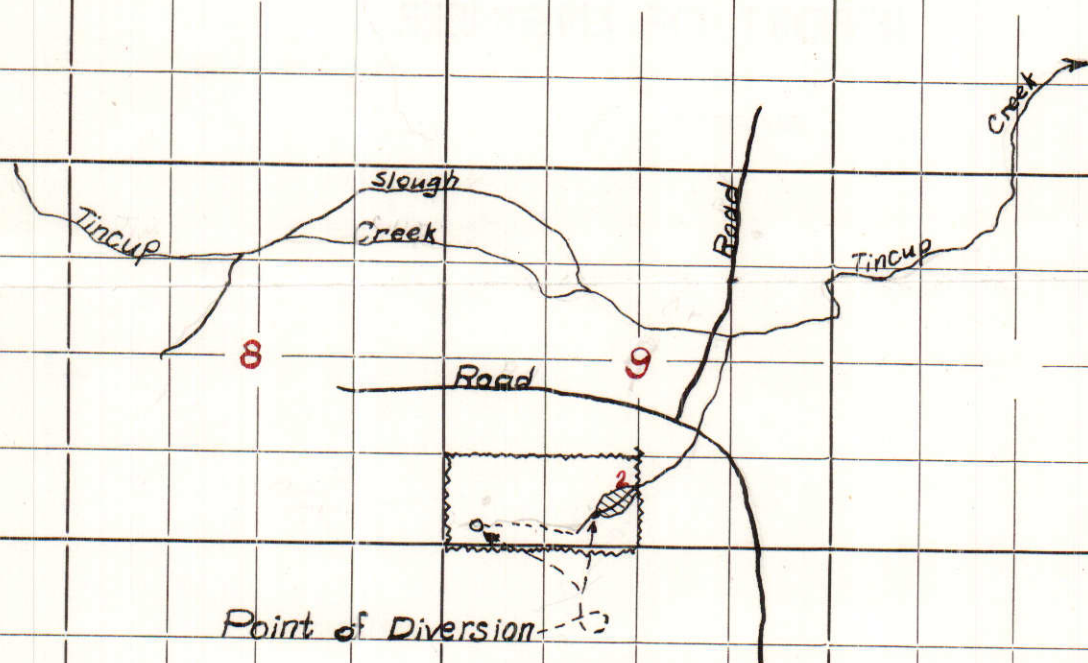




Affidavit of Publication

County of Caribou, }
State of Idaho, } SS.
E. H. Paysen

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

That he is principal clerk of the Soda
(Printer, Foreman or Principal Clerk)

Springs 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 18th day
day of November, 1948, the date of the last publication
being the 9th day day of December, 1948

Subscribed and sworn to before me this 18th
day of December, 1948

(SEAL)

Notary Public, residing at Soda
Springs, Idaho.

My Commission expires the 18
day of September, 1951

COST: 54 lines at 10 cents a line for the first insertion
and 5 cents a line for each of three subsequent insertions.
total \$ 13.50

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the 18th day of December, 1948, at Soda Springs, County of Caribou, State of Idaho, before D. K. McLean, a Notary Public, proof will be submitted of the application to beneficial use of 0.08 cubic feet per second of the waters of Rainey Springs, a tributary of Tincup Creek, in accordance with the terms and conditions of Permit No. 19485 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Jean Luthi and Charles Luthi, Freedom, Wyoming.

The use to which said water has been applied is watering of stock and domestic and garden irrigation.

The amount applied to beneficial use is 0.08 cubic feet per second.

The place where said water is used S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 9, Township 5 South, Range 46 East, 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 pipe line from said springs to the house.

The right to take water from such works is based upon Permit No. 19485.

The source of supply from which such water is diverted is Spring No. 1 in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, and Spring No. 2 is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 5 South Range 46 East Boise Meridian.

The date of priority which said user is prepared to establish is March 13, 1944.

MARK R. KULP,
State Reclamation Engineer.

19485

NAME OF APPLICANT Charles Luthi and Jean Luthi

FORM No. 0

TOWNSHIP 5 SOUTH, RANGE 46 EAST, ROISE MERIDIAN

(9)

20 rods

No 1

1201328

Spring No 2

(16)

Permit Map No. 19485

As Approved

APR 1 1944

JAMES SPOFFORD

State Reclamation Engineer

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

19485-

State of Idaho
License and Certificate of Water Right

Water License No. 19485

Amount 0.06 second foot

Water District No.

