

Decreased

Amount 4,000 acre-feet
Priority 9-4-1923

North Fork Reservoir Company

The right hereby confirmed dates from **September 4**, 19**23** ;

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 **4,000 cubic feet per second, acre-feet per annum**

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
Approximately 56,000 acres of land lying in Fremont and Madison Counties, in Twps. 6, 7 and 8 North, Ranges 38, 39, 40 and 41 East, Boise Meridian.					

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 20th day of February, 1929.

(SEAL)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Fremont. } ss.

I, **Wood D. Parker**, do solemnly swear that I am the printer and publisher of the TETON PEAK-CHRONICLE, a weekly newspaper of general circulation, published once a week at St. Anthony, Fremont County, State of Idaho; that said newspaper has been continuously and uninterruptedly published in said

Notice for Publication

Notice is hereby given that at 10 o'clock, A. M. on the 22nd day of October, 1927, at St. Anthony, County of Fremont, State of Idaho, before H. G. Harris, Notary Public, First National Bank Building, proof will be submitted of the completion of works for the diversion of 50 cubic feet per second of the waters of Dry Creek for storage to the amount of four thousand acre feet in accordance with the terms and conditions of a certain permit issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is North Fork Reservoir Company.

2. The postoffice address of such person or principal place of business of such corporation is St. Anthony, County of Fremont, State of Idaho.

3. The number of such permit is R-324, and the date set for the completion of such work is October 23rd, 1927.

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 50 cubic feet per second, up to four thousand acre feet storage in the reservoir of said permit holder, in Henry's Lake.

6. The amount of lands for which said water is available is 56,000 acres, particularly described as follows: Lands lying in Townships 6, 7 and 8 North of Ranges 38, 39, 40 and 41, East of Boise Meridian, as shown in permit No. R-75 and 18122, of the North Fork Reservoir Company.

2427. **GEO. N. CARTER,**
Commissioner of Reclamation.

County and St. Anthony, during a period of seventy-eight consecutive weeks prior to the first publication of the Notice in the above entitled action; that the notice attached hereto, and which is a part of this affidavit and a part of the proof of publication was published in said newspaper four consecutive weeks; first publication having been made on the 15th day of September, 1927, and last publication on the 6th day of October, 1927; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement.

Wood D. Parker
Printer and Publisher.

Subscribed and sworn to before me this 8th

day of Oct. A. D., 1927.

George A. Ferney
Notary Public.

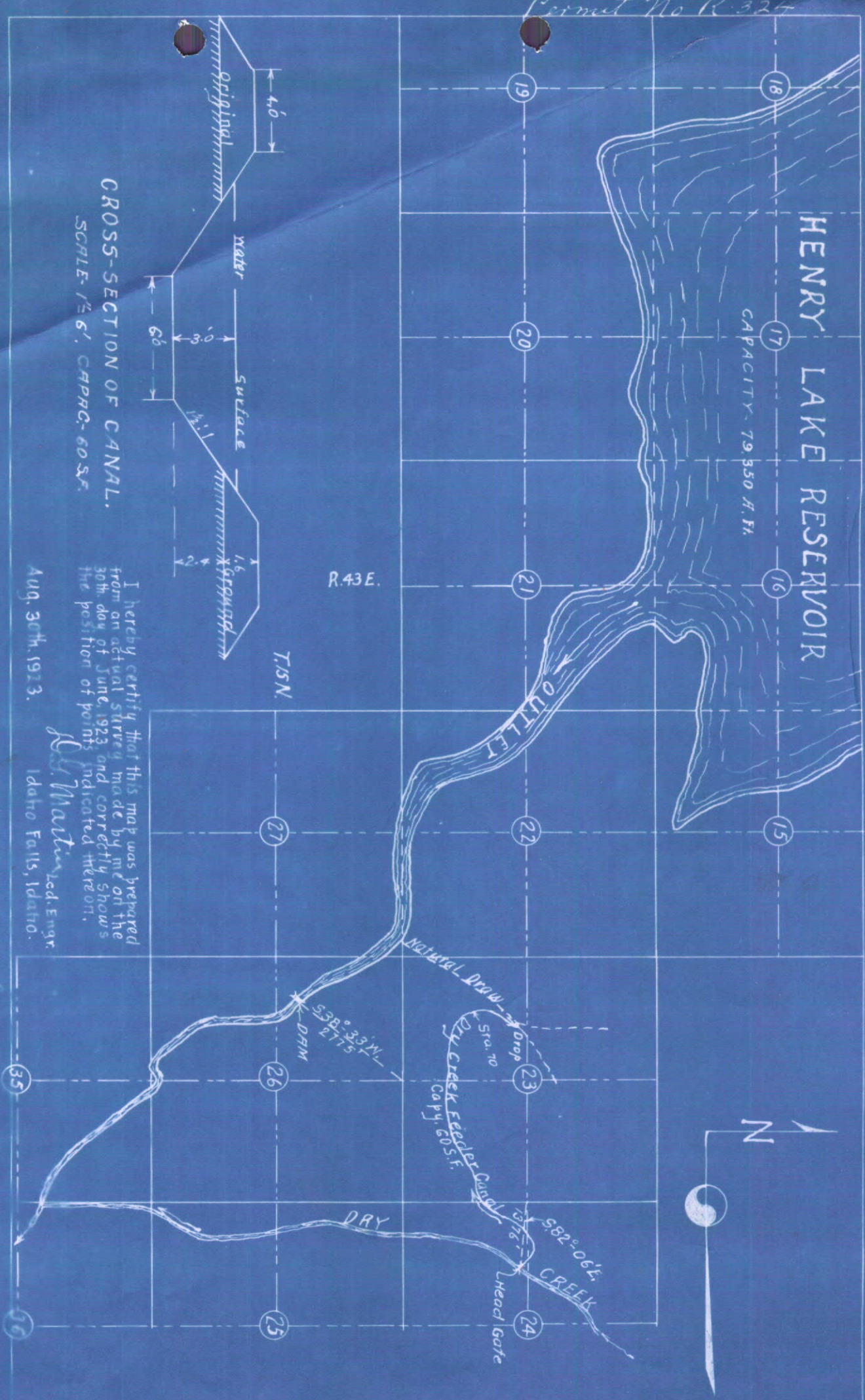
My commission expires Dec 15 1929

R-324

Permit No R-324

HENRY LAKE RESERVOIR

CAPACITY - 79,350 A. F.



CROSS-SECTION OF CANAL.
SCALE 1/2\"/>

I hereby certify that this map was prepared from an actual survey made by me on the 30th day of June, 1923, and correctly shows the position of points indicated thereon.

Aug. 30th, 1923.
Idaho Falls, Idaho.

D.G. Martin
C.E. Idaho Falls, Idaho.

MAP OF
THE DRY CREEK FEEDER CANAL,
TO ACCOMPANY APPLICATION FOR PERMIT
BY THE
NORTH FORK RESERVOIR COMPANY,
ST. ANTHONY, IDAHO. AUGUST, 30th, 1923.

D.G. Martin, C.E. Idaho Falls, Idaho

R-324

10-23-23

R-324

State of Idaho

License and Certificate of Water Right

Water License No. R-324

Amount 4,000 acre-feet

Water District No. 36-A

Priority 9-4-1923

THIS IS TO CERTIFY that North Fork Reservoir Company of St. Anthony, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 4, 1923; that Permit No. 324 was issued under said application; that Certificate of Completion of works, with a storage capacity of 4,000 acre-feet, was issued thereunder on October 25, 1927, showing that said works were completed on the 22nd day of October, 1927; and that on the 22d day of October, 1927,

North Fork Reservoir Company of St. Anthony, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Dry Creek, a tributary of Henry Fork of Snake River, for the purpose of irrigation and domestic use, under Use Permit No. 13122 of the State Engineer of Idaho, as a supplementary right in low water season for land already under irrigation, 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 5568, on the 20th day of February, 1929;

The right hereby confirmed dates from September 4, 1923;

The Point of Diversion is located from Dry Creek is located S. 82° 06' E. 1376' from the 1/4 Corner common to Secs. 23-24, Twp. 15 N., R. 43 E., B. M. The outlet from the Reservoir is located in Lot 6 (SW 1/4) Sec. 26, T. 15 N. R. 43 E., B. M. Fremont.

