Driggs, Idaho

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

domestic and irrigation purposes

3. The amount applied to beneficial use is one and two-tenths sec. ft.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Northwest quarter of the northeast quarter, and the north half of the
northeast quarter of the northwest quarter, of section twenty, township 3 north,
range 45 east, B. M.,

5. The name of the canal or ditch or other works by which said water is conducted to such place of use
 is private ditch owned by applicant

6. The right to take water from such works is based upon Permit No. 12199

7. The source of supply from which such water is diverted is two unnamed springs rising
in the NE 1/4 and the SW 1/4, Sec. 20, Tp. 3 north, R. 45 East, B. M.,

8. The date of the priority which said user is prepared to establish is August 30, 1934

August 30, 1934.

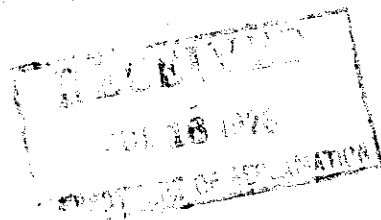
NE SW
 SW NE } - 20-37-45E
 Titon
 30-C

12199

W. G. Swenson,
 Commissioner of Reclamation Engineer.

Filed - May 26 - 1916

B U due June 10 - 1918



U.S. DEPT. OF AGRICULTURE

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Mar. 22 1918

H, Earl Allen,
Dear Sir: Victor, Idaho

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. **12199**-----, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

Fred A Wilkie

State Engineer

(27124)

July 18, 1917.

Re: Permit No. 18199.

Mr. A. Earl Allen,
Victor, Idaho.

Dear Sir:

Enclosing herewith certificate of completion of works, issued under above permit, with receipt for fee.

Yours very truly,

J. H. SMITH,

State Engineer.

By _____

Enc: COW-R.

Permit No.-----

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of PAI-ON

} SS.

H. EARL ALLEN

, 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. 12199 and that his postoffice address is Victor Idaho State of Idaho

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

Third: That the point of diversion of said water is -----

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 10, 1917 191-----

Fifth: That the use for which said water is intended is irrigating and domestic

Sixth: That on the date above mentioned, the works constructed under said permit were ~~(or were not)~~ fully completed and consisted of the following:

I. Kind of works: Dam across creek and ditch

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

II. Dimensions of work:-----

(a) Height of dam ~~1 1/2~~ 1 1/2 feet, length of dam at top five feet, length of dam at bottom three feet. Material used in construction loose rock and dirt

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir none acre feet.

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

(d) Conduit ditch width at bottom ~~1 1/2~~ 1 1/2 feet, width at water

(State whether ditch, flume or pipe)

line two feet, depth of water 1 feet; diameter of pipe----- inches; average grade per mile is 100 feet. Length of conduit is----- miles.

Seventh: That said works are capable of conducting to the place of intended use-----

six inches second feet of water.

Eighth: That water appropriated under said permit is available for 40 A. acres of land described as follows: 7.36 1/4 of the N.E. 1/4 Sec. 20 Township 3 North Range 45 E. of Boise meridian

Ninth: Remarks: That-----

H. Earl Allen
(Sign here)

Subscribed and sworn to before me this 4th day of June, 1917.

Van B. Brunt

Notary Public.

My commission expires Sept 20, 1919

12199

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

*H. Earl Allen,
Vinton, Idaho*

Boise, Idaho,

April 1, 1917.

Dear Sir:—

Under the terms of your permit No. ~~12199~~, you are required to complete your diversion works on or before ~~June 10, 1917~~. 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,

J. H. SMITH,

State Engineer.

12199

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit #12199- Allen.
Thomas & Anderson,
Blackfoot, Idaho.

Boise, Idaho,

June 10, 1916.

Dear Sir:

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

J. H. Smith.

State Engineer

12199

Name of Applicant H. Earl Allen Victor, Idaho

H. Earl Allen Victor, Idaho

Journal 37th June 45 Great Day!

Hand-drawn map of the SE corner of the survey area. It shows a 'Natural Creek' flowing from the top right towards the bottom left. A 'Natural Channel' is indicated by a dashed line. A 'Water or Channel' is labeled near the top. A 'SE Spring' is marked with a circle and labeled 'No 21' and 'No 19'. A 'Water' feature is labeled 'No 20'.

Thank You so much

THOMAS & ANDERSEN

ATTORNEYS AND COUNSELLORS AT LAW

BLACKFOOT, IDAHO

CH 235
110
1M a y
Twenty-fourth
1916

17591

State Engineer,
Boise,
Idaho.

Dear Sir:

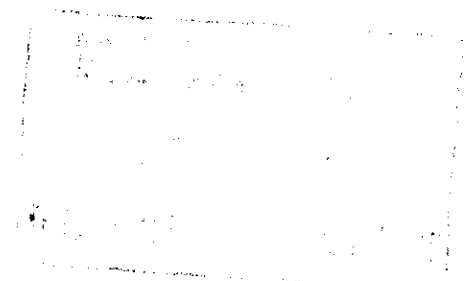
We have the honor to hand you herewith the application for permit of H. Earl Allen, appropriating water of certain two springs, together with our check for \$1.10 in payment of your fees in this case.

Yours respectfully,

THOMAS & ANDERSEN,

By *Thomas*

LRT-JC



12199