

24-2046

Application For Permit
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 36564
PERMIT No. 28584
DISTRICT No.

1. Name of Applicant: Farrell Tolman

Postoffice address: Afton

County: Lincoln

State: Wyo.

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) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: (.20)

cubic feet per second.

3. Source of water supply: 2 Springs in Manning Canyon

which is a tributary of Crow Creek

At spring proper
4. Location of point of diversion: 2100' West 750 N.

feet distant from the SE

corner of Section 30, T. 9 S, R. 46 E, B.M., and is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
of section 30, T. 9 S, R. 46 E., B. M., County of Caribou

5. Water is to be used for Stock-culinary

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 NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section of 31, T. 9 S, R. 46 E, 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: \$

8. Kind of works:

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom fee; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 2 years.

13. The time required for the complete application of the water to the proposed use is 2 additional years.

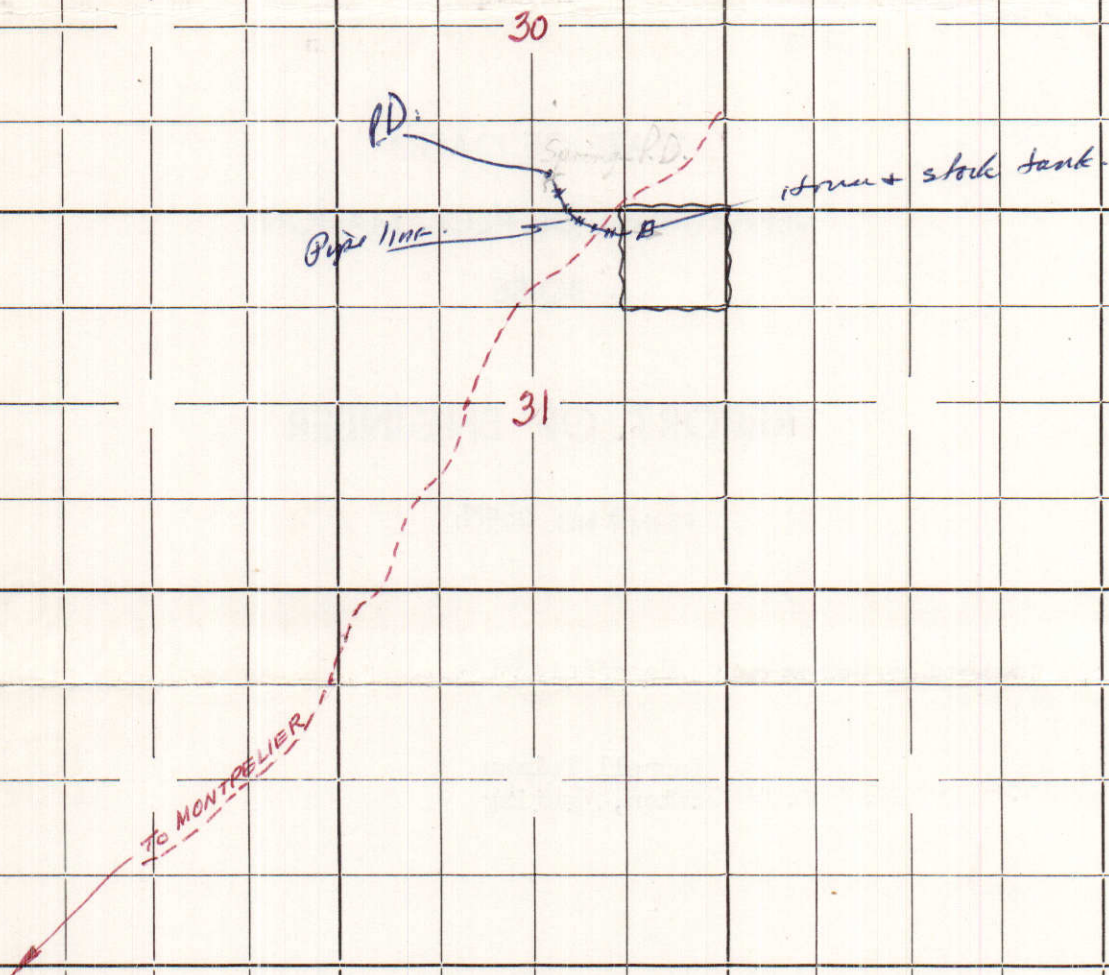
14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:



R-46E.

