

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Fremont, ss:

I, W. A. Lansberry, do solemnly swear that I am the printer and publisher of THE ASHTON HERALD, a weekly newspaper of general circulation, published once a week at Ashton, Fremont County, Idaho; that said newspaper has been continuously and uninterruptedly published in said County and Village during a period of more than 78 consecutive weeks prior to the first publication of the

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 22nd day of August, 1923, at St Anthony, County of Fremont, State of Idaho, before James McClellan, notary public, proof will be submitted of the application to beneficial use of three and two-tenths cubic feet per second of the waters of Split Creek in accordance with the terms and conditions of Permit No. 14837 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are L. G. Gill, Ashton, Idaho.

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

The amount applied to beneficial use is three and two-tenths cubic feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9; SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10; N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 10; all in township 12 North, Range 44 E. B. M.

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

The right to take water from such works is based upon permit No. 14837.

The source of supply from which such water is diverted is Split Creek, tributary of Snake River.

The date of the priority which said

Notice of Proof Application of Water to Beneficial use
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

Five consecutive weeks; first publication having been made on the *19* day of *July*, 192*3*; and last publication on the *16* day of *August*, 192*3*, 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.

W. A. Lansberry
Printer and Publisher.

Subscribed and sworn to before me this *22* day of *August*, A. D. 192*3*.

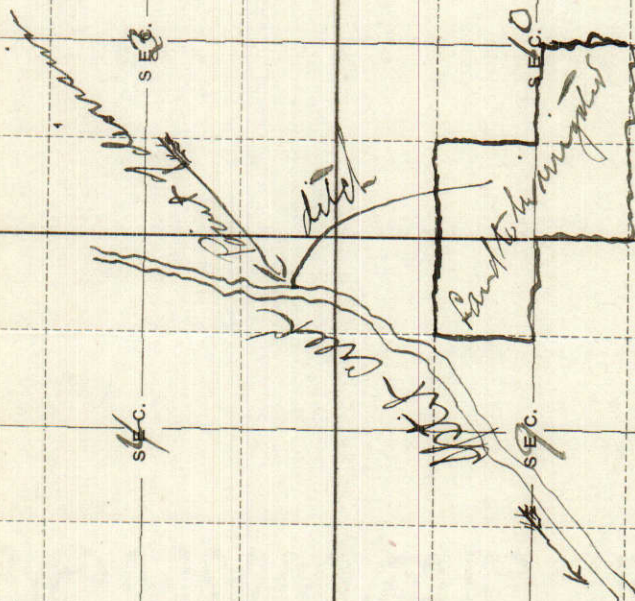
Thos. J. Hargis
Notary Public.

My commission expires _____, 192*3*.

14837

NAME OF APPLICANT

L. H. Gill



P. 12 N. T. 44 E. 13m.

State of Idaho
License and Certificate of Water Right

Water License No. 14837 Amount 2.26 sec. ft.
Water District No. 36-A Priority 8-2-20

THIS IS TO CERTIFY that L. G. Gill
of Ashton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 14, 1920; that Permit No. 14837
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.2 second feet, was issued thereunder on August 3, 1921, showing that said works
were completed on the 19th day of July, 1921; and that on the 22d
day of August, 1923,

L. G. Gill
of Ashton, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Split Creek
, a tributary of Snake River, for the purpose of irrigation and
domestic use, under Use Permit No. 14837 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of
Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
Volume 6 of Licenses, at page 3078, on the 20th day of September, 1923;

The right hereby confirmed dates from August 2, 1920;

The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 4, Tp. 12 N., R. 44 E., B. M.
County of 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 2.26 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 N.	44 E.	9 10	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	18
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	15
					Total 113

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 September, 1923.