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 4,000 cubic feet per second. acre-feet per annum

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
Approximately 56,000 acres of land lying in Fremont and Madison Counties, in Towns 6, 7 and 8 North, Ranges 38, 39, 40 and 41 East, Boise Meridian.					

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 20th day of February, 1929.

GEO. N. CARTER
Commissioner of Reclamation

(SEAL)

21-2154

Application for a Permit to Construct the Dry Creek Feeder Canal and to Store the Flood Waters in Henry Lake Reservoir

And to Store the Unappropriated Waters of the State of Idaho

Application No. R 22551
Permit No. R 324
District No. 36-A

1. Name of Applicant: North Fork Reservoir Company,

Postoffice Address: St. Anthony, County: Fremont, State: Idaho.

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: September, 1915, State of Idaho.
(b) Amount of capital stock: \$ 200,000
(c) Amount paid in: \$ 150,000
(d) Names and addresses of directors: Samuel Smith, R.F.D. St. Anthony, M. Hillman, Rexburg, Ida. B.J. Lavery, RFD Rexburg, Ida. W. J. Lavery, Rexburg, Idaho. J.T. Fisher, Charles Backert, C. R. Moon, all of St. Anthony, Idaho.

II. The financial resources of the applicant are: (a) Cash on hand: \$ 15,900.79
(b) Treasury stock: \$ 50,000 (c) Bonds to be issued: \$ 50,000
(d) Other resources: 30,000 acre feet stored water
Notes and accounts due \$11,837.46.

2. Quantity of water to be stored Four Thousand (4000) acre feet per annum.
3. Source of water supply Dry Creek, which is a tributary of Henry Fork of Snake River.
4. Water is to be used for: Irrigation and domestic purposes.
5. The outlet of the proposed reservoir is located South 38° 33' West 2775

feet distant from the north quarter corner of Section 26, T. 15 N., R. 43 E.

B. M., and is in the Lots 5 & 6 of Section 26, T. 15 N., R. 43 E. B. M., County of Fremont.

6. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Henry Lake

(b) The reservoir is to be filled through the Dry Creek Feeder Canal,

which has a width at bottom of 6.0 ft., width at top of 18.0 ft., depth of 4.0 ft., average grade per mile 2.64 ft., capacity 60 cubic feet per second.

7. (a) The area of the high water line of the reservoir is 6356 acres.
(b) The available capacity of the reservoir is Seventy-nine thousand acre feet.
8. Height of dam: 28 feet; length of dam at top 408 feet; length of dam at bottom 70 feet.
Material used in dam: Reinforced concrete

9. The estimated cost of proposed reservoir is \$ 36,000.00

10. Amount of land to be irrigated 56,000 acres; said land being described in Use Permit mentioned in

Paragraph 13 herein, which Use Permit is hereby referred to and made a part hereof.

11. The time required for the completion of such work is three years.

13. The water stored in accordance with this permit will be conducted to the place of use through the Dry Creek Feeder canal, constructed under the terms of Permit No. 13122, filed by North Fork Reservoir Company on May 15, 1917.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and to store the unappropriated waters of the State of Idaho as herein set forth.

North Fork Reservoir Company, Applicant.

By C. Redman Moon, Agent.

Commissioner of Reclamation

Date of first receipt at office of State Engineer

9 A. M. September 4, 1923.

Returned to applicant for correction September 6, 1923.

Corrected application received September 26, 1923.

COMMISSIONER OF RECLAMATION.

Approval of State-Engineer

The number of this Permit is R 324

Recorded in book R 2

Page 324

Approved October 23, 1923.

This is to certify that I have examined the within application for a permit to construct a reservoir and to store the unappropriated 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 December 22, 1923, and to continue diligently and

uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before April 23, 1925.

The whole of said work to be completed on or before October 23, 1926.

Beneficial use of water stored in accordance herewith, to be made on or before

as set out in Permit No. for the appropriation of the public waters of the State of Idaho, which is hereby referred to and made a part hereof.

Witness my hand this 23d day of October, 1923.

W. G. SWENDSEN,
Commissioner of Reclamation
State Engineer.

Remarks:

The water will be conducted to the place of use through the Outlet of Henry Lake and the North Fork of Snake River to the respective headgates of the following canals, viz., The St. Anthony Union; The Egin; The Last Chance; The Independent; The Salem Union, and The Consolidated Farmers, all of which have headings in the North Fork of Snake River and serve the lands listed in Use Permit No. 13122 in the name of the North Fork Reservoir Company, also in Reservoir Permit No. R-75 by the same company. The point of diversion of said Feeder Canal is located S. 82° 6' East 1376 feet from the quarter corner common to Sections 23 and 24 in Twp. 15 North, Range 32 East, Boise Meridian.

EXTENSION OF TIME

Upon proper request of the holder of the above numbered permit, I have this 20th day of October, extended the time for making the proof of completion of works to October 23, 1927.

W. G. SWENDSEN
Commissioner of Reclamation

PERMIT NO. R-324.

CERTIFICATE OF COMPLETION OF RESERVOIR AND
RIGHT TO STORE WATER

Amount 4000 Acre feet

Priority 9-4-1923.

This is to certify that North Fork Reservoir Company, of Sts. Anthony, County of Fremont, and State of Idaho, the holder of Permit No. R324, issued upon Application No. R-22551, bearing date of priority of September 4, 1923, authorizing the construction of a reservoir and the right to store the waters of Dry Creek, a tributary of Henry's Lake Outlet, County of Fremont, 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 as set out and described in said Permit; that said works are adequate for diverting for storage 4000 acre feet of water annually; that the location of the outlet of said reservoir is in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 26, Township 15 N., Range 34 E., Boise Meridian; that a right to store the said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the Commissioner of Reclamation and entered of record in Volume R-2, of Permits, at page 324, records of the Department of Reclamation on the 25th day of October, 1927; that the right hereby confirmed dates from September 4, 1923; and that the amount of water to which said right is, by this certificate, entitled to store annually shall not exceed 4000 acre feet.

Witness the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 25th day of October, A. D. 1927.

(SEAL)

GEO. N. CARTER,
Commissioner of Reclamation,
By MYRON SWENDSEN,
Assistant.

Proof of completion of works made October 22, 1927.
Certificate issued October 25, 1927.

LICENSE ISSUED FOR 4000 a.f.
Page 3568

Woodville Canal Co.

Plaintiff.

vs.

Clark & Edwards
Canal & Irrigation Co.

Defendant.

DECREE



United States District Court
Idaho

Filed June 25, 1929

(Price: \$3.00)

Farmers Friend Ditch.....	5000 miner's inches
Burgess Ditch	10000 miner's inches
Snake River Valley Irrigation District Ditch.....	3400 miner's inches
Reid Canal Ditch.....	2600 miner's inches
Rigby Canal Ditch.....	4000 miner's inches
Liberty Park Irrigation Company Ditch.....	800 miner's inches
Texas Slough Irrigation & Canal Company Ditch	800 miner's inches
Wm. J. Kremer Ditch (Mattson & Craig).....	700 miner's inches
H. W. Forbush Ditch (Cheney Ditch).....	100 miner's inches
John E. Ellis Ditch.....	100 miner's inches
J. R. Anrsberger Ditch.....	150 miner's inches
People's Canal Company Ditch.....	10000 miner's inches
Watson Slough Canal.....	1800 miner's inches
Danskin Ditch Company Ditch.....	1600 miner's inches
Harrison Canal Company Ditch.....	4800 miner's inches
New Lavaside Canal Company Ditch.....	1500 miner's inches
Riverside Canal Company Ditch.....	1500 miner's inches
New Sweden Irrigation District Ditch.....	7250 miner's inches
Trego Ditch Company.....	900 miner's inches

North Fork Tributaries:

Enterprise Irrigation District Ditch.....	1500 miner's inches
Roxana Canal Company Ditch.....	1300 miner's inches
Farmers Friend Canal Company Ditch.....	2350 miner's inches
Consolidated Farmers Canal.....	3900 miner's inches
Twin Groves Canal and Irrigation Company Ditch	1500 miner's inches

3B. The following license rights may also be decreed as hereinafter listed for the amounts not exceeding the quantities stated after the name of the canal owners with dates of priority as indicated in each respective case, to-wit:

To the North Fork Reservoir Company of the waters of Henry's Lake and its tributaries to the amount of 79350 acre-feet per annum for storage, and of the waters of Dry Creek to the amount of 4000 acre-feet per annum for storage, all to be stored in its reservoir at Henry's Lake, Idaho, with a priority date of May 15th, 1917.