T.
9
S.



Domestic (stock + culinary)

Allow .02 cfs. or 1 inch.

RECEIVED
JUN 5 1962
Department of Reclamation

Affidavit of Publication

County of Caribou SS.
State of Idaho,

...V. E. Lansberry.....

being first duly sworn on his
oath, states:

That ...he is Publisher..

of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for ...Four.....
successive weekly issues thereof,
the date of the first publication

being the First..... day

of ...March....., 19.62.,

The date of the last publication

being the ...22nd..... day of

.....March....., 19.62.

X *V. E. Lansberry*

Subscribed and sworn to be-

fore me this *4th* day

of *June*....., 19*62*..

L. S. Spurgeon

Notary Public, residing at
Soda Springs, Idaho.

(SEAL)

My Commission expires the

..1.... day of *July*.....,

19*64*..

**NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 11 a.m. on the 31st day of March, 1962, at Afton, County of Lincoln, State of Wyoming, before C. Lyle Smith, proof will be submitted of the application to beneficial use of .20 cubic feet per second of the waters of Two Springs in Manning Canyon which is a Tributary of Crow Creek in accordance with the terms and conditions of Permit No. 28584 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is Farrell Tolman, Afton, Wyo.

The use to which said water has been applied is stock and culinary.

The amount applied to beneficial use is .20 cu. ft. per sec.

The point of diversion of said water is at spring proper in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30 T 9S, R. 46 E.B.M.

The place where said water is used: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31, Twp. 9 S., R. 46 E.B.M.

The date of priority which said user is prepared to establish is 3-31-60.

GEO. N. CARTER,
State Reclamation Engineer
Pub. M1-8-15-22

28584

T 9 S R 46 E S 30

NAME OF APPLICANT FARRELL TOLMAN

Form No. 0

R 46 E

T
9
S

30

29

Spring x — Point of Diversion

o — Point of Use

31

32

Permit Map No. 28584

As Approved APR 7, 1960

GEO. N. CARTER
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

X LOCATION OF SPRING
O PLACE OF USE

28584

State of Idaho
License and Certificate of Water Right

Water License No. 28584

Amount .02 c.f.s.

Water District No.

Priority March 31, 1960

THIS IS TO CERTIFY that FARRELL TOLMAN
of Afton, Wyoming, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 31, 1960; that Permit No. 28584
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.20 second feet, was issued thereunder on February 19, 1962, showing that said works
were completed on the 15th day of February, 1962; and that on the 31st
day of March, 1962,

FARRELL TOLMAN

of Afton, State of Wyoming, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of 2 springs in
Mannings Canyon, a tributary of Crow Creek, for the purpose of stock-culinary
, under Use Permit No. 28584 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7774, on the 4 day of November, 1963;

The right hereby confirmed dates from March 31, 1960;

The Point of Diversion is located

in the SW 1/4 SE 1/4, Sec. 30, Tp. 9 S, R. 46 E, B. M. Caribou 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 .02 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	46 E.	31	NE 1/4 NE 1/4 for stock - culinary		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of November, 1963.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

24-2046

Application For Permit
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 36564
PERMIT No. 28584
DISTRICT No.

1. Name of Applicant: Farrell Tolman

Postoffice address: Afton

County: Lincoln

State:Wyo.