W. G. SWENDSEN.
Commissioner of Reclamation.

(SEAL)

21-2083

State of Idaho
License and Certificate of Water Right

Water License No. 14827
Water District No. 65

Amount 0.9 sec. ft.
Priority 7-9-1920

THIS IS TO CERTIFY that A. A. Skoda
of Hamer, Idaho. , made application for a permit to appropriate the
public waters of the State of Idaho, dated July 9 , 1920 ; that Permit No. 14827
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.6 second feet, was issued thereunder on December 17 , 1920 , showing that said works
were completed on the 16th day of December , 1920 ; and that on the 22d
day of December , 1922 ,

A. A. SKODA
of Hamer , State of Idaho , made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of an unnamed spring
, a tributary of Camas Creek , for the purpose of irrigation and
domestic use, under Use Permit No. 14827 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of
Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
Volume 6 of Licenses, at page 3077 , on the 20th day of September , 1923 ;

The right hereby confirmed dates from July 9 , 1920

The Point of Diversion is located
in the SE 1/4 SW 1/4, Sec. 25 , Tp. 7 N. , R. 35 E. , B. M.
NW 1/4 SE 1/4
County of Jefferson.

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 0.9 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	35 E.	25	SE 1/4 SW 1/4 SW 1/4 SE 1/4	40 40	5 40
					Total 45

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 September , 1923.

W. G. SWENDSEN.
Commissioner of Reclamation.

(SEAL)

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

Application No. 21096
Permit No. 14837
District No. 36-A

*See Application
needed*

1. Name of Applicant: **L. G. Gill.**

Postoffice address: **Ashton**

County:

Fremont

State:

Idaho.

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

2. Quantity of water claimed: **three and one-fifth** (3.2) cubic feet per second.

3. Source of water supply: **Split Creek** which is a tributary of **Snake River.**

4. Location of point of diversion: _____ feet distant from the _____
corner of Section _____, T. _____, R. _____, B. M., and is in the **SE $\frac{1}{4}$ SE $\frac{1}{4}$**
of Section **4**, T. **12 N.**, R. **44 E.**, B. M., County of **Fremont.**

5. Water is to be used for: **Irrigation and domestic purposes.**

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: _____ feet distant from _____ corner of Section _____
T. _____, R. _____, B. M., in the _____ of Section _____, T. _____, R. _____, B. M.
- (b) Amount of power generated: _____ H. P., under _____ feet head.
- (c) Water is to be returned to _____ at a point _____ feet
distant from the _____ corner of Section _____, T. _____, R. _____, B. M., in the
_____ of Section _____, T. _____, R. _____, B. M.

7. Estimated cost of works: \$ **200.00**

8. Kind of works: **dam and ditch.**

9. Height of dam **3** feet; length of dam at top **20** feet; length of dam at bottom **15**
feet; material used in dam **earth and rock.**

10. Size of headgate: Width **36 inches** ~~feet~~ height **two** feet.

11. Ditch: Width at bottom **2** feet; width at water line **3** feet; depth of water **1**
feet; dimensions of flume

Diameter of pipe _____ inches; length of conduit **3/4** miles.

Average grade per mile **7** feet.

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

13. The time required for the complete application of the water to the proposed use is **two** additional years.

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

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

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

L. G. Gill. Applicant.

By **A. H. Wilkie.** Agent.

Commissioner of Reclamation

Date of first receipt at office of ~~Superintendent~~ 9 A. M. July 14, 1920.

Returned to applicant for correction

Corrected application received

COMMISSIONER OF RECLAMATION
APPROVAL OF STATE ENGINEER

The number of this permit is 14837

Recorded in Book **52** Page **14837** Approved **August 2, 1920.**

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before **October 1, 1920** 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 **February 2, 1921.**

The whole of said work to be completed on or before **August 2, 1921.**

Beneficial use of water appropriated in accordance herewith, to be made on or before **August 2, 1923.**

Witness my hand this 2nd day of August, 1920.

W. G. Swendsen,
~~State Engineer~~
Commissioner of Reclamation.

Remarks:

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12 N.	44 E.	9	40																40
"	"	10					40				40 40								120
			Total number of acres to be irrigated-----																160
QUITCLAIM DEED																			
THIS INDENTURE, Made this 16th day of June in the year of our Lord one thousand nine hundred and twenty-one between Ernest R. Clark of Ashton County of Fremont State of Idaho, the party of the first part, and L. G. Gill of Ashton County of Fremont State of Idaho the party of the second part.																			
WITNESSETH, That the said party of the first part, for and in consideration of the sum of One Dollar lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to his heirs and assigns, an undivided one-half interest in and to that certain right-of-way and ditch diverting the waters of Split Creek, in Fremont County, Idaho, at a point in the SE¼ SE¼ Sec. 4, Tp. 12 N., R. 44 E. B. M., running thence in a southeasterly direction over and across the SE¼ SE¼, Sec. 4, SW¼ SW¼ Sec. 3, and the NW¼ NW¼, Sec. 10, Tp. 12 N., R. 44 E. B. M., together with the dam and division works connected therewith, to be used by the party of the second part and his successors in interest in carrying water to be used on SE¼ NE¼ Sec. 9, SW¼ NW¼ and N¼SW¼ Sec. 10, said Tp. and Range.																			
TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.																			
TO HAVE AND TO HOLD, All and singular the said premises together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever.																			
IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.																			
Signed, Sealed and Delivered in the Presence of																			
A. H. WILKIE Ernest R. Clark (SEAL)																			

