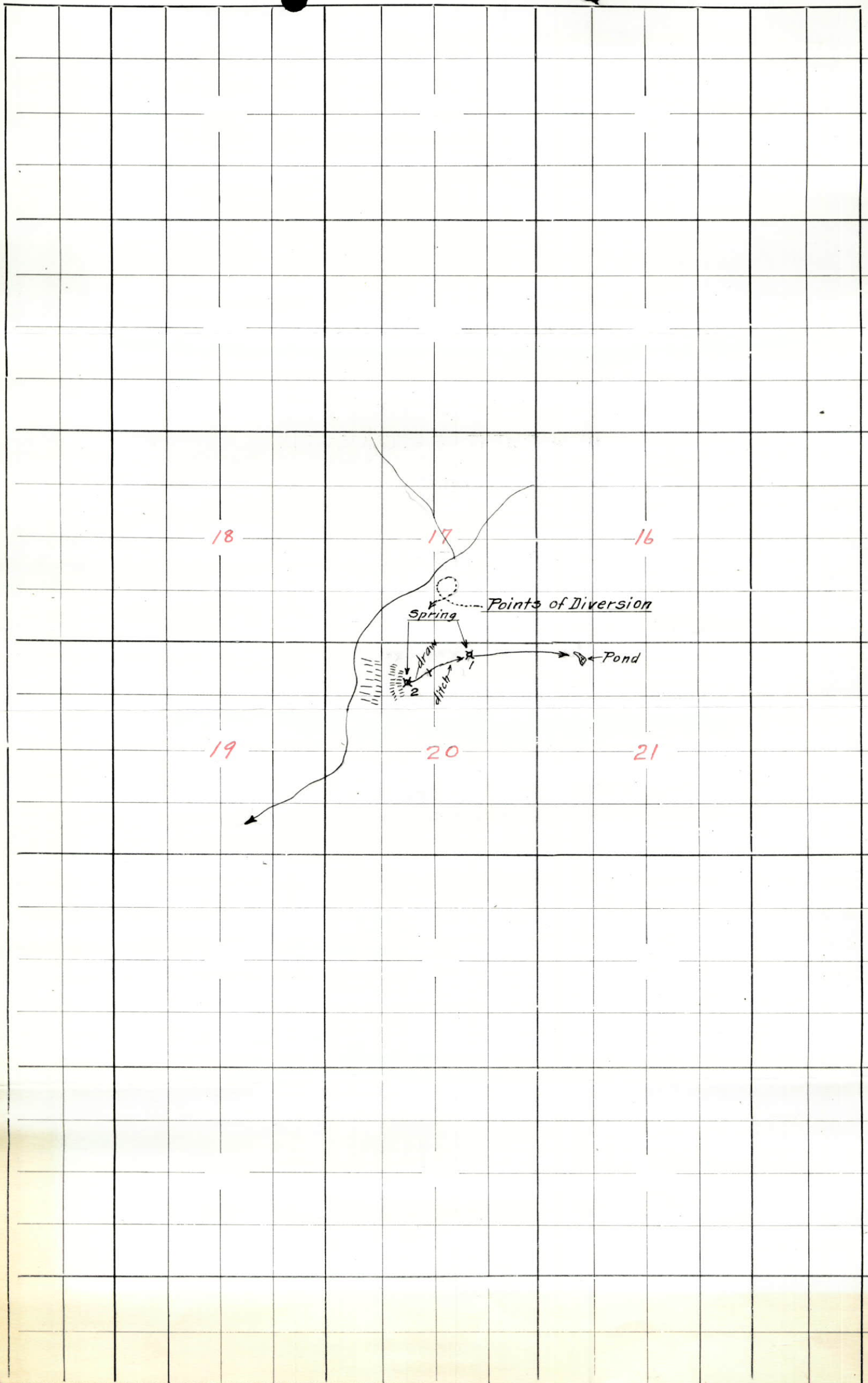




Affidavit of Publication

County of Caribou,)
State of Idaho,) SS.

Freda Massie being first duly sworn
on her oath, states:

That she 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 24th
day of October, 1946, the date of the last publication
being the 14th day of October, 1946.

Subscribed and sworn to before me this 21st
day of November, 1946.

(SEAL)

Notary Public, residing at Soda
Springs, Idaho.

My Commission expires the 18th
day of September, 1947.