- 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) Bond to be issued:
(d) Other resources:

2. Quantity of water claimed: (.20) cubic feet per second.

3. Source of water supply: 2 Springs in Manning Canyon which is a tributary of Crow Creek

At spring proper
4. Location of point of diversion: 2100' West 750 N. feet distant from the SE
corner of Section 30 , T. 9 S , R. 46 E , B.M., and is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
of section 30 , T. 9 S , R. 46 E., B. M., County of Caribou

5. Water is to be used for Stock-culinary

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 NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section of 31 , T. 9 S , R. 46 E , 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: \$

8. Kind of works:

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom fee; width at water line feet; depth of water feet;
dimensions of flume:

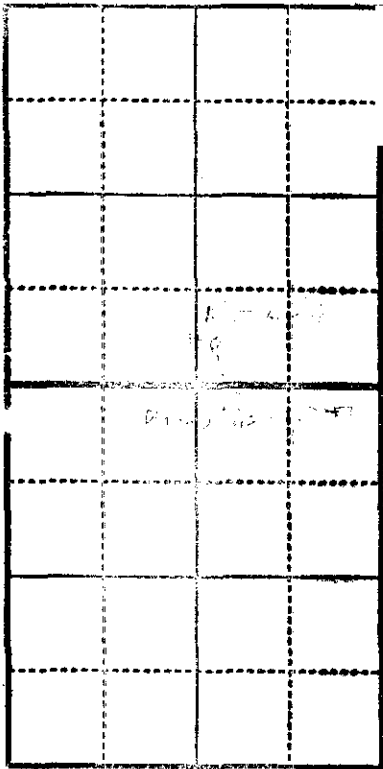
Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.

12. The time required for the completion of such work is 2 years.

13. The time required for the complete application of the water to the proposed use is 2 additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:



16. (a) Is reservoir to be used? 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 water of the State of Idaho as herein set forth.

s/ Farrell Tolman *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 3:00 P.M. March 31, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 28584

Recorded in Book 100 Page 28584 Approved April 7, 1960

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

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

Work to begin on or before June 7, 1960 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 7, 1961

The whole of said work to be completed on or before April 7, 1962

Beneficial use of water appropriated in accordance herewith, to be made on or before April 7, 1964

WITNESS My hand this 7th day of April, 1960

s/ GEO. N. CARTER

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this.....7th.....

day of April, 19 60.

STATE OF IDAHO

Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor.

REMARKS: Spring is located approx. 1,000 ft. beyond our property line on the U. S. Forest

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
✓			Permit No. 28584 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that FARRELL TOLMAN, of Afton, County of Lincoln, and State of Wyoming, the holder of Permit No. 28584, issued upon Application no. 36564, bearing date of priority of March 31, 1960, authorizing the diversion of .20 second feet of waters of 2 springs in Manning Canyon, County of Caribou, State of Idaho, for culinary and stock 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 .20 second feet of the waters of 2 springs in Manning Canyon, tributary of Crow Creek; that the point of diversion of said waters is SW1/4SE1/4, Sec. 30, T. 9 S., R. 46 E., B. N.; and that the lands . . . by the use of said water are described as follows, to-wit: For stock and culinary purposes - place of use - NE1/4NE1/4, Sec. 31, T. 9 S., R. 46 E., B. N. Witness my hand this 19th day of February, A. D. 1962. Proof of Completion of Works Made: February 15, 1962. s/ RALPH W. THOMAS Deputy State Reclamation Engineer LICENSE ISSUED FOR 102 SEC. FL. page 7774																

WATER RIGHT ANALYSIS FORM

1000

- DATA ENTRY -

Identification No. 28584 124-2046
OTd No. New No.

Record

1. Original Owner: Harrell Tolman

Present Owner: _____

2. Address:

3. City: Afton State: WY Zip: _____

4. A. Source of Water: Springs

B. Tributary of: Crow Creek

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 3-31-1900

D. County: 29

E. Total Diversion Rate: .02

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>2WSE</u>	<u>30</u>	<u>92</u>	<u>46E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for L purposes. Amount .02
(cfs or AC-FT/yr)

from _____ to _____ for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: 1

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 28584/

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

November 4, 1963

Re: Permit No. 28584

Parrell Tolman
Afton, Wyoming

Dear Sir:

Enclosed is the License and Certificate of Water Right issued on Permit No. 28584.