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

On this 16th day of June, in the year 1921, before me A. H. Wilkie a Notary Public in and for said State, personally appeared Ernest R. Clark, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)

A. H. WILKIE
Notary Public Residing at
Ashton, Idaho.

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9:00 A. M. July 21, 1921.

W. G. SWENDSEN
Commissioner of Reclamation
By M. B.

Proof of Completion of Works made July 19, 1921.
Certificate issued August 3d, 1921.

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that L. G. Gill of Ashton, County of Fremont, and State of Idaho, the holder of Permit No. 14837, issued upon Application No. 21096 bearing date of priority of July 14, 1920, authorizing the diversion of 3.2 second feet of the waters of Spilt Creek, tributary of Snake River, 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 of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.2 second feet of the waters of Spilt Creek; that the point of diversion of said waters is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 12 N. R. 44 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 10, T. 12 N., R. 44 E., B. M.

WITNESS MY hand this 3rd day of August, A. D. 1921.

W. G. SWENDSEN,
Commissioner of Reclamation

By Geo. B. Archibald,
Deputy.

License issued for 2.26 second feet Page 3078

October 14, 1935

Re: Permit No. 14837

MR. OTTO E. MCCUTCHEON,
Attorney at Law,
Idaho Falls, Idaho

Dear Sir:

In reply to your letter of October 11th, we wish to inform you that a license was issued under the above permit, to L. G. Gill, on September 20, 1923. This license authorizes the appropriation of 2.26 cubic feet of water per second from Split Creek in Fremont County, with a priority date of August 2, 1920, and was made appurtenant to 113 acres located in Sections 9 and 10, T. 12 N., R. 44 E., B. M.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg

14837

OTTO E. McCUTCHEON
ATTORNEY AND COUNSELOR-AT-LAW
SUITE 207-209 SALISBURY BLDG.
IDAHO FALLS, IDAHO

WESTERN UNION CODE
CABLE ADDRESS: OTTOCUTCH

Oct. 11th, 1935.

Department of Reclamation,
Boise, Idaho.

Gentlemen:

A man named L. G. Gill secured a permit No. 14837, dated July 14th, 1920, to appropriate water on Split Creek, Fremont County, Idaho. I cannot give you any more information about it. What I should like to know is if you can identify the appropriation will you please tell me whether he ever made final proof, and if a license was issued? If so, will you please give me the date of the license, date of the priority, and quantity of water awarded to him under the license? If his permit has been cancelled for failure to keep the appropriation alive will you please so advise?

Very truly yours,

M:EK

Otto E. Cutcheon

RECEIVED

OCT 14 1935

Department of Reclamation

14837

September 20, 1923.

Re: Permit No. 14837

Mr. L. G. Gill,
Ashton, Idaho.

Dear Sir:

We are enclosing herewith Water License, issued under the
above numbered Permit, together with receipt for fees.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

Chief Clerk.

Encls.

14837

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

September 6, 1923.

Re: Permit No. 14837-

Mr. L. G. Gill,
Ashton, Idaho.

Dear Sir:-

Upon receipt of fees in the sum of \$8.00, license will
be issued you under the above numbered permit.

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

By *W. G. Swensen*,
Chief Clerk.

RECEIVED

SEP 13 1923

*Kindly check with
Mr. Gill of
Ashton*

14837

September 6, 1923.

Re: Permit No. 14837-

Mr. L. C. Gill,
Ashton, Idaho.

Dear Sir:-

Upon receipt of fees in the sum of \$8.00, license will
be issued you under the above numbered permit.

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

By
Chief Clerk.