COST: 43 lines at 10 cents a line for the first insertion
and 2 cents a line for each of 3 subsequent insertions.
total \$ 10.75

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00
A. M. on the 20th day of November,
1946, at Soda Springs, County of Caribou,
State of Idaho, before D. K. McLean,
Notary Public, proof will be
submitted of the application to beneficial
use of 0.7 cubic foot per second
of the waters of Two Unnamed
Springs in accordance with the terms
and conditions of Permit No. 19868
heretofore issued by the Department
of Reclamation of the State of Idaho.

The name and postoffice address of
the person or corporation holding said
permit is Carl Hayes, Soda Springs,
Idaho.

The use to which said water has
been applied is domestic for watering
livestock.

The amount applied to beneficial
use is 0.7 cubic foot.

The place where said water is used
is for watering range cattle which
runs on Sections 16 and 21; Twp. 7
South, Range 43 East, Boise Meridian.

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

The right to take water from such
works is based upon Permit No. 19868.

The source of supply from which
such water is diverted is from two
unnamed springs located in the NW $\frac{1}{4}$
NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Twp.
7 South, Range 43 East, B. M.

The date of priority which said user
is prepared to establish is July 1, 1946.

MARK R. KULP,
State Reclamation Engineer.
19868 O.24-N.14

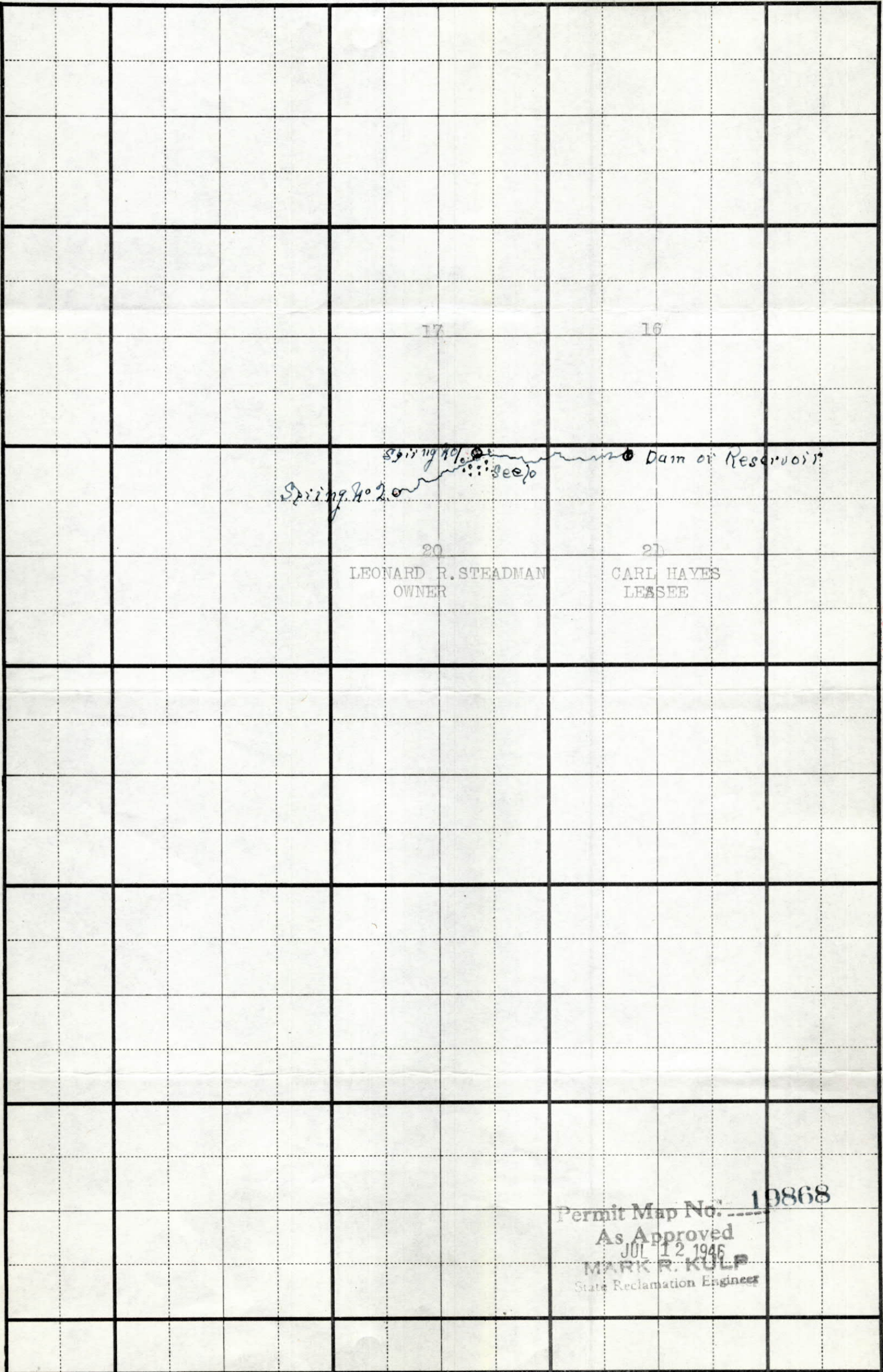
19868

North

NAME OF APPLICANT

Carl Hayes

FORM No. 0



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

South

19868

Permit Map No. 19868
As Approved
JUL 12 1946
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 19868

Amount 0.06 second foot

Water District No. _____

Priority July 1, 1946

THIS IS TO CERTIFY that CARL HAYES
of Soda Springs, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 1, 19 46; that Permit No. 19868
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.7 second feet, was issued thereunder on October 23, 19 46, showing that said works
were completed on the 7th day of October, 19 46; and that on the 20th
day of November, 19 46,

CARL HAYES

of Soda Springs, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Two unnamed
springs, a tributary of _____, for the purpose of domestic-stock watering
, under Use Permit No. 19868 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

7 of Licenses at page 4386, on the 10th day of February, 19 48;

The right hereby confirmed dates from July 1, 19 46;

are

The Point of Diversion is located in the NE 1/4 NW 1/4 and

in the NW 1/4 NE 1/4, Sec. 20, Twp. 7 S., R. 43 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 0.06 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Used for stock watering in Sections 16 and 21, Range <u>43 E. B.M.</u>		Township 7 South,