Also enclosed is departmental receipt No. 31893, in the amount of \$5.00 covering fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

WRH:ew

Enc. license
receipt

October 28, 1963

RE: Permit No. 28584

Farrell Tolman
Afton, Wyoming

Dear Mr. Tolman:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 28584 shows the spring box and pipe line are capable of conveying 1 miner's inch or .02 c.f.s. of water for stock water and culinary use.

Upon receipt of the statutory fee of \$5.00 we will issue the License and Certificate of Water Right, confirming the right, with priority of March 31, 1960, to the use of .02 second foot of surface water with the point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31 from a spring for stock water and culinary use in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, T. 9 S., R. 46 E., B. 1.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EDR:mr

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

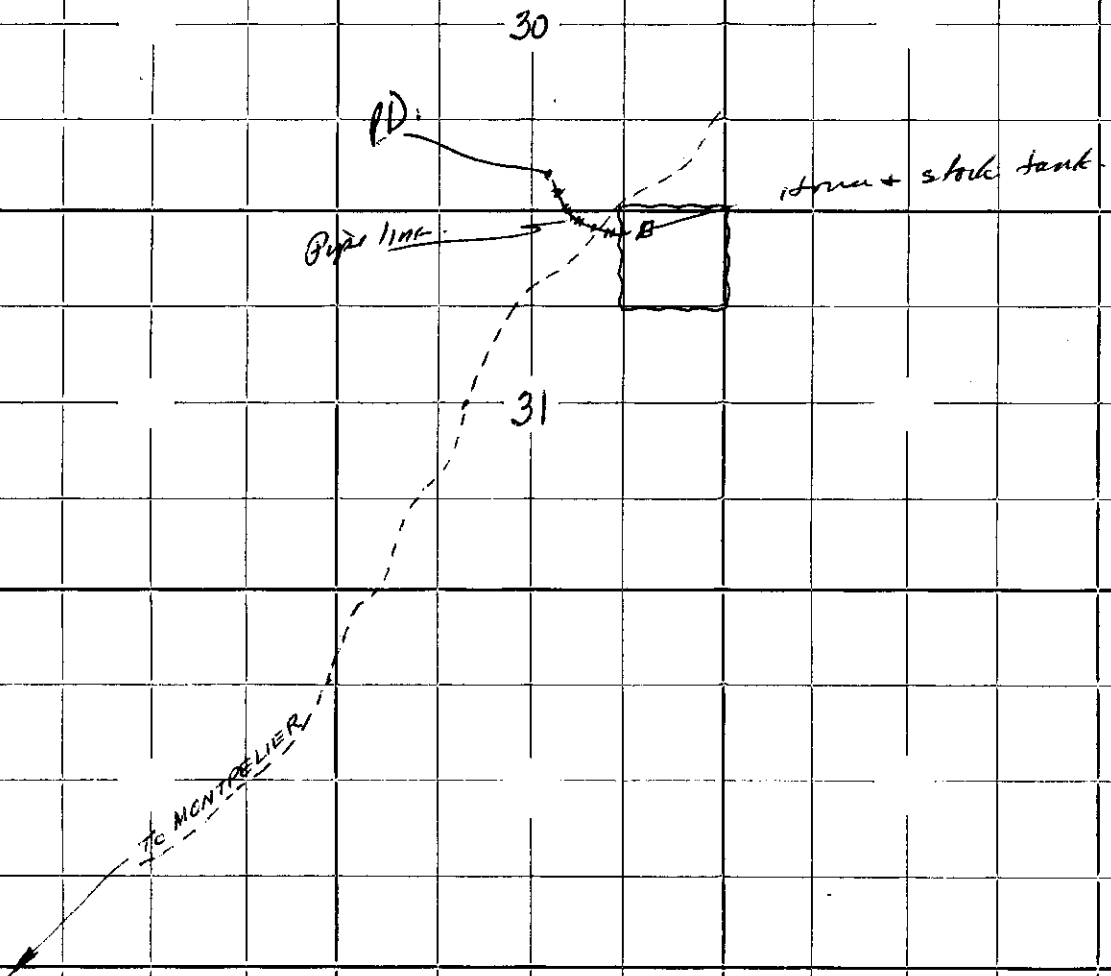
PERMIT NO. 28584

REPORT ON PROOF OF Beneficial Use

Farrell Tolman
Afton, Wyoming

R-46E.