14837

C. A. MCCLELLAND
LICENSED CIVIL ENGINEER, STATE OF IDAHO
ASSOC. MEM. AM. SOC. CIVIL ENGINEERS

St Anthony, Idaho

August 27, 1923.

Mr W.G. Swendsen, Commissioner

Boise, Idaho

Dear Sir:-

Inclosed herewith please find the papers in connection with the proof of beneficial use of the waters of Split Creek by L.L. Gill, the proofs of which were made out before me as Notary Public.

Yours very truly,

C. A. McClelland

14837

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Fremont, ss:

I, W. A. Lansberry, do solemnly swear that I am the printer and publisher of THE ASHTON HERALD, a weekly newspaper of general circulation, published once a week at Ashton, Fremont County, Idaho; that said newspaper has been continuously and uninterruptedly published in said County and Village during a period of more than 78 consecutive weeks prior to the first publication of the

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 22nd day of August, 1923, at St Anthony, County of Fremont, State of Idaho, before James McClellan, notary public, proof will be submitted of the application to beneficial use of three and two-tenths cubic feet per second of the waters of Split Creek in accordance with the terms and conditions of Permit No. 14837 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are L. G. Gill, Ashton, Idaho.

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

The amount applied to beneficial use is three and two-tenths cubic feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9; SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10; N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 10; all in township 12 North, Range 44 E. B. M.

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

The right to take water from such works is based upon permit No. 14837.

The source of supply from which such water is diverted is Split Creek, tributary of Snake River.

The date of the priority which said is prepared to establish is July 14, 1920.

Notice of Proof Application of Water to Beneficial use
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

Five consecutive weeks; first publication having been made on the *19* day of *July*, 192*3*; and last publication on the *16* day of *August*, 192*3* 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.

W. A. Lansberry
Printer and Publisher.

Subscribed and sworn to before me this *23* day of *August*, A. D. 192*3*.

Thos. H. Morris
Notary Public.

My commission expires _____, 192*4*.

14837

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. _____

Proof of Application of Water to Beneficial Use
Deposition of Holder

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

Ans. L.G. Gill Ashton, 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. XXXXXXXXXXXX

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

Ans. 14,837 July 14, 1920.

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

Ans. Split Creek; SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 4 Tp 12 N R 44 E B.M.

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

Ans. Dam 18 feet long and 4.5 feet high; ditch 2 feet wide in bottom and 3 feet wide on top and 1 foot deep and will carry 150 miner's inches of water.

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 cultivate or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic use on SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 9; SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 10 and N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 10 all in Tp 12 N R 44 E B.M. About 113 acres irrigated; 70 acres plowed and remainder in natural meadow.

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

Ans. XXXXXXXXXXXXXXXXXXXXXXXXXXXX

14837

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

Ans. ~~XXXXXXXXXXXXXX~~

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. ~~XXXXXXXXXXXXXX~~

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

Ans. ~~Garden and domestic use in 1920 and 1921; about 50 acres cultivate and irrigated in 1922; in 1923 113 acres irrigated and cultivated. Oats and timothy hay were raised in each year.~~

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 right claimed thereunder.

Ans. No other source of water supply.

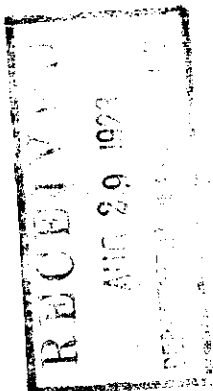
(Sign) L. L. Lief

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in St. Anthony, County of Fremont
State of Idaho, on this 22nd day of August A. D. 1923

C. A. McEllland
Notary Public.

14837

My Commission Expires
Dec. 6, 1923.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 14837

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. Owerton Gray Ashton Ida Paragon

Prop Age 39

Ques. 2. Are you acquainted with L. G. Hill, the

holder of Permit No. 14837 How long have you known him and where does he reside?

Ans. Yes about 3 years

Island Park Ida

Ques. 3. Have you read or heard read said Permit No. 14837 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. Split Creek on Sec 3

Dam constructed of earth Boards and rock
about 16 ft long 4 ft high and ditch

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. About 200 About 150

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

Ans. Irrigation & Domestic

Cultivated and natural meadow
about 120 acres in SE 1/4 NE 1/4 Sec 9 SW 1/4
NW 1/4 Sec 10 N 1/2 SW 1/4 Sec 10 Township 12 North
Range 44 E B M

14837

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.