William B. Reyburn, 3.2 second feet, Aug. 27, 1916.

William B. Reyburn, 1.5 second feet, Oct. 5, 1912.

William Kooch, 6.0 second feet, Sept. 15, 1913.

Fannie B. Preufert, 1.1 second feet, Sept. 30, 1915.

3C. To the defendant and cross complainant Utah Power and Light Company for power purposes as follows:

Under State of Idaho license No. 9242, 1000 cubic feet per second, priority date January 16th, 1913.

Under State of Idaho license No. 11921, 500 cubic feet per second, with priority date November 1st, 1915.

Under State of Idaho license No. 16006 for 1000 cubic feet per second with priority date March 7th, 1924.

Under State of Idaho license No. 10,069, 700 cubic feet per second with priority date December 20th, 1913.

Under State of Idaho license No. 445, 1500 cubic feet per second, priority date December 29th, 1905.

Under State of Idaho License No. 11,600, 100 cubic feet per second, priority date September 7th, 1915.

Under State of Idaho water permit and the license to be issued thereunder, 1500 cubic feet per second, with priority date November 11th, 1924.

4 to 10, block 4 of the Bartlett's Addition to South St. Anthony, Idaho;
lots 1 to 16 of block 37 of the Townsite of South St. Anthony, Idaho.

North Fork Reservoir Company.

To the North Fork Reservoir Company of the waters of Henry's Lake
and its tributaries to the amount of 79,350 acre-feet per annum for stor-
age, and of the waters of Dry Creek to the amount of 4,000 acre-feet per
annum for storage, all to be stored in its reservoir at Henry's Lake, Idaho,
with a priority date of May 15th, 1917.

Land: Lands lying in Township six, seven and eight, North of Ranges
thirty-eight, thirty-nine, forty and forty-one East Boise Meridian.

William B. Reyburn, Aug. 27, 1910, 3.2 sec. feet.

William B. Reyburn, Oct. 5, 1912, 1.5 sec. feet.

William Kooch, Sept. 15, 1913, 6.0 sec. feet.

Fannie B. Preufert, Sept. 30, 1915, 1.1 sec. feet.

Snake River and its tributaries for power purposes.

Utah Power and Light Company.

North Fork Reservoir Co. Point of Diversion: A point in lot six of
section 26, Township 15 North, Range 43 E. B. M., that bears South 38°
33' W. 2775 feet from the quarter corner common to Sections twenty-
three and twenty-six above Township and Range, in the outlet of Henry's
Lake; the lands to be irrigated are more particularly designated as being
the identical lands which are now being irrigated by the following named
canals which are stockholders in the North Fork Reservoir Company, to-
wit: St. Anthony Union Canal Company, Salem Union Canal Company,
Independent Canal Company, Last Chance Canal Company, Consolidated
Farmers Canal Company, and the Egin Irrigating Company, and being
the same land to which water was decreed by and has since been used
upon, under the terms of the decree referred to herein as the Rexburg
decree.

Further ordered, adjudged and decreed that there be and there is
hereby awarded to the defendant and cross complainant, Utah Power and
Light Company, the right to use the waters of Snake River and its tribu-
taries for power purposes at the respective places and in the respective
quantities with respective dates of priorities as follows, to-wit:

1,000 cubic feet per second, priority date July 16, 1913, under State of
Idaho license No. 9242, at its Ashton plant located in Section 28, Town-
ship 9 North, Range 42 East Boise Base and Meridian.

500 cubic feet per second, with priority date November 1st, 1915, un-
der State of Idaho license No. 11921, at its Ashton plant hereinbefore de-
scribed.

1,000 cubic feet per second, with priority date March 5th, 1924, under
State of Idaho license No. 16006, at its Ashton plant hereinbefore de-
scribed.

700 cubic feet per second, with priority date December 20th, 1913,
under State of Idaho license No. 10009, for use at its St. Anthony power
plant located in Section 1, Township 7 North, Range 40 East Boise Base
and Meridian.

1,500 cubic feet per second, with priority date of December 29th, 1905,
under State of Idaho license No. 445, for use at its Idaho Falls plant, lo-
cated in Section 25, Township 2 North, Range 37 East Boise Base and
Meridian.

100 cubic feet per second, with priority date of September 7th, 1915,
under State of Idaho license No. 11600 for use at its Shelley power plant
located in Section 34, Township 2 North, Range 37 East Boise Base and
Meridian.

1,500 cubic feet per second, with priority date November 14th, 1924,
under that certain appropriation made November 14th, 1924, and under
the water permit and license to be issued thereunder of the State of Idaho

June
~~the~~ 1967

N O T E

Plans, specifications, and drawings have been withdrawn from this
file and entered into the Records of Dams file.

Permit No. R-324
KS

R-324

June 20, 1963

Re: R-75; 13122; R-324
North Fork Reservoir

H. C. Eagle
Engineer-in-Charge, U.S.G.S.
Watermaster, Water District 36
Idaho Falls, Idaho

Dear Mr. Eagle:

In R-75 — This is to correct the second paragraph in our letter of June 19, to read:

"It is the opinion of the writer that permits R-75 and 13122 are the original filings on Henry's Lake and that R-324 is on water from a supplementary source - Dry Creek - to fill the existing reservoir under R-75. Also, that diligent search through our files fails to show any documents or references indicating that the reservoir capacity is recorded as being over 79,350 acre-feet. As a matter of fact, the engineers who examined the completed works under R-75 and R-324 before licensing, show reservoir capacity on their sketch maps as 79,350 acre-feet. The engineer examining R-324 states in part, 'These works consist of a dam about 250 ft. long on top and about 20 ft. high . . . and creates a storage reservoir of about 78,000 acre-feet capacity, and it is for the filling of this reservoir that this right is sought.' "

Trust this will clarify the meaning of the paragraph.

Very truly yours,

CARL E. TAPPAN, Acting
State Reclamation Engineer

By:

H. PETRI
State Water Rights Clerk

HP:ew

R-394

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Fremont. } ss.

I, **Wood D. Parker**, do solemnly swear that I am the printer and publisher of the **TETON PEAK-CHRONICLE**, a weekly newspaper of general circulation, published once a week at St. Anthony, Fremont County, State of Idaho; that said newspaper has been continuously and uninterruptedly published in said

Notice for Publication

Notice is hereby given that at 10 o'clock, A. M. on the 22nd day of October, 1927, at St. Anthony, County of Fremont, State of Idaho, before H. G. Harris, Notary Public, First National Bank Building, proof will be submitted of the completion of works for the diversion of 80 cubic feet per second of the waters of Dry Creek for storage to the amount of four thousand acre feet in accordance with the terms and conditions of a certain permit issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is North Fork Reservoir Company.

2. The postoffice address of such person or principal place of business of such corporation is St. Anthony, County of Fremont, State of Idaho.