T.
9
S.



Domestic (stock + culinary)

Allow .02 cfs. or 1 inch.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 28584

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Farrell Tolman

2. Source of water supply: 2 Springs in Manning Canyon

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30

T. 9 S R. 46 E County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same: 4'X6'X5' Concrete block spring box - 105'X5" GIP outlet with screened outlet reduced to 368'X3" GIP reduced to 1437'X1'4" GIP to place of use. 1'4" stand pipe with stop & waste Curb Stop. to a 100 Gallon stock tank and basement house.

5. Water is used for: Stock-culinary

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

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, Twp. 9 S., Rge. 46 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? ?

Remarks: Mr. Farrell Tolman along

Not measured

This examination was made on the 17th day of October, 1963

(Signed)

L. J. Tolman

Examiner.

Farrell Tolman
Afton, Wyoming

Permit No. 28584

Examination for Beneficial Use Proofs

County Caribou

Quantity: Sec. 30 T9 S R. 46 EBM

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 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.
6. Give general characteristics of soils, topography, and crops raised.

Source:

P. D.:

Use:

Filed:

Due:

Extension:

Protest:

Completion of Works:

Other Rights:

28584

June 7, 1962

Re: Permit No. 28584

Mr. Farrell D. Tolman,
Afton, Wyoming.

Dear Mr. Tolman:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Caribou County Sun, Soda Spring, Ida, all submitted in proof of ~~completing construction~~ beneficial use on Permit No. 28584.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR: pmk

28584

RECEIVED
JUN 5 1962

Department of Reclamation

Affidavit of Publication

County of Caribou SS.
State of Idaho,

...V. E. Lansberry.....

being first duly sworn on his...
oath, states:

NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICA- TION OF WATER TO BENE- FICIAL USE

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The name and post office address of the person or corporation holding said permit is Farrell Tolman, Afton, Wyo.

The use to which said water has been applied is stock and culinary.

The amount applied to beneficial use is 20 cu. ft. per sec.

The point of diversion of said water is at spring proper in the SW 1/4 SE 1/4, Sec. 30 T 9S, R. 46 E.B.M.

The place where said water is used: NE 1/4 NE 1/4 Sec. 31, Twp. 9 S., R. 46 E.B.M.

The date of priority which said user is prepared to establish is 3-31-60.

GEO. N. CARTER,
State Reclamation Engineer
Pub. M1-8-15-22

That ...he is Publisher..

of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for ...Four.....
successive weekly issues thereof,
the date of the first publication

being the First..... day

of ...March....., 1962.,

The date of the last publication

being the ...2nd..... day of

.....March....., 1962..

X V E Lansberry

Subscribed and sworn to be
fore me this 4th day

of June, 1962

S. J. [Signature]

Notary Public, residing at
Soda Springs, Idaho.

(SEAL)

My Commission expires the

1st day of July, 1964.

28584

June 1, 1962

RE: Permit No. 28584
Farrell Tolman

Caribou County Sun
Soda Springs, Idaho

Gentlemen:

We have received from Mr. Farrell Tolman, Afton, Wyoming, the proofs on Permit No. 28584, but the affidavit of publication was not included. This notice was published in the Caribou County Sun commencing with your March 1, 1962 issue. However, without the affidavit of publication the proofs are of no value.

We ask that an affidavit of publication be mailed to this office as soon as possible.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

cc: Farrell Tolman
Afton, Wyoming

28584

RECEIVED
DEPARTMENT OF RECLAMATION

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 28584

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. FARRELL D. TOLMAN RANCHER
AFTON, WYO

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

Ans. _____

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

Ans. # 28584 3-31-60 3-22-60

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

Ans. AT SPRING PROPER IN MANNING CANYON IN THE
SW 1/4 SEC 30 T. 9 S. - R. 46 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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. SPRING HAS BEEN BOXED IN WITH MASONRY
WITH METAL COVERING, REDUCED PIPE DOWN TO 1 1/4"
CARRIES SPRING WATER TO STOCK TANK & TO
CULINARY USE

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

Ans. STOCK & CULINARY
PLACE OF USE NE 1/4 NE 1/4, SEC 31 T. 9 S,
R. 46 E, B. M.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. _____

28584

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

Ans. GRAVITY FLOW PIPE LINE

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

Ans.