Priority March 13, 1944

THIS IS TO CERTIFY that CHARLES and JEAN LUTHI
of Freedom, Wyoming, made application for a permit to appropriate the
public waters of the State of Idaho dated March 13, 1944; that Permit No. 19485
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.08 second foot, was issued thereunder on April 15, 1946, showing that said works
were completed on the 9th day of April, 1946; and that on the 18th
day of December, 1948,

CHARLES and JEAN LUTHI

of Freedom, State of Wyoming, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Rainey Springs
, a tributary of Tincup Creek, for the purpose of stock waterings and domestic
use, under Use Permit No. 19485 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
8 of Licenses at page 4537, on the 4th day of May, 1950;

The right hereby confirmed dates from March 13, 1944;

The Points of Diversion are located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$
in the xxxxxxxx Sec. 9, Tp. 5 S., R. 46 E., B. M. Caribou

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 0.06 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	46 E.	9	SW $\frac{1}{4}$ SW $\frac{1}{4}$	-	2

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 May, 1950.

MARK R. KULP

State Reclamation Engineer

(SEAL)

24 2037

No. 19485

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

24-203

Application No. 26989

Permit No. 19485

District No.

1. Name of Applicant: CHARLES LUTHI AND JEAN LUTHI

Residence in Caribou County, Idaho

Postoffice address: Freedom

County: Lincoln

State: Wyoming

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: four inches or 0.08 cubic feet per second.

3. Source of water supply: Hainsy Springs (2 springs same name) which is a tributary of Tincup Creek when they run far enough, but now they sink on land owned by ourselves

4. Location of point of diversion: ~~feet distant from the~~ No. 1 in SW $\frac{1}{4}$ SW $\frac{1}{4}$ corner of Section 9, T. 5 S., R. 46 E., B. M., and ~~is in the~~ No. 2 in SE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 9, T. 5 S., R. 46 E., B. M., County of Caribou

5. Water is to be used for watering of livestock and household use

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: \$

8. Kind of works: the only work will be to clean out the spring, and if need be to run the water into a trough.

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

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

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

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

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

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

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

15. (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 waters of the State of Idaho as herein set forth.

CHARLES LUTHY & JEAN LUTHY *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. March 13, 1944

Returned to applicant for correction: March 13, 1944

Corrected application received: March 22, 1944

Approval of State Reclamation Engineer

The number of this permit is 19485

Recorded in Book 70 Page 19485 Approved April 1, 1944

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 1, 1944

Work to begin on or before June 1, 1944 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 1, 1945

The whole of said work to be completed on or before April 1, 1946

Beneficial use of water appropriated in accordance herewith, to be made on or before April 1, 1949

Witness my hand this 1st day of April, 1944

JAMES SPOFFORD

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. BOTTOLESEN, Governor of the State of Idaho,

and GEO. H. CURTIS, 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 1st

day of April, 19 44

STATE OF IDAHO

Countersigned:

(SEAL)

By C.A. BOTTOLESEN

By.....GEO. H. CURTIS

Secretary of State.

Governor

Remarks: This water is to be used for domestic purposes, for the watering of livestock, and are on private owned land, owned by the applicants. and it is our intention to file on both of said springs, they being on our own land and are used to water out livestock.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
			A small garden spot in and about both Spring No. 1 and Spring No. 2, as per accompanying sketch, could be watered.																
			PERMIT NO. 19485																
			To All Whom it May Concern: This is to certify that CHARLES LUTHI AND JEAN LUTHI, of Freedom, County of Lincoln, and State of Wyoming, the holders of Permit No. 19485, issued upon Application No. 26989, bearing date of priority of March 13, 1944, authorizing the diversion of 0.08 second foot of the waters of Rainey Springs, a tributary of Tincup Creek, County of Caribou, State of Idaho, for watering of livestock and household purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.08 second foot of the waters of Rainey Springs that the point of diversion of said waters- No. 1 is in the SW$\frac{1}{4}$ SW$\frac{1}{4}$ Section 9; No. 2 in the SE$\frac{1}{4}$ SW$\frac{1}{4}$ Section 9; Township 5 South, Range 46 East, B.M.; and that the point of use of said water is in and about both springs. Witness my hand this 15th day of April, A. D. 1946.																
			Proof of completion of works made April 9, 1946 Certificate of completion of works issued April 15, 1946.																
			MARK R. KULP State Reclamation Engineer																
			LICENSE ISSUED FOR 0.08 SEC. FT. p. 4587																

WATER RIGHT NUMBER 24-2037

OWNER LAST NAME - LUTHI ✓
OWNER LAST NAME - LUTHI ✓FIRST NAME - CHARLES ✓
FIRST NAME - JEAN ✓ORIG OWNER -
ORIG OWNER -ADDRESS LINE 1 -
ADDRESS LINE 3 -ADDRESS LINE 2 -
CITY - FREEDOM ✓