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
10th day of February, 19 48.

/s/ MARK R. KULP
State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

27-2099

Application No. 27412
Permit No. 19868
District No.

1. Name of Applicant: CARL HAYES

Postoffice address: Soda Springs

County: Caribou

State: - Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 35 inches, or 0.7

cubic feet per second.

3. Source of water supply: Two unnamed springs and a seep which is a tributary of They are in the Blackfoot water shed but never reach the river- They sink

4. Location of point of diversion: 580 yards

feet distant from the Northeast

corner of Section 20 , T. 7 S. , R. 43 E. , B.M., and is in the # 1 in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ - # 2 in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20 , T. 7 S. , R. 43 E. , B.M., County of Caribou

5. Water is to be used for Domestic use for watering livestock

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: \$125.00, with \$100.00 of the work already completed

8. Kind of works: Earth dam, and a ditch to connect Spring # 2 with # 1

9. Height of dam 12 feet; length of dam at top 100 feet; length of dam at bottom 60

feet; material used in dam: Earth

10. Size of headgate: Width None

feet; height

feet;

11. Ditch: Width at bottom 16 inches

feet; width at water line 16 inches

feet; depth of water about 1 inch. feet;

dimensions of flume: None

Diameter of pipe None

inches; length of conduit

1230 yards

miles.

Average grade per mile

feet.

12. The time required for the completion of such work is Now done and to be done in 30 days years.

13. The time required for the complete application of the water to the proposed use is None

additional years.

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

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

15. (a) Is reservoir to be used? Storage for watering 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:

CARL HAYES *Applicant.*

Date of first receipt at Department of Reclamation: 9:00 A. M. July 1, 1946

Corrected application received:

The number of this permit is 19868

Recorded in Book 71 Page 19868 Approved July 12, 1946

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 _____ 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

The whole of said work to be completed on or before **October 12, 1946**

Beneficial use of water appropriated in accordance herewith, to be made on or before October 12, 1946

Witness my hand this 12th day of July, 1946

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ARNOLD WILLIAMS, Governor of the State of Idaho,
and IRA H. MASTERS, 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 12th

day of July, 1946

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS

By ARNOLD WILLIAMS

Governor.

Secretary of State.