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

Ans.

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

Ans. USE SINCE COMPLETION OF WORKS PROOF WAS MADE 2-15-62 .20 CU. FT. CONTINUALLY

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

Ans. NONE

(Sign)

Farrell Solomon

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 _____, County of _____,

State of ^{Wyoming} ~~Idaho~~, on this 31st day of March, A. D. 1962

C. Lyle Smith

My commission expires

Sept 9, 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. _____

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Ronald W Beal - 25 yrs - State Farm -
Experiment^{Station} Superintendent Afton, Wyoming

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

Ans. Have known Farrell 45 mo. - Afton, Wyoming

Ques. 3. Have you read or heard read said Permit No. _____, 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. Manning Canyon - Masonry box and pipe underground to stock trough

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. 20 cusecs

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

Ans. For stock and calinary at point of outlet
By converting water to pipe line made use of year around
available water.

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

Ans. Other than irrigation. Stock and culinary.

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. Not for irrigation

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

Ans. None

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

Ans. One different occasions I have been in the canyon have done some work for Tolman and have drank from the water out let

Ronald W. Beal

(Signed)

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 AFTON, County of LINCOLN, State of ^{Wyoming} ~~Idaho~~, on this 31st day of March, A. D. 1962.

C. L. Arnold

Notary Public.

My commission expires 9-9-65.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. _____

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Glenn E. Dick 39 Alton, Wyo. Box 31
Nine Years with Wyoming Highway Dept.

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

Ans. Twenty Years

Ques. 3. Have you read or heard read said Permit No. 28584, 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. The water comes out of Manning Canyon, directly behind ranch. The water is in galvanized steel pipe coming to water trough.

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. Saw a 1 1/4 inch pipe running with good force.

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

Ans. For watering stock and culinary purposes. By putting the water in a pipe it provides running water the year around.

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. _____

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

Ans. no

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

Ans. I have worked for Tolman's up on their ranch, and have drunk water out of the pipe line.

(Signed) Glenn E. Fick

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 Lincoln AFTON, County of Lincoln, State of Wyoming, on this 31st day of March, A. D. 1965.

C. L. Smith

Notary Public.

My commission expires 9-9-65.



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE

February 23, 1962

RECEIVED
MAY 31 1962
Department of Reclamation

Re: Permit No. 28584

Mr. Farrell Tolman,
Afton, Wyoming.

Dear Mr. Tolman:

This acknowledges the Notice of Proof of ~~Completion of Work and~~ Application of Water to Beneficial Use under Permit No. 28584. The proofs are to be made at 11:00'clock A.M., on the 31st day of March, 1962, before C. Lyle Smith, Afton, Wyoming, Notary Public.

As of this date we have mailed the Notice to the Caribou County Sun, Soda Springs, Ida. with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: *Edna P. Rule*
(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

*Sorry. this got in the wrong drawer.
so it is late in getting to your office.
Thank you,
Farrell Tolman - 28584*

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

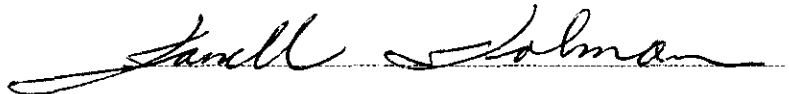
TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

CARIBOU COUNTY SUN of SODA SPRINGS 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.