STATE - WY - ZIP CODE - 83120

SOURCE - RAINEY SPRINGS ✓

TRIBUTARY OF - TIN CUP CREEK ✓

STAGE - LICENSE ✓

STATUS -

PRIORITY - 03-13-1944 ✓

COUNTY - CARIBOU ✓

TOTAL DIV. RATE -

.0600 -CFS

TOTAL DIV. VOLUME -

.00 AFA -TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSW 09 05S 46E LOT REDIV -

272.0 570.0 16.0

0.0 0.0 0.0 0.0 0.0 0.0

0.0 0.0 0.0 0.0 0.0 0.0

6.5

SESW 09 05S 46E LOT REDIV -

272.0 570.0 16.0

0.0 0.0 0.0 0.0 0.0 0.0

0.0 0.0 0.0 0.0 0.0 0.0

6.4

FROM - TO - USE - STOCKWATER ✓

USE DIV. RATE -

.0600 -CFS

USE DIV. VOLUME -

.00 -AFA

FROM - TO - USE - DOMESTIC ✓

USE DIV. RATE -

.0000 -CFS

USE DIV. VOLUME -

.00 -AFA

USE - STOCKWATER ✓

PLACE OF USE - TWN 05S RNG 46E SEC 09 -TRACT SWSW-LOT

AC

TRACT SESW-LOT

AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS - AC. IRR.=2. ✓

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 19485 ✓

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED JDC

3/79

IDENT. NO. 24-2037

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

1000

- DATA ENTRY -

Identification No. 19485 124-2037
Old No. New No.

Record

1. Original Owner: Charles + Jean Luthi

Present Owner: _____

2. Address:

3. City: Freedom State: Wyo Zip: 83120

4. A. Source of Water: Rainey Springs

B. Tributary of: Ten Cup 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: 3-13-1944

D. County: 29

E. Total Diversion Rate: .06

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>SWSW</u>	<u>9</u>	<u>5S</u>	<u>46E</u>		
	<u>SESW</u>	<u>9</u>	<u>5S</u>	<u>46E</u>		

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

from _____ to _____ for 1 purposes. Amount .06
(cfs or AG-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: 2

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *Ac. irr.* = 2.
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: 19485

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

December 22, 1948

Re: Permit No. 19485

Mr. Charles Luthi
Freedom, Wyoming

Dear Mr. Luthi:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Soda Springs Sun, submitted in proof of beneficial use under Permit No. 19485.

However, neither your own deposition nor those of your witnesses give the legal description of the place where the water is used as required under Question 6, and we are returning the depositions herewith in order that this question may be answered.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

4-2037
19485

✓
May 5, 1950

Re: Permit No. 19485

Mr. Charles Luthi
Freedom, Wyoming

Dear Mr. Luthi:

We enclose License and Certificate of Water Right issued under Permit No. 19485, confirming the right of yourself and Jeen Luthi to the use of 0.06 of a second foot of water from Rainey Springs, located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9, Township 5 South, Range 46 East, B.M. with priority of March 13, 1944, for stock watering and domestic use in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 9.

We also enclose Departmental Receipt No. 22308 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

19485-

✓
April 3, 1950

Re: Permit No. 19485

Mr. Charles Luthi
Freedom, Wyoming

Dear Mr. Luthi:

We now have on file the report of our Field Engineer on examination for Beneficial Use under Permit No. 19485 in the name of yourself and Jean Luthi.

Therefore, upon receipt of the statutory fee of \$5.00, a License will be issued for .06 of a second foot of water from Rainey Springs for stock watering, domestic and garden irrigation in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 9, Township 5 South, Range 46 East, B.M.