Remarks :

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
			<u>AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS</u> I, Leonard R. Steadman, of Soda Springs, County of Caribou, State of Idaho, do hereby certify that I am the owner of the land on which the spring mentioned in the application of Carl Hayes is located, to-wit Spring No. 1 and Spring No. 2 in the Northeast quarter of Section 20, Township 7 South, Range 43 East, B.M., and that I do hereby grant unto the said Carl Hayes permission to file on the said spring as set forth in the foregoing application. LEONARD R. STEADMAN STATE OF IDAHO) COUNTY OF CARIBOU) ss. On this 28th day of June, 1946, before me, a Notary Public for the State of Idaho, residing at Soda Springs, Idaho, personally appeared Leonard Steadman, known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same. Witness my hand and seal, the day and year in this certificate first above written. D. K. McLean Notary Public (SEAL) My commission expires September 18th, 1947																

PERMIT NO. 19868
Certificate of Completion of Works

To All Whom it May Concern:

This is to certify that CARL HAYES, of Soda Springs, County of Caribou, and State of Idaho, the holder of Permit No. ;9868, issued upon Application No. 27412, bearing date of priority of July 1, 1946, authorizing the diversion of 0.7 second foot of the waters of two unnamed springs, County of Caribou, State of Idaho, for domestic and stock watering 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 0.7 second foot of the waters of said two unnamed springs; that the points of diversion of said waters are in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 7 South, Range 43 East, B.M.; and that the place of use of said waters is in Sections 16 and 21, Township 7 South, Range 43 East, B.M.

Witness my hand this 23rd day of October, A. D. 1946.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made October 7, 1946
Certificate of completion of works issued October 23, 1946

LICENSE ISSUED FOR 0.06 SEC. FT.
p. 4386

July 7, 1960

RE: License No. 19868
Carl Hayes

Francis J. Rasmussen
Attorney at Law
Soda Springs, Idaho

Dear Mr. Rasmussen:

There is only one valid right on record in this office in the general area of Section 17, which is probably on different water.

Water License No. 19868 was issued to Carl Hayes, February 10, 1948 for 0.06 cubic feet per second, priority July 1, 1946 for stock water from two unnamed springs, one in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and one in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, Township 7 South, Range 43 East for use in Sections 16 and 21, Township 7 South, Range 43 East.

Enclosed is sheet showing fee charge for various work.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Office Engineer

RWT:mr
Enc. fee price list

19868

CITY ATTORNEY
City of Soda Springs

FRANCIS J. RASMUSSEN
ATTORNEY AT LAW
SODA SPRINGS, IDAHO

PROSECUTING ATTORNEY
County of Caribou

July 1, 1960

RECEIVED
JUL 6 1960

Department of Reclamation

RECEIVED
JUL 5 1960
INSPECTOR OF MINES
BOISE, IDAHO

Mr. George N. Carter
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Re: Preston Allen

Dear Mr. Carter:

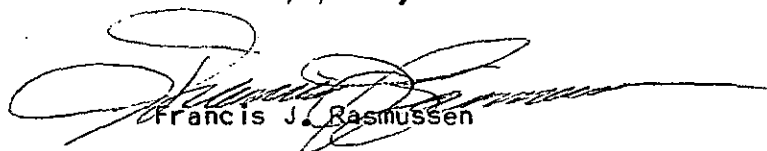
My client, Mr. Preston Allen, owns property near Section 17, Township 7 South, Range 43 East of the Boise Meridian, and he and his predecessors in interest have for sometime been dependant upon water arising from two springs located in the $N\frac{1}{2}$ $N\frac{1}{2}$ of Section 17, Township 7 South, Range 43 East of the Boise Meridian, for watering their livestock.

This water has arisen on this ground and has flowed in a defined channel down to Sections 8 and 9, Township 7 South, Range 43 East of the Boise Meridian, which my client owns and on which he ranges livestock.

Recently he has been advised that the title to this water is in question. Therefore, it is our desire to determine if there is any water files in your office for any springs located in the $N\frac{1}{2}$ $N\frac{1}{2}$ of Section 17, Township 7 South, Range 43 East of the Boise Meridian, or entering any of this general area.

I will appreciate your reply as soon as possible.

Sincerely yours,


Francis J. Rasmussen

FJR:eb

p 438L Carl Hayes License #19868 - 0.06 cfs 7-1-46
domestic & stock watering 2 unnamed springs NE¹/₄ NW¹/₄, NW¹/₄ NE¹/₄ 20-75-43E
stock watering in Sec. 16 and 21 T7S R43E.
Issued Feb. 10, 1948

19868

February 11, 1948

Re: Permit 19868

Mr. Carl Hayes
Soda Springs, Idaho

Dear Mr. Hayes:

We enclose License and Certificate of Water Right issued under your Permit 19868 confirming your right to the use of 0.06 second foot of water from two unnamed springs in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20, Township 7 S., Range 43 E. B.M., with priority of July 1, 1946, for domestic-stock watering use in Sections 16 and 21, Township 7 S., Range 43 E. B.M.