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11 A.M. on the 21 day of July, 1928,
at Hamlet, County of Blaine, State of Idaho, before
C. S. A. Smith, proof will be submitted of the
application to beneficial use of 1.20 cubic feet per second of the waters of the Snake
River in accordance with the terms and conditions of
Permit No. 2000 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit _____

Franklin Smith, Hamlet, Blaine Co., Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 1.20

The point of diversion of said water is at the mouth of the

Sagehen River into the Snake River

The place where said water is used (LEGAL DESCRIPTION) _____

Section 31, Township 31 N., Range 10 E., Blaine Co., Idaho

The date of priority which said user is prepared to establish is July 1, 1928

C. S. A. Smith
State Reclamation Engineer

58584

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. 28584
Farrell Tolman

Date: February 23, 1962

Caribou County Sun,
Soda Springs, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **March 31, 1962** the date set for proof; the expense of the publication is to be paid by the applicant

Farrell Tolman

of **Afton, Wyoming**

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 or tear sheet of the first publication**

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

Encl.

February 23, 1962

Re: Permit No. 28584

Mr. Farrell Tolman,
Afton, Wyoming.

Dear Mr. Tolman:

This acknowledges the Notice of Proof of ~~Completion of Works and~~ Application of Water to Beneficial Use under Permit No. 28584. The proofs are to be made at 11:00 o'clock A.M., on the 31st day of March, 1962, before C. Lyle Smith, Afton, Wyoming, Notary Public.

As of this date we have mailed the Notice to the Caribou County Sun,
Soda Springs, Ida. with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

28584

February 19, 1962

Re: Permit No. 28584

Mr. Farrell Tolman
Afton, Wyoming

Dear Mr. Tolman:

We enclose Certificate of Completion of Works
issued on your Permit No. 28584.

Also enclosed is departmental receipt No. 30957
in the amount of \$5.00.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificate
receipt

February 19, 1962

Re: Permit No. 28584

Farrell Tolman
Afton, Wyoming

Dear Mr. Tolman:

We received Form 6, Proof of Completion of Works, with your check for \$5.00 and one Form 36-A legal notice of intention to make proof of completion of works and beneficial use of the water and Form 11, authorization for publication.

Returned is the Form 36A and Form 11. You have made the proof of completion of works on Form 6 so only the beneficial use proof is now necessary. The form 36A you submitted is in error so much it cannot be used. The time on line one must be about 40 days later than the date the form is mailed to this office.

On Line 2 you show Afton and on Line 3 Kemmerer. Afton will be satisfactory for place to make the proofs.

Kindly complete both Forms 10 and return both forms, with the Form 11, to this office.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc.: Form 36A-11
Form 10 (2)

28584

Permit No. 28584STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of CARIBOU

ss.

....., 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. 28584 and that his postoffice address is AFTON
State of WYOSecond: That the name of the stream from which said water is to be diverted is TRIBUTARY
OF CROW CREEKThird: That the point of diversion of said water is AT SPRING PROPER
IN SECTION 31, TWP 9S, R. 14E, B. 1NFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by APRIL 7, 1962.Fifth: That the use for which said water is intended is STOCK & CULINARY

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: RESERVOIR & PIPE STOCK TANKS
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:.....

(a) Height of dam.....feet, length of dam at top.....feet, length of dam at bottom.....feet. Material used in construction BLOCK & GAL PIPE

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 48 acre feet.

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

(d) Conduit.....width at bottom.....feet, width at water line.....
(State whether ditch, flume or pipe)

feet, depth of water.....feet; diameter of pipe.....inches, average grade per mile is.....feet. Length of conduit is.....miles.

Seventh: That said works are capable of conducting to the place of intended use.....
20 second feet of water.Eighth: That water appropriated under said permit is available for 5
acres of land described as follows: NE 1/4 NE 1/4 SEC 31 TWP 9S
R 14E B 1N

Ninth: Remarks: That.....

Samuel Holman
(Sign Here)Subscribed and sworn to before me this 15th day of FEBRUARY, 1962My commission expires SEPTEMBER 6, 1965C. L. Smith

Notary Public.