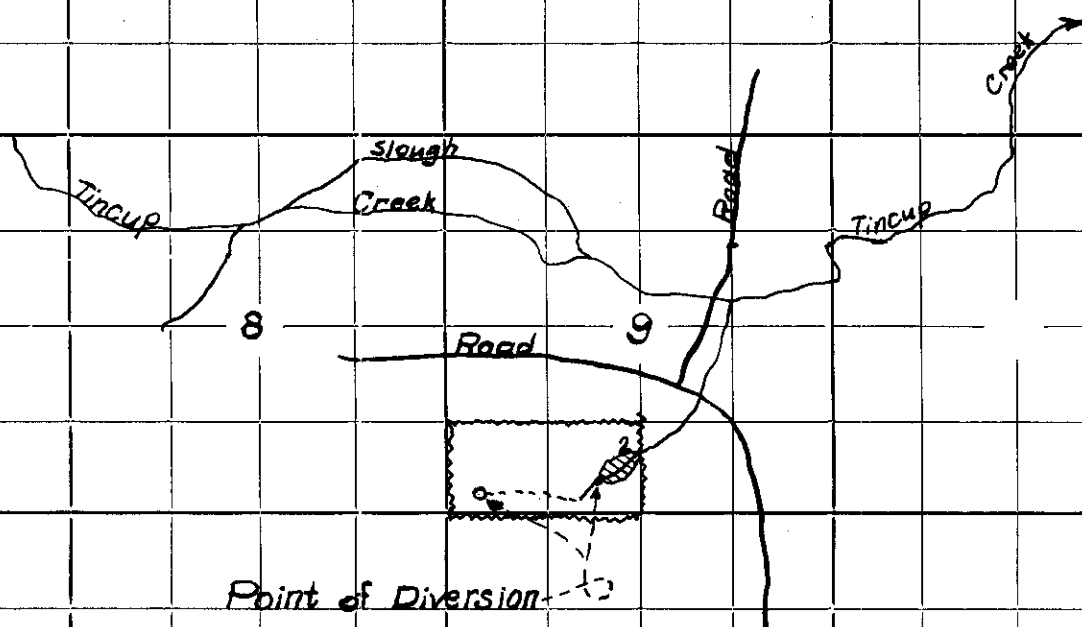
Very truly yours,

MARK R. HULP
State Reclamation Engineer
By

Chief Clerk

A:bb

19485-



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19485

REPORT ON PROOF OF Beneficial Use

.068

up 0.08 c.f.c.

779
Charles & Jean Iuthi
Freedom, Wyoming

Permit No. 19485

Examination for Beneficial use

County Caribou

RECEIVED
MAR 30 1950

Department of Reclamation

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.

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

Permit No. 19485

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

1. Name of applicant Charles & Jean Luthi, Freedom, Wyoming

2. Source of water supply: Rainey Springs, a tributary of Tincup Creek

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9

T. 5 S. R. 46 E. County of Caribou

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

Diversion through two boxes, each 4' x 4' x 4', then via 735' of 2" galvanized
pipe to stock trough, thence by natural course until pipe can be obtained.

5. Water is used for: Stock watering, domestic and garden irrigation

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

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

S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 9, Township 5 South, Range 46 East, 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? Unknown

Remarks: Present flow = 2 inches.

This examination was made on the 23 rd day of September, 1949

(Signed)

F. A. Tolman
Examiner.

✓
January 13, 1949

Re: Permit No. 19485

Mr. Charles Luthi
Freedom, Wyoming

Dear Mr. Luthi:

We have received the corrected depositions of yourself and two witnesses which, with the affidavit of publication in the Soda Springs Sun, previously received, completes your proof of beneficial use under Permit No. 19485.

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

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact you at the time he makes the examination in order that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

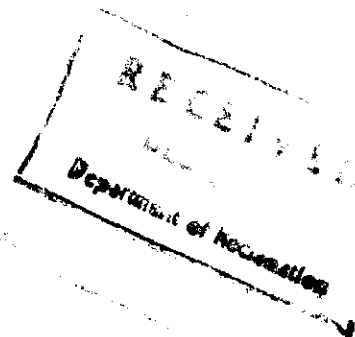
Chief Clerk

A/gt

CC: Mr. D. K. McLean

19485-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 19485

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Charles Luthi and Jean Luthi, Freedom, Idaho, Farmers and Stockraisers
Postoffice address, Freedom, Wyoming.

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. Joint Individual

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

Ans. No. 19485, over 20 years uninterrupted use. Date of priority, March, 13, 1944.

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

Ans. Two springs known as Rainey Springs, Location No. 1 SW Corner of the SW 1/4, Section 9, No 2. SE Corner SE 1/4, Section 9; Township 5 South, Range 46 East, Boise Meridian. Said springs being close to the line between Sees. 9, 16.

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, and conveys all the water from springs 0.08 second feet.
Ans. A 2 inch plank box set in spring conveying water into a 4 inch pipe 18 feet long thence into a 2 inch pipe which is 717 feet long carrying the water to place of use, said pipe line conveying the water into troughs for cattle, and to the house, the overflow is used for garden and produces some hay, about 2 acres in all.

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. Domestic use, used in the house and for watering livestock, and irrigating a small garden, and the surplus produces a crop of hay. On about 2 acres.

Place of use. The troughs for watering cattle are on or about the line between the SE 1/4 SW 1/4 and SW 1/4 SE 1/4 of Section 9; and the overflow from pipe line runs East and waters Natural Meadow in the SE 1/4 SW 1/4 of said Section 9; Township 5 South, Range 46 East, Boise Meridian.

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

Ans. Domestic only

19485

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 0.08 Second Feet.

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. We are the same persons mentioned in the permit

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

Ans. For the past several years, by pipe line conveying the water from said springs to to the house and troughs for the cattle, and for watering a small piece of ground near and around the house, of garden and flowers. 0.08 second feet.

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)

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 Soda Springs, County of Caribou, State of Idaho, on this 18th day of December, A. D. 19 48.