Flat and gravelly soil requiring lots of 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.

On business and pleasure trips to Mc Lells Place. In Aug. about 15th. 1922

(Sign)

Coston Beary

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*, County of *Fremont*, State of Idaho, on this *22* day of *August* A. D. 19*23*

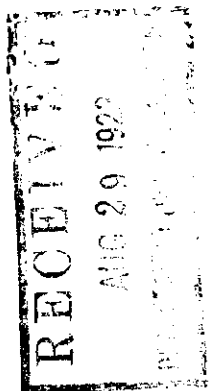
C.A. McBlair

Notary Public.

My commission expires

Dec 6 1923

14837



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 14837

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. B. M. Wood Whitton Ida Engle

Prop. Age 50

Ques. 2. Are you acquainted with L. F. Lee, the

holder of Permit No. 14837? How long have you known him and where does he reside?

Ans. Yes About 12 years

Island Park Ida

Ques. 3. Have you read or heard read said Permit No. 14837, 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. Split Creek on Acc 3.

Dam constructed of boards split and
rock about 16 ft long and 4 ft high and
ditch.

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. about 200" about 150

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

Ans. Domestic & Irrigation.

Cultivated and Natural meadow.

SE 1/4 NE 1/4 Sec 9. SW 1/4 NW 1/4 Sec 10. N 1/2 SW 1/4
Sec 10 Township 12 North Range 44 E B M.

14837

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. *Flat and gravelly soil requiring lots of 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. *In visit and saw crops being irrigated in July.*

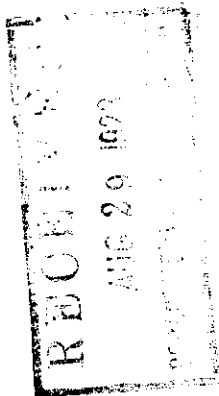
(Sign) *B M Ward*

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*, County of *Fremont*, State of Idaho, on this *22nd* day of *Aug*, A. D. 1923.

E. A. McDaniel
Notary Public.

My commission expires *Dec 6, 1923*

14837



August 27, 1923.

Re: Permit No. 14837.

Mr. L. G. Gill,
Ashton, Idaho.

Dear Sir:-

Referring to your proof under the above permit would say that this proof was advertised to be made August 22nd but, as yet, the depositions of yourself and witnesses have not been received here. These should be sent in as soon as possible.

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

By
Chief Clerk.

14837

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

Permit No. 14837This proof is for Beneficial UseIn Water District No. 36-A

1. Name of applicant: L. G. Gill
2. Source of water supply: Split Creek
3. Location of point of diversion: Is in the SE¹SE¹ of Section 4
T. 12 N. R. 44 E.B.M County of Fremont.

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

Log rack & board dam across creek, 14' wide, 4' high diverts water into ditch 3' bottom, 3 1/2' top, est capacity 5 sec. ft., Ditch est 3/4 mi. long trench.

5. Water is used for: Irrigation & Domestic use.

6. State whether or not water has been turned into works of diversion: Yes, est 32 sec. ft in ditch this date.

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): ¹⁸ SE¹NE¹ Sec. 9; ⁴⁰ SW¹NW¹ Sec. 10; ⁶⁵ NE¹SW¹ Sec. 10, all in Twp. 12 N. Range 44 E.B.M.

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

8. What large stream would the water here appropriated finally reach? None, creek sinks.

Remarks: *Ground generally formation, requires good head of water to run on same. Land in cultivation well improved, good crop on same. Good fences & buildings. Est 4 sec. ft. going to waste in creek.*

This examination was made on the 18 day of Aug 19 23

(Signed)

R. E. Stetson
Examiner.

14837

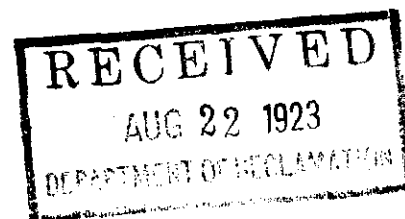
Permit No. **14837**

Examination for **Beneficial Use**

County **Fremont**

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion, and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make 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. 14837

REPORT ON PROOF OF BENEFICIAL USE WATER

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

~~PROOF OF COMPLETION OF WORKS~~
~~AND~~
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

Aug 1
Aug 17, 1923.