3. The number of such permit is R-324, and the date set for the completion of such work is October 23rd, 1927.

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 80 cubic feet per second, up to four thousand acre feet storage in the reservoir of said permit holder, in Henry's Lake.

6. The amount of lands for which said water is available is 36,000 acres, particularly described as follows: Lands lying in Townships 6, 7 and 8 North of Ranges 38, 39, 40 and 41, East of Boise Meridian, as shown in permit No. R-75 and 15122, of the North Fork Reservoir Company.

GEO. N. CARTER,
Commissioner of Reclamation.

County and St. Anthony, during a period of seventy-eight consecutive weeks prior to the first publication of the **Notice**

in the above entitled action; that the notice attached hereto, and which is a part of this affidavit and a part of the proof of publication was published in said newspaper **four** consecu-

tive weeks; first publication having been made on the **15th** day of **September**, 192**7**, and last publication on the **6th** day of **October**

192**7**; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement.

Wood D. Parker

Printer and Publisher.

Subscribed and sworn to before me this

day of

Oct
George D. James

A. D., 192**7**.

Notary Public.

My commission expires

Dec 15

192**7**

R-324

Permits Nos. R-76 & R-324.

Mr. F. L. Soule, Secretary
North Fork Reservoir Co.,
St. Anthony, Idaho.

Dear Sir:-

Enclosed you will find water licenses issued
under the above numbered permits.

Very truly yours,
GEO. H. CARTER,
Commissioner of Reclamation.

By _____
Chief Clerk.

271

R-324.

S T A T E O F I D A H O
L I C E N S E A N D C E R T I F I C A T E O F W A T E R R I G H T

Water License No. R-324
Water District - 36-A

Amount - 4,000 acre-feet
Priority - 9-4-1923

THIS IS TO CERTIFY That North Fork Reservoir Company, of St. Anthony, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 4, 1923; that Reservoir Permit No. 324 was issued under said application; that Certificate of Completion of Works, with a storage capacity of 4,000 acre-feet, was issued thereunder on October 25, 1927, showing that said works were completed on the 22nd day of October, 1927; and that, on October 22nd, 1927, North Fork Reservoir Company, of St. Anthony, Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho of a right to the use of the waters of Dry Creek, a tributary of Henry Fork of Snake River, for the purpose of irrigation and domestic use under Use Permit No. 13122, of the State Engineer of Idaho, as a supplementary right in low water season for land already under irrigation, 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 3568, on the 20th day of February, 1929:

The right hereby confirmed dates from September 4, 1923:

n The point of diversion from Dry Creek is located S. 82° 06' E. 1376 feet from the 1/4 corner common to Secs. 23-24, Twp. 15 N., R. 43 E., B.M. The outlet from the Reservoir is located in Lot 6, (SW 1/4), Sec. 26, Twp. 15 N., R. 43 E., B.M. Fremont County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4,000 acre-feet per annum.

Description and location of use: Approximately 56,000 acres of land lying in Fremont and Madison counties, in Twp. 6, 7 and 8 North, Ranges 38, 39, 40 and 41 East, Boise Meridian.

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 20th day of February, 1929.

Commissioner of Reclamation.

R-324

R-75 - Linc.

R-324 - Linc. for 4000 ft. ^{from 9-4-23} Dry lands.

R-75 - 79350 ft. Pin. 5-15-17.

Both tied to 13122.

1000 sec ft. 5-15-17.



6000-ft

To files

R-324

February 20, 1929.

Permit No. 13122
Re: Permit No. R-75
Permit No. R-384 ✓

P. L. COLE,
Secretary,
North Fork Reservoir Company,
St. Anthony, Idaho.

Dear Sir:

In accordance with
your request, licences are be-
ing prepared for your Reservoir
Permits Nos. R-75 and R-384.

Very truly yours,

Commissioner of Reclamation.

ONE/tp

R-384

F. L. SCOLE

February 13, 1929.

licensed is as near as I can figure out the theory of the original procedure identical with the water covered by certificates of completion of works under the reservoir; such being the case, it has not appeared necessary to this Department that licenses issue under a storage permit. Hereafter when proof is made under the new form of application and permit, certificate and license will both issue, such procedure being necessary to set up a license for the water stored as well as diverted.

I can see no particular objection to the issuance of a license on the storage permits, however, I do not believe such license in any way strengthens the right.

Very truly yours,

Commissioner of Reclamation.

GNC/tp

R-324

February 13, 1929

PERMIT No. 13122
Re: PERMIT No. R-75
PERMIT No. R-324 x

F. L. SOULE,
Secretary, North Fork Reservoir Co.,
St. Anthony, Idaho.

Dear Sir:

Reference is had to your letter of February 8 regarding the action taken and certificates issued by this Department upon presentation of proofs in the above numbered permits which stand in the name of the North Fork Reservoir Company.

You inquire why licenses have not issued on the two storage permits, No. R-75 and No. R-324.

The procedure for applications to construct reservoirs and store water was initiated in this office by a former State Engineer without specific statutory direction. It has seemed to me that the requirement of filing two applications, one for the storage of the water and the other for its diversion and use, is rather awkward and leads to considerable misunderstanding. Heretofore I have attempted to secure an opinion from the Attorney General's Office regarding the legality or feasibility of this procedure but so far nothing in the way of a definite answer has been given. I also attempted to have the procedure changed through legislative enactment but the Legislature was somewhat in the dark as to the effect and, therefore, took no action. About two years ago the form of application, where storage water was involved, was changed so that under the present procedure only one application is made and one permit issued in cases of storage in addition to diversion of water from a natural stream.

The original procedure set up in this office calling for two permits assumed that the diversion or use permit had as its source of supply the stored water rather than the natural flow of a stream. For that reason I have considered that certificate of completion of works and license being issued on the use permit, which in your case is Permit No. 13122, that the issuance of an additional license upon the reservoir permit would in fact be nothing more than a duplication. The certificate of completion of works evidences the right to store the water contemplated under the reservoir permits No. R-75 and No. R-324. License is issued under the use permit No. 13122 and the water thereby

R-324

October 25, 1927.

Re: Permit No. R-324.

Mr. F. L. Soule, Secy.,
North Fork Reservoir Co.,
St. Anthony, Idaho.

Dear Sir:

Enclosed herewith is Certificate of
Completion of Reservoir and Right to Store
Water, under your Permit R-324.

The fee in connection with this will be
\$6.80, for which we would appreciate your check.

Very truly yours,

Assistant.

S:P
Enc.

R-324

October 31, 1927.

North Fork Reservoir Co.,
St. Anthony, Idaho.

To

Geo. N. Carter,
Commissioner of Reclamation,
Boise, Idaho.

For Certified Copy:

Certificate of Completion of Works,
under Permit No. R324,

\$1.00.

R-324

M. HILLMAN,
President.

F. L. SOULE,
Secretary.

North Fork Reservoir Co.

ST. ANTHONY, IDAHO

October 27, 1927.

Department of Reclamation,
Boise, Idaho.

Gentlemen:

In-re Permit # R-³24 *R-324*

I have yours of the
25th enclosing Certificate of Completion
of Reservoir and Right to Store Water
under the above Permit, for which, thanks.

I enclose herewith
check of the Company to cover your fee of
\$6.80.

Will you kindly forward
me a Certified copy of this Certificate,
and oblige,

Yours very truly,

F. L. Soule
Secretary.

FS:EB
Enc.

R-320

October 24, 1927.

Re Permit No. R-324.

Mr. F. L. Soule,
Attorney at Law,
St. Anthony, Idaho.

Dear Mr. Soule:

I beg to acknowledge receipt of your
proof in the matter of Permit No. R-324.

I am enclosing herewith a check which
apparently was enclosed in this letter by mistake.

In the matter of issuing license and
certificate in connection with this permit, this
will receive attention within the next couple of
days.

Very truly yours,

Assistant.

S:P
Enc.

R-324

North Fork Reservoir Co.

ST. ANTHONY, IDAHO

October, 22nd. 1927.