Notary Public

My commission expires Sept. 18, 1951.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19485

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. Fred Luthi, age 68 years, Residence Freedom, Idaho, Address Freedom, Wyoming.

Ques. 2. Are you acquainted with Charles Luthi and Jean Luthi _____, the holder of Permit No. 19485 _____? How long have you known ^{them} him and where does he reside?

Ans. Yes sir, I have known Charles Luthi all his life, and Jean Luthi, for 24 years, Charles Luthi resides in Freedom, Wyoming, and Jean Luthi, in Freedom, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19485 _____, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Two Springs, located on the S $\frac{1}{2}$ SW $\frac{1}{4}$, of Section 9; Township 5 South, Range 46 East, Boise Meridian, and the water is conveyed by a pipe line from the springs to place of use in the house and for livestock, and to water a garden

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. 0.08 second feet, I have seen it all running in the pipe line, being 18 feet 4 inch pipe and 717 feet of 2 inch pipe.

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 use in the house and watering cattle, and irrigate a small garden

Place of use is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$, of Section 9; Township 5 South, Range 46 East, Boise Meridian, the troughs for watering livestock are on or near the line, and the natural meadow is in the SE $\frac{1}{4}$ of said Section 9.

19485—

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

Ans. Domestic only

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. A small garden

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 sir

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 assisted in the construction of the system and have seen the full amount flowing from the springs running through the pipe line, being a pipe 18 feet at the head 4 inch reduced to a 2 inch pipe which is 717 feet long. the said system will safely convey 0.08 second feet.

(Signed)

Fred Luther

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 Soda Springs,
County of Caribou, State of Idaho, on this 18th day of December,
A. D. 19 48.

[Signature]

Notary Public.

My commission expires September, 18th, 1951.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19485

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. Jesse E. Draney, age 58, Residence Freedom, Wyoming, Occupation Forest Ranger, Address Freedom, Wyoming.

Ques. 2. Are you acquainted with Charles & Jean Lithi, the holder of Permit No. 19485? How long have you known him and where does he reside?

Ans. 2 1/2 years.

Ques. 3. Have you read or heard read said Permit No. 19485, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Two Springs known as the Rainey Springs, situated in the SW 1/4 of Section 9; Township 5 South, Range 46 East Boise Meridian, said water is conveyed by means of a pipe line from the springs to the house and for livestock watering places in troughs built to hold the water.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. I would say 0.08 second feet and I would say the pipe line would safely conduct that amount.

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 use being used in the and for watering livestock, and a small garden and some little hay is produced. I would say that at this time of the year the water is low and the pipe line is only half full but in the spring and summer the flow is full and the pipe line carries it very nicely.
Place of use, is in the SE 1/4 SW 1/4 and SW 1/4 SE 1/4, of Section 9; Township 5 South, Range 46 East, Boise Meridian. Used to water cattle, and a small patch of Natural Meadow.

19485-

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

Ans. Domestic only, being used in the house and for cattle.

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. Just a small garden of a few acres

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. My occupation, being that of Forest Ranger, takes me into the hills several times a month during the summer months and I have passed over this land quite often and see the water running in the pipe line and being used at the house and watering stock, from troughs built to hold water.

(Signed)

Jerre Deane

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 Soda Springs, County of Caribou, State of Idaho, on this 18th day of December, A. D. 1948.

W. L. Lann

Notary Public.

My commission expires Sept. 18th. 1951.



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

December 22, 1948

RECEIVED
10, 1949

Re: Permit No. 19485

Mr. Charles Luthi
Freedom, Wyoming

Dear Mr. Luthi:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Soda Springs Sun, submitted in proof of beneficial use under Permit No. 19485.

However, neither your own deposition nor those of your witnesses give the legal description of the place where the water is used as required under Question 6, and we are returning the depositions herewith in order that this question may be answered.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannie L. Anderson
Chief Clerk

A/gt
Encls.

Dear Miss Anderson:

Trusting this will explain and clear the matter up.

Respectfully submitted

W. H. McLean
W. H. McLean

19485-

Affidavit of Publication

County of Caribou, }
State of Idaho, } SS.
E. H. Paysen

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

That he is principal clerk of the Soda
(Printer, Foreman or Principal Clerk)

Springs 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 18th day day of November, 1948, the date of the last publication being the 9th day day of December, 1948

Subscribed and sworn to before me this 18th
day of December, 1948

(SEAL)

Notary Public, residing at Soda Springs, Idaho.

My Commission expires the 18
day of September, 1951

COST: \$4 lines at 10 cents a line for the first insertion
and 5 cents a line for each of the subsequent insertions.
total \$ 13.50

NOTICE OF PROOF APPLI- CATION OF WATER FOR BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the 18th day of December, 1948, at Soda Springs, County of Caribou, State of Idaho, before D. K. McLean, a Notary Public, proof will be submitted of the application to beneficial use of 0.08 cubic feet per second of the waters of Rainey Springs, a tributary of Tincup Creek, in accordance with the terms and conditions of Permit No. 19485 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Jean Luthi and Charles Luthi, Freedom, Wyoming.