Mr. L. G. Gill,
c/o Mr. James McClellan,
St. Anthony, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of ~~completion of~~
~~works and~~ beneficial use of water under Permit No. **14837.**

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 **August 22, 1923,** the date set for proof, the enclosed forms (two for permit holder and ~~one~~ each for two disinterested witnesses) should be filled out and sworn to, at **St. Anthony,** before **James McClellan, 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,

W. G. SWENSON,

State Engineer.

14837

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DATE July 6, 1923.

Publisher, The Herald,
Ashton, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to August 22, 1923, the date set for proof, the expense of the publication to be paid by the applicant, Mr. L. G. Gill, Ashton, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

W. G. SWENDSEN.

Commissioner of Reclamation.

14837

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

June 23, 1923.

Re: Permit No. 14837-L.G.McGill.

Mr. Thos. B. Hargis,
Attorney at law,
Ashton, Idaho.

Dear Sir:-

Referring to your letter of the 21st inst., in which you enclosed notices for proof of beneficial use of water under the above permit, would say that the proof is required to be made before a notary public, U. S. Commissioner, or other officer authorized to administer oaths in the State of Idaho. Unless Mr. McClelland can qualify as such, the proof could not be made before him. Otherwise he would be perfectly satisfactory to this office. If Mr. McClelland cannot qualify to take the proof, your own name may be inserted as the notary public. Please advise us if this change is made.

The notice for publication will be held pending receipt of your reply.

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

By *GBrown*,
Chief Clerk.

*Mr. McClelland is a Notary Public.
His initials are C. A.*

T. A. H.

14837

June 23. 1923.

Re: Permit No. 14837-L.G.McGill.

Mr. Thos. B. Hargis,
Attorney at law,
Ashton, Idaho.

Dear Sir:-

Referring to your letter of the 22nd inst., in which you enclosed notices for proof of beneficial use of water under the above permit, would say that the proof is required to be made before a notary public, U. S. Commissioner, or other officer authorized to administer oaths in the State of Idaho. Unless Mr. McClelland can qualify as such the proof could not be made before him. Otherwise he would be perfectly satisfactory to this office. If Mr. McClelland cannot qualify to take the proof, your own name may be inserted as the notary public. Please advise us if this change is made.

The notice for publication will be held pending receipt of your reply.

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

By
Chief Clerk.

14837

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 20th, 1923

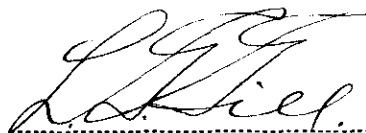
(P. O.) Ashton, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
ASHTON HERALD of Ashton, Idaho, published in
the county in which the works are situated.



(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

14837

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 22nd day of Aug., 1921,
at St. Anthony, County of Fremont, State of Idaho,
before James McClellan, notary public, proof will be submitted
of the application to beneficial use of Three & two-tenths cubic feet per second of the
waters of Split Creek in accordance with the terms and conditions of
Permit No. 14837 heretofore issued by the Commissioner of Reclamation
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
L. G. Gill, Ashton, Idaho.

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

The amount applied to beneficial use is Three & two tenths cubic feet.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) SE 1/4 NE 1/4 Sec. 9; SW 1/4 NW 1/4 Sec. 10; N 1/2 SW 1/4
Sec. 10, all in township 12 North, Range 44, E. B. M.

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

The right to take water from such works is based upon Permit No. 14837

The source of supply from which such water is diverted is Split Creek, tributary of
Snake River.

The date of the priority which said user is prepared to establish is July 19 -
August 2, 1920.

SE 8E - 4 - 12 N - 44 E
36-a
Ashton - Fremont Co

W. G. Swendsen.
Commissioner of Reclamation.

14837

THOS. B. HARGIS
LAWYER
ASHTON, IDAHO

June 21st, 1923.

Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:-

At the request of L. G. Gill, of this place, I mailed to you this date by registered mail, Notice for Publication of Proof of Application of water to beneficial use.