Department of Reclamation ,
Boise, Idaho,

Gemntlemen;

R.324 PROOF.

Proof in this matter was had to day before the designated Notary Public and I enclose it herewith.

I believe you have examined and approved works and that nothing remains to be done, but to issue the necessary license, if this proof is in proper form and I think you will find it so.

If so please issue the proper evidence of title and forward at once, as I have explained we must have our claim filed in the water suit this coming week.

Please do not hold back on account of the small fees that may be due you/office as they will be promptly paid, or you may send the proof to the Commercial National bank here with draft for fees attached, if you desire. Our only concern is that we get the evidence of title in the next few days. Thanking you, we beg to remain,

Very Truly Yours,

North Fork Reservoir Co.

By

F. L. Soule
Secretary.

note advertized for only 50 cubic feet

R-324

PERMIT NO. _____

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. F.L. Soule, 48, St. Anthony, Idaho, Lawyer.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. North Fork Reservoir, St. Anthony Idaho, Secretary, At request of Board of Directors.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. R. 324, September 4th, 1927, permit authorizes 60 cubic feet per second up to 4000 acre feet; Source Dry Creek; S82-06'E. 1376 feet from 1/4 cor. common to sections 23 and 24 in Twp. 15 N. R. 43 E.B.M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation and domestic; about 56,000 acres; Water is for storage as a supplementary right in low water season, for land already having a normal flow right and located in Townships 6, 7, and 8 North of ranges 38, 39, 40, and 41 East of Boise Meridian in Fremont and Madison Counties, Ida

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Started with flow from melting snow in June, 1927, and ran to full capacity in high water time in 1927.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. They are and they do.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. _____

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Ditch about 1 1/2 miles long, earth and gravel, fall six feet to mile 10 feet wide bottom, 16 at top, and 3 1/2 to 4 feet deep; Culvert of cement, six feet wide, 1 1/2 feet deep; Cost about \$4000.00.

(Sign here.)

F.L. Soule

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in St. Anthony, Idaho, County of

Fremont

State of Idaho, on this

22nd

day of

October, 1927.

A. D. 191...

H.G. Harris

Notary Public For Idaho. ~~Notary Public~~
Residence, St. Anthony Idaho.

My Commission expires _____

R-324

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. R. 324.

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Carl Mackert. 31. St. Anthony, Idaho, Farmer.

Ques. 2. Are you acquainted with North Fork Reservoir Company, the holder of Permit No. R. 324, authorizing the diversion of 50 cubic feet per second of the waters of Dry Creek, at Henry's Lake for irrigation and domestic purposes? How long have you known him, and where does he reside?

Ans. Yes. Known it since organization. Office at St. Anthony, Idaho.

Ques. 3. Have you read or heard read said Permit No. R. 324, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. The land lies in Townships 6, 7 and 8 North of Range 38., 39, 40, and 41 East Boise Meridian. The soil varies over the area. Some gravel; some sand and some clay, and mixtures of these; mostly gravel and sand. Requirement of this land is from one to six inches per acre.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. They are completed. Yes will carry from 2500 to 3000 inches.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Ditch of gravel and earth and a culvert across highway.

Ditch has a fall of at least six feet per mile, is ten feet wide on bottom, sixteen feet on top and approximately four feet deep and will carry 3000 inches of water.

(Sign here.)

Carl Mackert

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, at my office in St. Anthony, County

of Fremont, State of Idaho, on this 22nd day of

October, 1927.

A. D. 191

J. G. Harris
Notary Public for Idaho.
Residence, St. Anthony, Idaho.

R-324

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. R.324**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. Charles Mackert, 62, St. Anthony, Idaho, Farmer.

Ques. 2. Are you acquainted with North Fork Reservoir Company, the holder of Permit No. R.324, authorizing the diversion of 60 cubic ^{or 4000 acre feet} ~~seconds~~ feet of the waters of Dry Creek, at Henry's Lake for irrigation and domestic purposes? How long have you known him, and where does he reside?

Ans. Yes. Since organization. Office St. Anthony, Idaho.

Ques. 3. Have you read or heard read said Permit No. R.324, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. Land in Townships 6, 7, and 8 North, of Range 38, 39, 40 and 41 East Boise Meridian in Fremont and Madison Counties. Some sand, some gravel and some clay with varying mixtures. Requires one to six inches per acre according to nature of soil in different locations.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. yes completed. Will easily convey 50 cubic feet or 2500 miners inches.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. consists of ditch of earth and gravel and culvert across highway. Ditch ~~average~~ ten feet on bottom; 16 feet on top; 3½ feet deep and six feet fall to the mile. # Capacity fully 2500 inches.

(Sign here.)

Charles Mackert

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, at my office in St. Anthony, Countyof Fremont, State of Idaho, on this 22nd day ofOctober, 1927, A. D. 1927*H. J. Harris*
Notary Public For IdahoResidence St. Anthony, Idaho.

R-324

Notice for Publication

Ref

Notice is hereby given that at 10 A. M., on the 22nd day of October
 192 7, at St. Anthony, County of Fremont, State of Idaho,
 before H.G.Harris, Notary Public, First National Bank Building,
 proof will be submitted of the completion of works
 for the diversion of 50 cubic feet per second of the waters of Dry creek for storage to the
amount of 4000 acre-feet,
 in accordance with the terms and conditions of a
 certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is North Fork Reservoir Company
2. The postoffice address of such person or principal place of business of such corporation is St. Anthony
 County of Fremont, State of Idaho.
3. The number of such Permit is R-324, and the date set for the completion of such work is
October 23, 1927
4. Said water is to be used for irrigation and domestic purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works
 are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit,
 is 50 cubic feet per second, up to 4000 acre-feet storage in the reservoir of said
permit holder, in Henry's Lake.
6. The amount of lands for which said water is available is 56,000 acres, particularly described as follows:
Lands lying in Townships 6, 7 and 8 N., Ranges 38, 39, 40 and 41, East of
Boise Meridian, as shown in Permits No. R. 75 and 13122, of the North Fork
Reservoir Company.

Geo. N. Carter.

Commissioner of Reclamation.

R-394

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

North Fork Reservoir
c/o

Mr. H. G. Harris,
St. Anthony, Idaho.

BOISE, IDAHO,

Sept. 14, 1927

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit No. B-324

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 October 22, 1927, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at St. Anthony, before H. G. Harris, 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,

GEO. N. CARTER,
Commissioner of Reclamation.
~~State Engineer.~~

R-324

September 13, 1927.

Re: Permit No. R324-
North Fork Reservoir Co.

Mr. F. L. Soule, Secy.,
North Fork Reservoir Co.,
St. Anthony, Idaho.

Dear Sir:

Referring to your letter of the 10th instant, would say that the notice enclosed with your letter has today been mailed to the Teton Peak Chronicle for the four weeks publication prior to October 22, the date set for proof.

We are mailing you herewith a set of deposition blanks for the holder and two witnesses. A set of these blanks will also be mailed to Mr. H. G. Harris, the notary public before whom proof is to be made.

The affidavit form for holder for proof of completion of works should not have been sent you, as this form is used only when the amount of water claimed does not exceed 6.4 second feet. We are accordingly returning you herewith the affidavit.

Very truly yours,

Commissioner of Reclamation.

B:P
Enc.

R-324

September 13, 1927.

Re: Permit No. R-324-
North Fork Reservoir Co.

Mr. F. L. Soule, Secy.,
North Fork Reservoir Co.,
St. Anthony, Idaho.

Dear Sir:

Referring to your letter of the 10th instant, would say that the notice enclosed with your letter has today been mailed to the Teton Peak Chronicle for the four weeks publication prior to October 22, the date set for proof.

We are mailing you herewith a set of deposition blanks for the holder and two witnesses. A set of these blanks will also be mailed to Mr. H. G. Harris, the notary public before whom proof is to be made.