The use to which said water has been applied is watering of stock and domestic and garden irrigation.

The amount applied to beneficial use is 0.08 cubic feet per second.

The place where said water is used is $S\frac{1}{4}$ SW $\frac{1}{4}$ Section 9, Township 5 South, Range 46 East, 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 pipe line from said springs to the house.

The right to take water from such works is based upon Permit No. 19486.

The source of supply from which such water is diverted is Spring No. 1 in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, and Spring No. 2 is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 5 South Range 46 East Boise Meridian.

The date of priority which said user is prepared to establish is March 13, 1944.

MARK R. KULP,
State Reclamation Engineer.

19485

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

BOISE, IDAHO, December 8, 1948

Re: Permit No. 19485
Charles & Jean Luthy

Mr. D. K. McLean
Notary Public
Soda Springs, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19485.....

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 ~~December 18, 1948~~....., the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at.....
~~Soda Springs, Idaho~~..... before ~~D. K. McLean, 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.

.....
MARK R. KULP
Commissioner of Reclamation.
~~XXXXXXXXXXXXXXXXXXXX~~
State Reclamation Engineer

19485-

November 10, 1948

Re: Permit No. 19485

Charles and Jean Luthy
Freedom, Wyoming

Dear Mr. and Mrs. Luthy:

We acknowledge receipt of duplicate notice of beneficial use proof to be made under your permit No. 19485 on December 18, 1948, at Soda Springs, Idaho, before D. K. McLean, Notary Public.

A copy of this notice has been sent to the Soda Springs Sun with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the affidavit of publication together with statement of costs.

We have had to change the notice in one respect as the date of priority which can be established under any permit is the date the application was originally filed in this office, which in your case is March 13, 1944.

If it should be necessary to establish a earlier priority this can be done through the district court by witnesses who can prove your original use of the water in question.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

19485-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 19485

Date: November 10, 1948

Soda Springs Sun

Soda Springs, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **December 18, 1948** the date set for proof, the expense of the publication to be paid by the applicant, **Charles and Jean Iutky, Freedom, 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

19485-

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

Notice is hereby given that at 10 A. M. on the 18th. day of December, 1948,
at Soda Springs, County of Caribou, State of Idaho, before
D.K. McLean, a Notary Public, proof will be submitted of the
application to beneficial use of 0.08 cubic feet per second of the waters of Rainey Springs, a
tributary of Tincup Creek, in accordance with the terms and conditions of Permit No. 19485
heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

~~Jean Luthi, Freedom, Wyoming, and Charles Luthi, same place~~ Freedom, Wyoming.

The use to which said water has been applied is..... domestic and garden irrigation
watering of stock and drinking purposes

The amount applied to beneficial use is 0.08 cubic feet per second and irrigating
~~regard to the house of a few acres~~

The place where said water is used (if for irrigation, give full and accurate description of the
~~lands irrigated~~) S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 9, Township 5 South, Range 46 East, 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 pipe line from said springs to the house

The right to take water from such works is based upon Permit No. 19485

The source of supply from which such water is diverted is Spring No. 1 in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
and Spring No 2 in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9; Township 5 South, Range 46 East
Boise Meridian.

The date of priority which said user is prepared to establish is March 13, 1944
26 years before the date
~~1st of June, 1944~~

MARK R. KULP

State Reclamation Engineer.

19485

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November, 9th. 1948

(P. O.) Freedom, Wyoming.

STATE RECLAMATION ENGINEER

TO THE ~~COMMISSIONER OF RECLAMATION~~

Boise, Idaho.

Dear Sir:

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

Soda Springs Sun of Soda Springs, published in
the county in which the works are situated.

Jean Luthi and Chas Luthi

(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.

19485

November 3, 1948

Re: Permit No. 19485

Mrs. Jean Lathi
Freedom, Wyoming

Dear Mrs. Lathi:

Reference is made to your letter of October 30, 1948, in which you state that you are ready to make proof of beneficial use under Permit No. 19485.

The statute requires publication of once a week for four consecutive weeks prior to the making of beneficial use proof. This notice should be made in duplicate on Form 10, enclosed, setting the time and place and naming the Notary Public before whom the proof will be made. The time should be set sufficiently far ahead to allow for the four weeks publication, and while the notice has to be published in the county in which the water is located, the proof may be made at any place convenient to yourself and two witnesses.