As I did not know before whom you usually had such proofs made, I filled in the name of James McClellan, because I knew he was connected with your department and that he is in this section at the present time. If for any reason you desire some other person, you are authorized to fill in the name of such person before publication of the notice.

Due to the fact that Mr. Gill lives several miles from a post office, if there are any matters in regard to this proof, will you kindly take them up with me, and I will then get in touch with Mr. Gill over a telephone.

Yours very truly,

Thomas B. Hargis

14837

Form No. 9.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Mr. L. G. Gill,
Ashton, Idaho.

May 3, 1923.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. **14837**, 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 date it is submitted.

Yours truly,

W. G. SWENDSEN.
Commissioner of Reclamation.

14837

August 3, 1921.

Re: Permit 14837.

Mr. A. H. Wilkie,
Ashton, Idaho.

Dear Sir:

I am returning herewith Cutoffclaim Deed running from Ernest R. Clark to L. G. Gill, the same having been duly recorded under the permit. Kindly remit \$06 recording fee.

We also enclose Certificate of Completion of Works issued under the above numbered permit, together with receipt for fee.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

MB
Encl.

Chief Clerk.

14837

A. H. WILKIE
ATTORNEY-AT-LAW
ASHTON, IDAHO

July 19, 1921

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

Dear Sir:

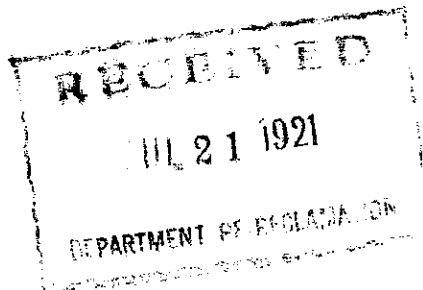
I am sending you herewith proof of completion of
works made by L. G. Gill under permit #14,837, together
with check for \$5.00 for your fee.

Quit Claim Deed from Clark to Gill for an undivided
one-half interest in canal and dam is enclosed herewith.

Yours truly,

A. H. Wilkie

AHW:S
Enc.



14837

Permit No. 14, 837

STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Fremont } ss.

L. G. Gill

, 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. 14, 837, and that his postoffice address is Ashton, State of Idaho.

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

Third: That the point of division of said water is in the SE¹SE¹ Section 4, Township 12 North, Range 44 East, B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 2, 1921.

Fifth: That the use for which said water is intended is for irrigation 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 constructed of timber, earth and stone
(Reservoir, dam, ditch, flume, pipe or otherwise.)
and a ditch.

II. Dimensions of work:

(a) Height of dam four feet, length of dam at top 17 feet, length of dam at bottom 14 feet. Material used in construction timber, earth and stone
(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

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

(d) Conduit ditch width at bottom three feet, width at water line four feet, depth of water two feet; diameter of pipe inches, average grade per mile is eight feet. Length of conduit is two miles.

Seventh: That said works are capable of conducting to the place of intended use 3.2/10 second feet of water.

Eighth: That water appropriated under said permit is available for 160 acres of land described as follows: The Southeast Quarter of the Northeast Quarter, Section Nine, Southwest Quarter of the Northwest Quarter and the North Half of the Southwest Quarter, Section Ten, Township Twelve North, Range Forty-four East, B. M.

Ninth: Remarks: That the dam and ditch above described were originally constructed by Ernest R. Clark in which I have acquired an undivided one-half interest, as shown by the enclosed Quit Claim Deed. The balance of the ditch is about two feet at bottom and three feet at water line.

(Sign here)

Subscribed and sworn to before me this 19th day of July, 1921.

Notary Public.

My commission expires June 23, 1925.

14837

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

L. G. Gill
Ashton, Idaho.

May 9, 1921

Dear Sir:—

Under the terms of your permit No. **14837**-----, you are required to complete your diversion works on or before-----**Aug. 2, 1921** 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,

W. G. S wendsen

State Engineer.

14837

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 14837
A. H. Wilkie
Ashton, Idaho.-
Dear Sir:

Boise, Idaho,
Aug. 7, 1920.