The affidavit form for holder for proof of completion of works should not have been sent you, as this form is used when the amount of water claimed does not exceed 6.4 second feet. The mistake was made here in sending out the wrong blank. We are accordingly returning you herewith the affidavit.

Very truly yours,

Commissioner of Reclamation,

B:P.
Enc.

R-324

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date Sept. 13, 1927

Teton Peak Chronicle,
St. Anthony, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to October 22m 1927 the date set for proof, the expense of the publication to be paid by the applicant, by F. L. Soule, Secretary, St. Anthony, 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,

GEO. N. CARTER,

Commissioner of Reclamation.

R-324

M. HILLMAN,
President.

F. L. SOULE,
Secretary.

North Fork Reservoir Co.

ST. ANTHONY, IDAHO

September 10th.1927.

Mr. Geo. N. Carter, Commissioner,
Boise, Idaho,

Dear Sir;

Re R-324.

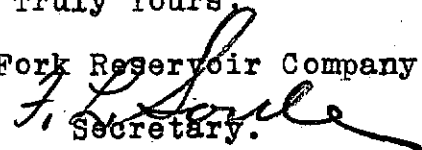
In response to yours of the 7th, I have prepared notice of intention to make proof of completion of works under the above permit. Please forward to the publisher for publication of Thursday of this coming week.

Note that while this is for storage ,it is the carrying capacity of the ditch taking the water th the reservoir for storage that is up for proof,and I have therefore used the capacity in cubic feet and then also refered to the amount of storage to be claimed.

Now what puzzles us is,to what does the proof by affidavit sent you July 30th,in this matter ,apply,and what purpose will it be held to serve in your office. We ask this because we feel it was either called for by you or made by us in misconception of the situation. It was submitted as supplying the proof which we are now proceeding to make by publication,and is, therefore,a nullity and should be returned to us.

We never did receive the blanks for proof your letter refers to and none were enclosed in your letter of the 7th. Please send us the necessary blanks for proof before the time set.

Very Truly Yours,

North Fork Reservoir Company,
By  Secretary.

R-324

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) St. Anthony, Idaho, Sept. 10th, 1927.

(P. O.) _____

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 Peak Chronicle of St. Anthony, Idaho, published in the county in which the works are situated.

North Fork Reservoir Company

by

F. L. Soule
Secretary

(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.

September 7, 1927

Re: Permit No. R324

MR. F. L. SOULE,
Secretary, North
Fork Reservoir Co.,
St. Anthony, Idaho

Dear Sir:

Reference is made to your letter of September 3 regarding your reservoir Permit R-324, taken out for the purpose of storing four thousand acre feet of water from Dry Creek.

I fully agree with you that due to the extension granted on October 18, 1926, that it is necessary to republish notice of your intention to make proof on or before October 23, 1927.

The ordinary notice and necessary blanks for the making of this proof were mailed sometime ago. They must have somehow miscarried through the mail. Additional blanks are herewith mailed.

The beneficial use proof under Permit R-754 which will serve in the case of Permit R-324, will likewise be made under use Permit No. 13122, inasmuch as both Permits R-75 and R-324 relate to this one use permit.

I trust that these two letters will remove any misunderstanding which may now exist regarding the duties of North Fork Reservoir Company in the matter of finally perfecting their water rights.

Very truly yours,

Commissioner of Reclamation

GNC:E
Enclosures

R-324

FRANK L. SOULE
ATTORNEY-AT-LAW
FIRST NATIONAL BANK BUILDING
ST. ANTHONY, IDAHO

Sept. 3rd. 1927.

Commissioner of Reclamation,

Boise, Idaho,

Dear Sir;

RE PERMIT # R-324

We still feel that the proof ~~by~~ ~~as~~ completion of works under this permit, by affidavit sent you on July 30th, 1927, is not sufficient without being preceded by publication. Being more than four and six tenths feet it does not fall within the exception of 5574, and if there is any other provision excepting it we would like to be advised of it.

On July 16th, 1926, you sent us official notice that this proof was due before October 23rd, 1926, and sent us notices to prepare in the matter, which we did, and on September 15th, 1926, you advised us that you were sending the notice to the Fremont County, News, for publication, which you did. The proof was fixed in said notice for October, 22nd. On September 30th, we advised that weather conditions were such that we could not complete the work in time to make proof at the time fixed and asked for an extension. You answered on October 4th that we would not have to advertise for extension and on October 18th, granted the extension till October 23rd, 1927. We mention this to show that last year both you and ourselves, were proceeding to publish for making this proof which has now been submitted without such publication. Please check again and send us the necessary blanks at once to prepare for publication, if you decide we must, since there is still time to publish.

North Fork Reservoir Co.
BY Frank L. Soule Sec.

R-324

August 1, 1927.

Re: Permits R324-13122.

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

Dear Sir:

We are today in receipt of your letter of the 30th ult. enclosing affidavit of holder for proof of completion of works under the above numbered permit. This affidavit is in proper form and will be held without further action until our examining engineer can make examination and report under this permit, and the use permit No. 13122, under which proof was submitted September 1926.

This examination will be made sometime during the month by an engineer from this office. When the report has been received you will be further advised as to fees due before issuing certificate of completion of Works and license. There is nothing further to be done under either of these permits in the way of proof.

Very truly yours,

GEO. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P

R-324

FRANK L. SOULE
ATTORNEY-AT-LAW
FIRST NATIONAL BANK BUILDING
ST. ANTHONY, IDAHO
July 30, 1927

Department of Reclamation,

Boise, Idaho

Gentlemen:

Re-Permit R-324

I inclose herewith proof of completion of works, my affidavit. Will you kindly check your records of this permit and advise us of the status of the same as shown by your records, that is, what is the next step required to complete the title? We wish to proceed to take the next and all required steps to perfect this title at once.

FLS:MP

Very truly,

F. L. Soule,
M.

R-324

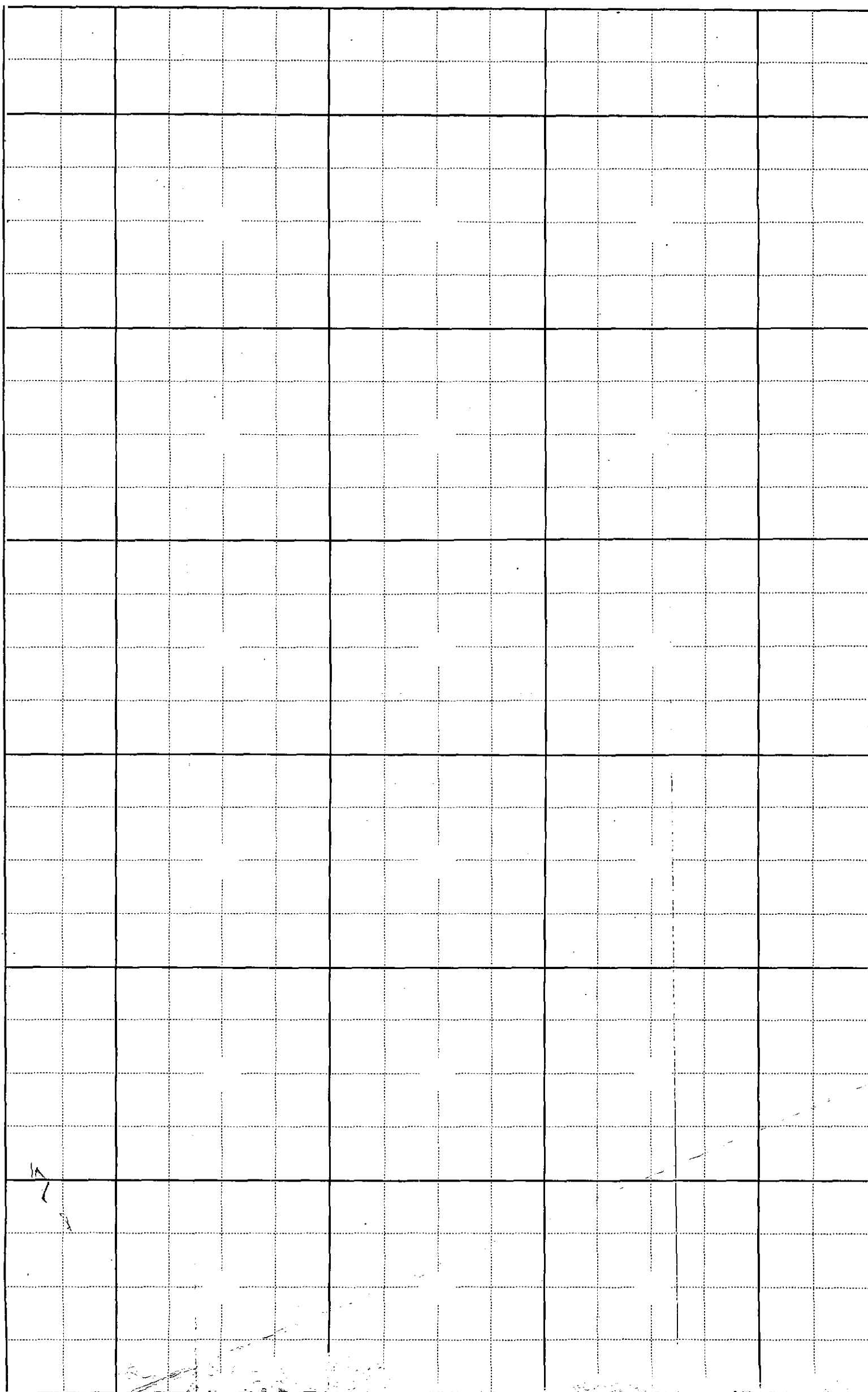
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. P-324