Both copies of Form 10 should be returned to this Department together with Form 11 which is your authorization for us to have the notice published in the county newspaper you designate. We shall then send a copy of the notice to the newspaper with instructions in regard to publishing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

19485-

Freedom, Wyoming
October 30, 1948

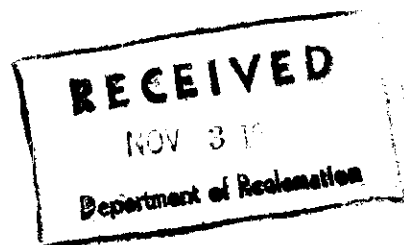
Department of Reclamation
Boise, Idaho

Dear Sir:

Will you please send me
the proper forms for the beneficial
use proof of the Rainey Springs?

We are now ready to make
the proof of use for permit no 19485.

Yours very truly
Jean Luthi



19485-

✓
April 15, 1946

Re: Permit No. 19485

Charles Luthi and Jean Luthi
Frederic, Wyoming

Dear Mr. & Mrs. Luthi:

We enclose herewith Certificate of Completion of Works issued under the above numbered permit for 0.08 of a second foot of water from Rainey Springs, with points of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9, and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9; Township 5 South, Range 46 East, B.M., Caribou County. for watering of livestock and household uses, with date of priority of March 13, 1944.

We also enclose Departmental Receipt # 19388 for the \$5.00 fee in connection with completion of works proof.

Very truly yours,

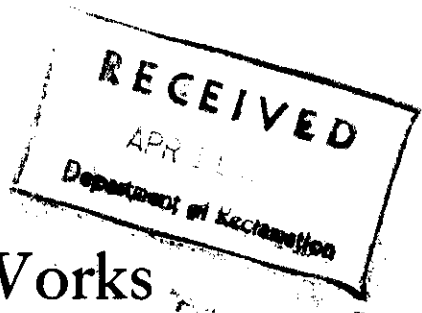
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19485

Permit No.

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Caribou

} ss.

Charles Luthi and Jean Luthi, 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. 19465, and that his postoffice address is Freedom, Wyoming.

State of

Second: That the name of the stream from which said water is to be directed is Rainey SpringsThird: That the point of diversion of said water is 20 rods from the Southwest corner No. 1, SW 1/4, No. 2, SW 1/4, Section 9, Tp. 5 South, Range 46 East, R.R.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April, 1st, 1946, 19... Use to be made on or before 4/1/49Fifth: That the use for which said water is intended is 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: Rock and Concrete Box from which a pipe runs to trough
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 5 feet, length of dam at top 4 feet, length of dam at bottom 4 feet. Material used in construction Rock & Concrete

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir.....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 0.08 second feet of water.Eighth: That water appropriated under said permit is available for.....acres of land described as follows: Domestic, watering of cattle and irrigation of a small garden. and for household use.Ninth: Remarks: That snow is still quite deep in these parts and travel is still difficult, this is the cause of any delay.

Jean Luthi Chas Luthi
(Sign here)

Subscribed and sworn to before me this 9th. day of April., 19 46My commission expires Sept. 18th, 1947.

[Signature]
Notary Public.

19485-

19485-

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Charles Luthi ' Jean Luthi
C/o Charles Luthi
Freedom, Wyoming

Boise, Idaho **February 1, 1946**

Dear Sir:-

Under the terms of your permit No. 19485 you are required to complete your diversion works on or before April 1, 1946. 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,

MARK H. KULP

State Reclamation Engineer

19485 -

✓
June 7, 1945

Re: Permit No. 19485

Charles & Jess Luthi
Box 214
Freedom, Wyoming

Dear Mr. and Mrs. Luthi:

We acknowledge receipt of your affidavit in regard to the development of the spring covered by your Permit No. 19485, which has been duly filed.

Do we understand from this affidavit that you are now prepared to make the proofs of completion of works, and also of beneficial use, and so complete the water right?

If so, we shall be glad to send you the proper forms for making these proofs, as they can be made at any time- although it is not actually necessary to make proof of completion of works until April 1, 1946- and beneficial use proof three years later- according to the terms of your permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

19485-

A F F I D A V I T

RECEIVED

JUN 7 1945

Department of Notation

STATE OF WYOMING)
) ss.
County of Lincoln)

Re Permit No 19485

On this 4th day of June, in the year 1945, before me,
Elno Draney, a notary public in and for the said state, personally
appeared Charles Luthi and Jean Luthi, to me personally known, who,
being by me duly sworn, did say that they were joint property owners
adjacent to the spring, commonly known as the Rainey Spring, in
Caribou County, State of Idaho, Range 46 East, Township 5 South,
Section 9, and that they were not able to develop the spring as
required of them by April 1st, 1945, due to snow conditions. They
further state that the spring has now been developed and have made
use of the water.