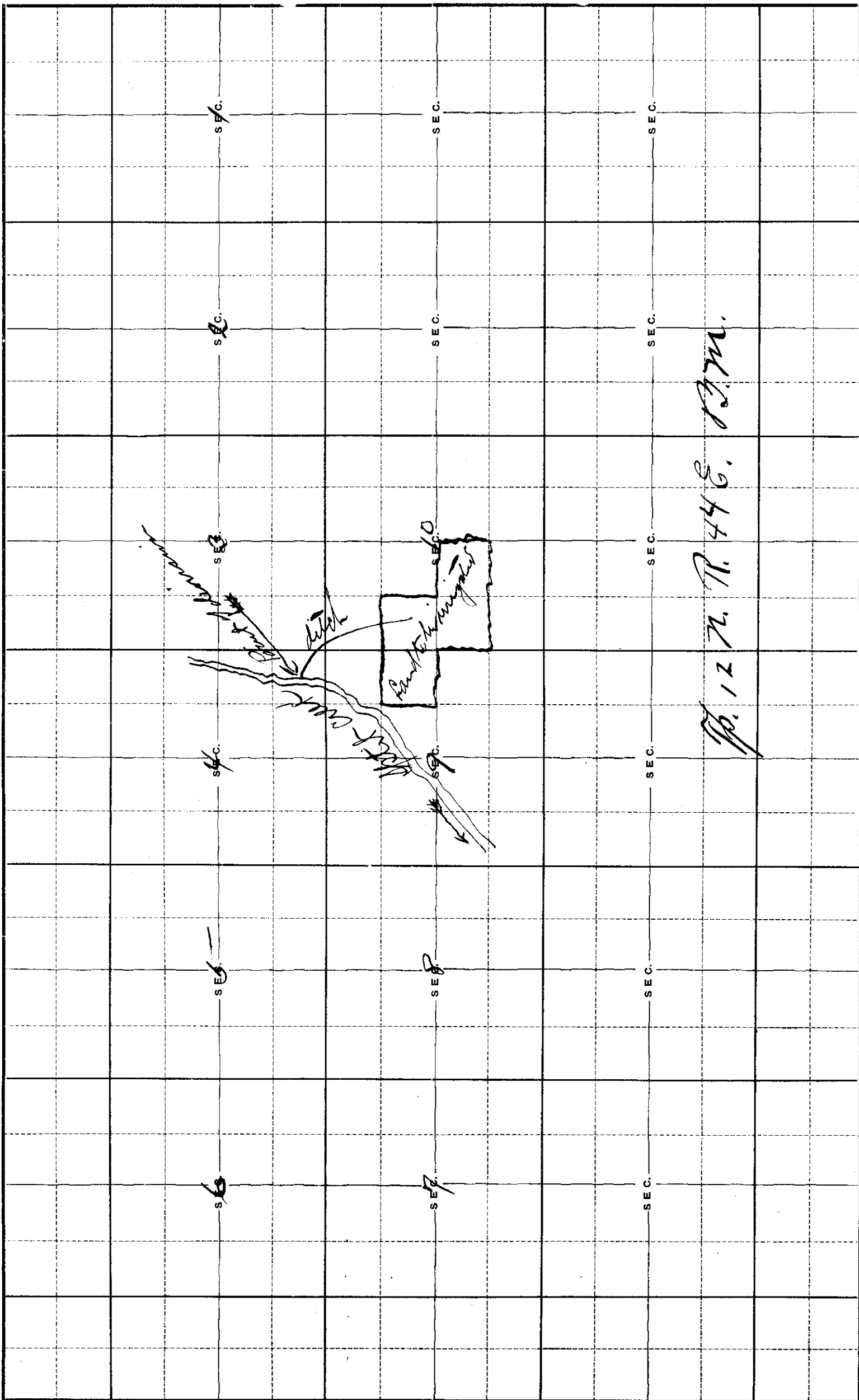
I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of State Engineer on the third page.

W. G. Swendsen.
Commissioner of Reclamation.

14837

NAME OF APPLICANT

L. H. Gill



pp. 12 N. R. 44 E. 12m.

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

14837

A.H. WILKIE

RICHARD S. WILKIE

WILKIE & WILKIE
LAWYERS
OFFICES
ASHTON, IDAHO
DRIGGS, IDAHO

Ashton, Idaho, July 12, 1920.

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

Dear Sir:--

I am sending you herewith the application of L. G. Gill,
for permit to appropriate waters of Split Creek in this
county.

Check for \$1.30 enclosed.

Yours very truly,

AHW_LH.



14837