REPORT ON PROOF OF W. F. Parkes & Co.

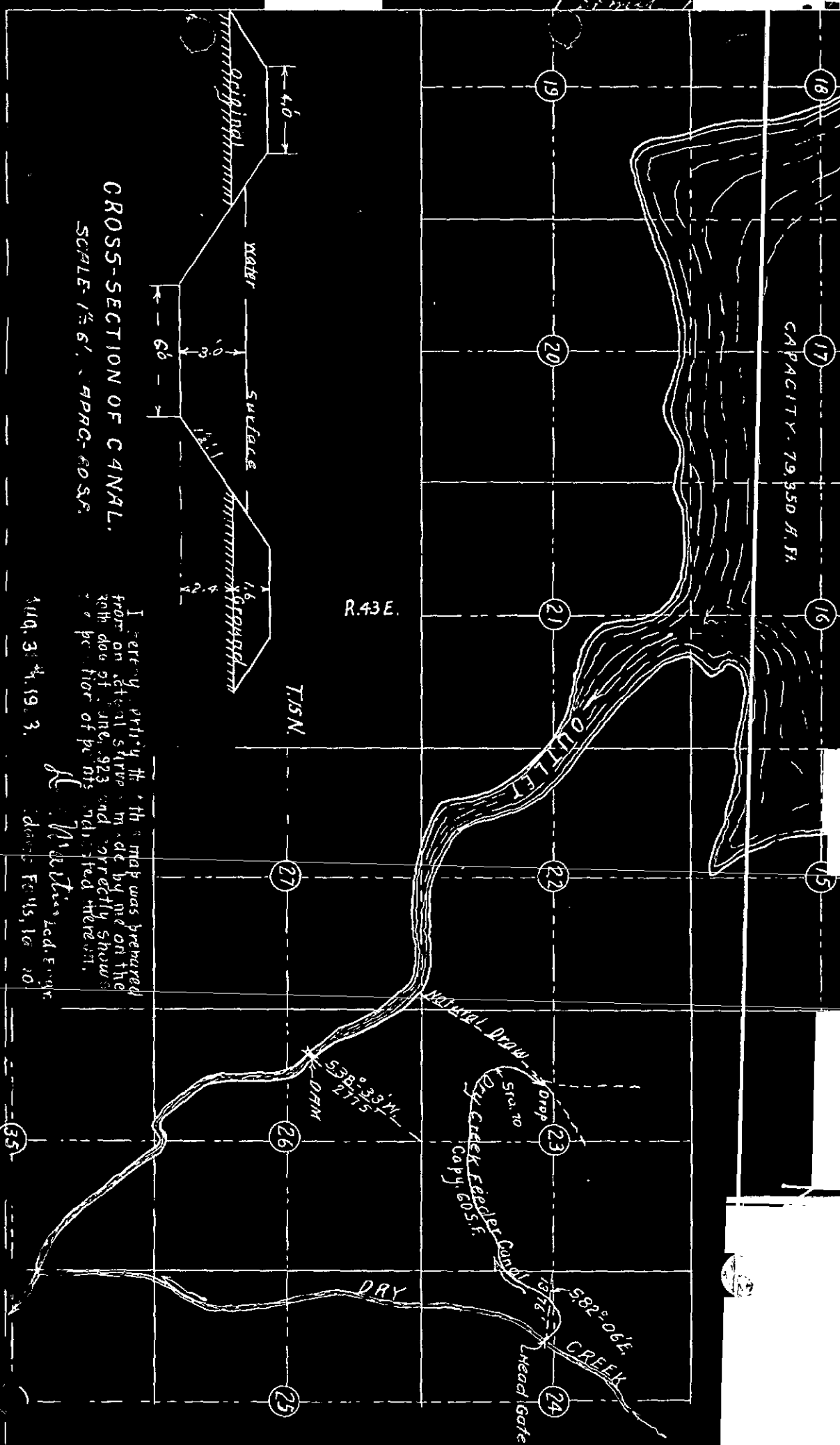
SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.



HENRY LAKE RESERVOIR

CAPACITY 79,350 A. F.

Permit 7



CROSS-SECTION OF CANAL.

SCALE 1"=6', APPR. 40 S.F.

AUG. 31, 1923.

M. J. Martin, Leida, Eng.

Leida Falls, Ia. 20'

MAP OF

THE DRY CREEK FEEDER CANAL

TO ACCOMPANY APPLICATION

BY THE

NORTH FORK RESERVOIR

ST. ANTHONY, IDAHO.

K-324

10-23-23

R-324

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

Permit No. R-324This proof is for Completion WorksIn Water District No. 36-A

1. Name of applicant: North Fork Reservoir Co.
2. Source of water supply: Dry Creek
3. Location of point of diversion: Is in the ^{Outlet} Lots 5 & 6 of Section 26
T. 15 N., R. 43 E.B.M. County of Fremont

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

Division works consists of 5 outlets thru Dam 12' x 4.5' controlled by radial gates. Capacity sufficient to meet Maximum Demand. To supplement the supply for filling this reservoir a canal with a 6' bottom capable of carrying 50 c.f.s. of water has been constructed for diverting water from Dry Creek (See map)
Irrigation under Permit No. 13122

5. Water is used for:

6. State whether or not water has been turned into works of diversion: No, not into Dry Creek diversion but water has been stored and diverted from Reservoir

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): Lands described under Use Permit No. 13122

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

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

Remarks: *These works consists of a dam about 250 feet long on top and about 20 feet high constructed of reinforced concrete, across the outlet of Henry's Lake, and creates a storage reservoir of about 78000 acre feet capacity and it is for filling this reservoir that this right is sought*

This examination was made on the 22nd day of July 1927

(Signed)

Myron Burradine Examiner.

R-324

Permit No. **R-324**Examination for **COMPLETION WORKS**County **FREMONT**

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion, and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make 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.
-

October 20, 1926.

In Re: Reservoir Permit 324

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

Dear Sir:-

The application for extension of time for completion of works under the above permit has been approved. No further steps will therefore be taken toward making this proof on October 22nd, as advertised.

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

By _____
Chief Clerk.

R-324

FRANK L. SOULE
ATTORNEY-AT-LAW
FIRST NATIONAL BANK BUILDING
ST. ANTHONY, IDAHO

October, 16th.1926.