Witness, The hand and seals of the parties aforesaid this
4th day of June, 1945.

Beatrice Cross
Witness
Beatrice Cross
Witness

Jean Luthi
Chas Luthi

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

Elno Draney
Notary Public

Residing in Freedom, Wyoming
My commission expires June 20, 1946

19485-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 19435

Date April 5, 1944

Dear Sir:

I enclose herewith above numbered permit. BE SURE
AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval
of the Commissioner of Reclamation on the fourth page.

JAMES SPOFFORD
State Reclamation Engineer

Charles & Jean Luthi
C/o Judge D. K. McLean
Soda Springs, Idaho

~~Commissioner of Reclamation~~

19485-

TOWNSHIP 5 SOUTH, RANGE 46 EAST, BOISE LANDIA

(9)

201020
No 1
No 2
1201020

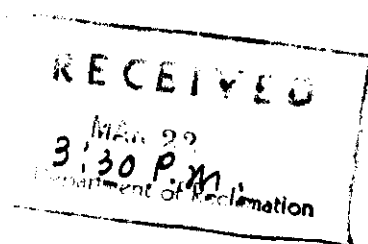
(16)

SECTION No. 19485
As Approved
APR 1 1944
JAN TO STOFFORD
Extension Engineer

Caribou County
Office of Probate Judge

D. K. McLEAN, JUDGE
SODA SPRINGS, IDAHO

March, 20, 1944.



Commissioner of Reclamation
Boise,
Idaho.

Gentlemen: Re: Chas. & Jean Luthi Application
 for water Permit.

Your letter of March, 13th. handed to me for answer, and I have made the corrections as required, and if they have not been answered as per your request please let me know, and send all future correspondence regarding this application to me at Soda Springs, Idaho, as the applicants cannot get in very often as the roads are not open through the hills yet.

Thanks

Respectfully yours

D. K. McLean
D. K. McLean

19485-

March 13, 1944

Re: Application No. 26989

Charles and Jean Luthi
Freedom, Wyoming

Dear Mr. and Mrs. Luthi:

Your application for permit to appropriate four inches, or .06 of a second foot of water from Fainey Springs, has been placed on file, and we enclose Departmental Receipt No. 18500 for the \$5.00 filing fee.

However, we are obliged to return this application for several corrections:

1st- You give your address as Freedom, Caribou County, Idaho- Although the land is located in Caribou County, Idaho- isn't your postoffice address Freedom, Wyoming--and what county?

2nd- Is it your intention by this application to file on two springs, as per your accompanying sketch map, or just one spring as answered under Questions 3 and 4 of the application, which only describes the location of one spring. If you are filing on two springs, as indicated by the sketch map, it will be necessary to so state under Question 3.

3rd- In answering Question 4, you can describe the springs as No. 1 and No. 2- if they do not have separate names- and give the diversion of No. 1 as, for instance in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9, and Section 2, in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9.

4th- Complete the application by filling in the answers to Questions 7 and 8- and such parts of 9, 10 and 11 as are applicable.

5th- Answer Questions 12 and 13, as indicated in Sections 7 and 8 of the "Regulations and Instructions".

6th- Answer Question 14, if for irrigation, by filling in the tabulation, showing number of acres under each 40 acre subdivision. If only for stock watering and household use, state place where to be used under "Remarks".

You are allowed 60 days from date of first return for correction, as stamped in second line on back of application, to file completed application. If received after that date application can be refiled under a new number, with later priority, requiring additional fee;

Very truly yours,

JAMES SPOFFORD, State Reclamation Engineer
By Chief Clerk

19485-

March 1, 1944

Mrs. Joan Luthi
Box 214
Freedom, Wyoming

Dear Mrs. Luthi:

In reply to your request of February 28th,
we enclose a form of application for permit to
appropriate the public waters of the State of
Idaho; also pamphlet giving regulations and
instructions in regard to filing same.

Your special attention is called to Paragraph
10, on the second page of this pamphlet, in
regard to filing on springs.

Very truly yours,

JAMES SPOTTORD
State Reclamation Engineer
By

Chief Clerk

Encls.

19485-

Freedom, Idaho,
Feb. 28, 1944.

Commissioner of Reclamation
Boise, Idaho.

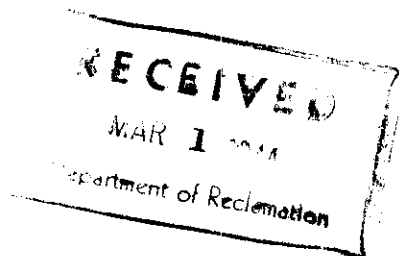
Dear Sir,

Will you kindly send
me application papers, for
filing for water rights of
springs.

Yours respt.

Wm. Jean Luthi

Freedom, Idaho,
Box 214



19485-