28584

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

BOISE,

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

RE: Permit No. 28584

Boise, Idaho

February 1, 1962

Farrell Tolson
Afton, Wyoming

Dear Sir:-

Under the terms of your permit No. 28584 you are required to complete you diversion works on or before April 7, 1962. I enclose 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.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:mr

Enc. Form 6

28584

April 27, 1961

Re: Permits No. 28584; 28665

Farrell Tolman
P. O. Box 4
Afton, Wyoming

Dear Mr. Tolman:

Enclosed are Forms 5-A, 36-A and 11.

Your letter of April 25th advised us that the work can be completed under Permit No. 28584 and that the water had been used under Permit No. 28665 through a temporary wood structure.

Proof of Completion of Works under Permit No. 28584 is due on or before April 7, 1962 and proof of beneficial use of the waters is due on or before April 7, 1964.

Proof of Completion of Works and beneficial use of the water under Permit No. 28665 is due on or before May 4, 1965.

As you have completed the works under Permit No. 28584 you are probably using the water beneficially. You may complete the enclosed Forms 36-A and 11 now or at any time to allow publication in four weekly issues in a Caribou County paper. Our record shows Grace Herald, Grace, Idaho, Caribou County Sun, Soda Springs, Idaho, as the only papers printed in Caribou County. You may make the proofs in Afton or in Freedom, if there is a Notary Public.

It is suggested that you fully complete work and irrigate all the land you planned to irrigate under Permit No. 28665 before you make the proofs.

Some time after you make the proofs of beneficial use of the water our field engineer will notify you of the time he expects to inspect the works with a request that some one be available to show him around. After the engineer's report has been completed you will be notified of the fees due and the amount of water and for the use which can be licensed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

28584

April 13, 1960

Re: Permit No. 28584

Mr. Farrell Tolman,
Afton, Wyoming.

Dear Mr. Tolman:

We enclose Permit No. 28584 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 30054 which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

FARE LL TOLMAN

A grid map showing sections 29, 30, 31, and 32. Section 30 is labeled "Spring" and "Point of Diversion". Section 32 is labeled "Point of Use". The map includes a title block at the bottom left.

T
9

30 29

Spring — Point of Diversion

— Point of Use

31 32

Certified Map No. 28584
As Approved APR 7 1960
GEO. H. CARTER
State Reclamation Engineer

X LOCATION OF SPRING
O PLACE OF USE

28584

March 4, 1960

Re: Application for Permit

Farrell Tolman
Tolman Ranches
Box 4, Afton Wyoming

Dear Mr. Tolman:

Enclosed is a blank application form to apply for diversion of water from a spring or springs.

Note requirement in regard to diversion of spring water in the instructions. The permit does not give you the right of way for the works of diversion.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. application form



Tolman Ranches

DALLAS AND FARRELL TOLMAN

WYOMING-IDAHO GUIDE SERVICE

BOX 4 - PHONE 202

AFTON, WYOMING

3/3/60



Dept of Reclamation
State House
Boise, Ida.

RECEIVED
MAR 4 1960
Department of Reclamation

Dear Sirs:

I have purchased my
fathers property on the Crow Creek in
Idaho and we desire to file on
the springs above the house in
Manning Canyon for culinary purposes
as we would like to put the
water in the house this spring.

Could you please advise
me what I need to do, send
application blanks, etc.

Thank You,

Farrell Tolman
Afton, Wyo.

28584

**FIRST TIME
PUBLISHED**

**NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 11 a.m. on the 31st day of March, 1962, at Afton, County of Lincoln, State of Wyoming, before C. Lyle Smith, proof will be submitted of the application to beneficial use of .20 cubic feet per second of the waters of Two Springs in Manning Canyon which is a Tributary of Crow Creek in accordance with the terms and conditions of Permit No. 28584 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is Farrell Tolman, Afton, Wyo.

The use to which said water has been applied is stock and culinary.

The amount applied to beneficial use is .20 cu. ft. per sec.

The point of diversion of said water is at spring proper in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30 T 9S, R. 46 E.B.M.

The place where said water is used: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31, Twp. 9 S., R. 46 E.B.M.

The date of priority which said user is prepared to establish is 3-31-60.

GEO. N. CARTER,
State Reclamation Engineer
Pub. M1-8-15-22 28584