Mr. W.G. Schwendsen, Commissioner,

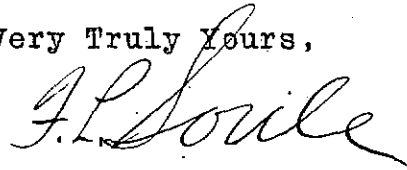
Boise, Idaho,

Dear Sir;

Re Permit #R 324.

I enclose herewith application for extention of time to make
p#oof of completion of works under above permit as per your letter of
the 4th. The work will be cpmpleted this fall but can not be done
before proof date now for the reason stated in the application.
Kindly advise of your action and oblige,

Very Truly Yours,



Permit No. 77-324

Application for Extension of Time

State of Idaho, SS. FOR COMPLETION OF WORKS
County of Fremont, _____F. L. Soule of St. Anthony, of Fremont County
State of Idaho, being first duly sworn, upon his oath deposes and says:
He is Secretary of North Fork Reservoir Co. which is
~~Now~~ the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. R. 324.Under the terms and conditions of said permit, construction work thereunder was required to be
completed by October 23, 1926.

That he has heretofore performed the following work described under said permit: _____

Have surveyed several routes for canal and have same practically com-
pleted. Will be entirely completed within time. Whole construction will
be completed within time except culvert across State Highway. Delay by
bureau of public roads to furnish blue prints and instructions, and,
after material on the ground, their delay in testing it and insistance
that it be tested, makes it now impossible to complete the culvert
within the time allowed.costing \$ 1000.00, estimated. All bills not presentes.THAT he is unable to complete the remainder of the work within the required time, for the fol-
lowing reasons, to-wit:see above answerWHEREFORE, He asks that the Commissioner of Reclamation extend the time for the com-
pletion of construction work under said permit, to October 23rd, 1927, 19____F. L. Soule
for permit holder.Subscribed and sworn to before me this 16th day of October, 1927.

My commission expires _____

Notary Public.

Date of receipt at Department of Reclamation. OCT. 18, 1926

APPROVAL OF COMMISSIONER OF RECLAMATION

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby extend the time for
the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. R-324,
to October 23rd, 1927.Witness my hand this 18th day of _____, 19____October, 1926W. G. Swendsen
Commissioner of Reclamation.

By _____

R-324

October 4, 1926

Re: Permit No. R-324

Mr. Frank L. Soule, Secretary
North Fork Reservoir Co.
St. Anthony, Idaho.

Dear Sir:-

Referring to your letter of the 30th inst., in which you inclose application for extension of time for completion of works under the above numbered permit, under H.B. 54, Session Laws of 1925, would say that in view of the fact that only three years has been requested in the original application for permit, two years additional time may be granted without publication of such extension. This extension would come upon a regular form, a blank for which is herewith inclosed.

Notice of proof under this permit is now being published in the Fremont County News, October 22 being the date set for proof. If you wish this publication discontinued, you should so advise the publisher.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By _____ Chief Clerk

CB:HH
Encl.

R-324

FRANK L. SOULE
ATTORNEY-AT-LAW
FIRST NATIONAL BANK BUILDING
ST. ANTHONY, IDAHO

September 30
1926

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

Dear Sir:

Re- Permit R 324

The undersigned company have been proceeding this summer and fall to complete its construction work for making proof of completion of works under the above permit and we have actually advertised proof to be made for October 22nd, Recent freezing weather, however, and snow in Henry's Lake Flat and the delay of the Bureau of Public Roads in furnishing us maps, together with the isolated location of the place making it difficult to find help makes it appear probable that the work cannot be completed in time to make proof. As a matter of precaution we are therefore filing application herewith for extension of time for one year. If weather conditions permit, we will go on with the work and make proof and would like to have the extension granted anyway as a safe guard.

Very truly yours,

NORTH FORK RESERVOIR CO.

By

F. L. Soule
Secy

FLS:LP
encl

R.394

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date September 16, 1926

Fremont County News,
St. Anthony, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to October 22, 1926, the date set for proof, the expense of the publication to be paid by the applicant, by F. L. Soule, Sec'y, St. Anthony, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

R-324

September 15, 1926

Re: Permit #R-324

Mr. F. L. Soule, Sec'y
North Fork Reservoir Co.
St. Anthony, Idaho.

Dear Sir:-

We are in receipt of notices for proof of completion of works under the above numbered permit. In checking the notice for publication we find that the amount of water was given as 60 second feet instead of 4,000 acre feet as set forth in the permit. This change has been made and one copy will be mailed to the Fremont County Press in time for four weeks publication prior to October 22, and deposition blanks will be mailed to you.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By _____ Chief Clerk

CB:HH

R-324

Notice for Publication

Notice is hereby given that at two P. M., on the 22nd day of October. 1926, at St. Anthony, County of Fremont, State of Idaho, before H. G. Harris, Notary Public, First National Bank Bldg. proof will be submitted of the completion of works for the diversion of 60 4000 acre cubic feet per second of the waters of Dry Creek

in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is North Fork Reservoir Company
2. The postoffice address of such person or principal place of business of such corporation is St. Anthony, County of Fremont, State of Idaho.
3. The number of such Permit is R 324 and the date set for the completion of such work is October 23, 1926
4. Said water is to be used for Irrigation and domestic purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of storing conveying to the place of intended use, in accordance with the plans accompanying the application for such permit, is 60 4000 acre cubic feet per second.
6. The amount of lands for which said water is available is 52,000 acres, particularly described as follows:
Lands located in Townships six, seven and eight North of Ranges
thirty-eight, thirty-nine, forty and forty-one East of Boise Meridian,
as per use permit # 13122 and Reservoir permit No. R-75 of North
Fork Reservoir Company.

*Outlet - Lots 5-6, 10020
154-43E*

Fremont

30-2

W. G. SWENDSEN,
Commissioner of Reclamation.

R-324

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 10th, 1926.

(P. O.) St. Anthony, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

North Fork Reservoir Company
By J. L. Soule
Secy.

(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.

L. G. Martin
Engineer.

Frank L. Soule,
Attorney-at-Law,
St. Anthony, Idaho

September 10th
1926

Commissioner of Reclamation,
Boise, Idaho

Dear Sir:

Re- B -324

With reference to completion of works under the above permit, I enclose herewith two notices of publication for you to sign and forward for publication, also authority for publication and certificate of Engineer.

Very truly yours,

NORTH FORK RESERVOIR COMPANY

By

F. L. Soule
Secy. p

WLS:LP
encl

R-324

RECEIVED
JAN 10 1978
FEDERAL BUREAU OF INVESTIGATION

258
4000
250
1500
1500
00

(16)

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. C. Redman Moon, Agent
North Fork Reservoir Co.
St. Anthony, Idaho

Boise, Idaho,

July 16, 1926

DEAR SIR:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. R-324

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before October 23, 1926 Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the 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.

Very truly yours,

W. G. SWENDSEN

Commissioner of Reclamation.

R-324

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Re: R-324-North Fork Reservoir Co.

Mr. C. Redman Moon,
St. Anthony, Idaho.

Boise, Idaho, Oct. 25, 1923.

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.

W. G. SWENDSEN.
Commissioner of Reclamation.

R-324

R 324

Idaho Falls, Idaho. 9/25/1923.

Mr. W. G. Swendsen,
Com. of Reclamation,

Boise, Idaho.

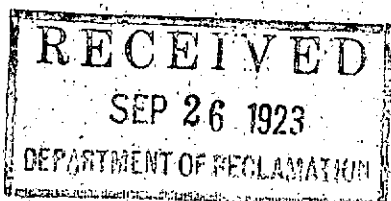
Dear Sir:-

I hand you herewith the corrected application of the North Fork Reservoir Company for permit to appropriate the surplus waters of Dry Creek, Fremont County, Idaho, which I trust will meet the requirements of the office.

Yours very truly,

D. G. Merrill

Engr.



R-324