We also enclose Departmental Receipt No. 20355 for the \$5.00 fee paid by you in connection with beneficial use proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

19868

Feb. 6-1948

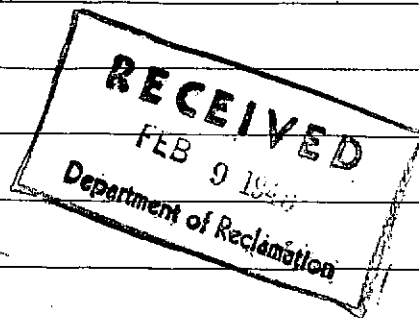
Soda Springs
Idaho

Mr. Mark R. Fulp,
Boise, Idaho

Dear Sir:

Enclosed will find check
for \$5.00 as required for license
on permit no. 19868.

Yours truly
Carl Hayes



19868

January 28, 1948

Re: Permit No. 19868

Mr. Carl Hayes
Soda Springs, Idaho

Dear Mr. Hayes:

We now have on file the report of our Field Engineer on examination for beneficial use under your Permit No. 19868.

A license will therefore be issued for .08 of cubic feet per second of water from two unnamed springs located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, Township 7 S., Range 43 E. B.M. for domestic and stock watering purposes upon receipt of the statutory fee of \$5.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

14868

July 7, 1960

RE: License No. 19868
Carl Hayes

Francis J. Rasmussen
Attorney at Law
Soda Springs, Idaho

Dear Mr. Rasmussen:

There is only one valid right on record in this office in the general area of Section 17, which is probably on different water.

Water License No. 19868 was issued to Carl Hayes, February 10, 1948 for 0.06 cubic feet per second, priority July 1, 1946 for stock water from two unnamed springs, one in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and one in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, Township 7 South, Range 43 East for use in Sections 16 and 21, Township 7 South, Range 43 East.

Enclosed is sheet showing fee charge for various work.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Office Engineer

RWT:mr
Enc. fee price list

19868

CITY ATTORNEY
City of Soda Springs

FRANCIS J. RASMUSSEN
ATTORNEY AT LAW
SODA SPRINGS, IDAHO

PROSECUTING ATTORNEY
County of Caribou

July 1, 1960

RECEIVED
JUL 6 1960
Department of Reclamation

RECEIVED
JUL 5 1960
INSPECTOR OF MINES
BOISE, IDAHO

Mr. George N. Carter
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Re: Preston Allen

Dear Mr. Carter:

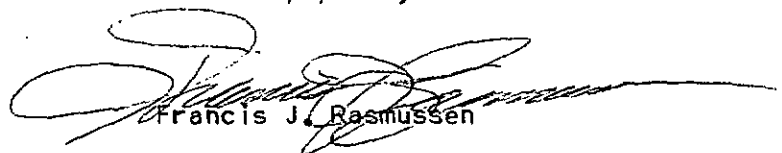
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This water has arisen on this ground and has flowed in a defined channel down to Sections 8 and 9, Township 7 South, Range 43 East of the Boise Meridian, which my client owns and on which he ranges livestock.

Recently he has been advised that the title to this water is in question. Therefore, it is our desire to determine if there is any water files in your office for any springs located in the $N\frac{1}{2} N\frac{1}{2}$ of Section 17, Township 7 South, Range 43 East of the Boise Meridian, or entering any of this general area.

I will appreciate your reply as soon as possible.

Sincerely yours,


Francis J. Rasmussen

FJR:eb

p 4386 Carl Hayes License #19868 - 0.06 cfs 7-1-46
domestic & stock watering 2 unnamed springs NE¹NW⁴, NW¹NE⁴ 20-75-43E
stock watering in Sec. 16 and 21 T7S R43E.
Issued Feb. 10, 1948

19868

February 11, 1948

Re: Permit 19868

Mr. Carl Hayes
Soda Springs, Idaho

Dear Mr. Hayes:

We enclose License and Certificate of Water Right issued under your Permit 19868 confirming your right to the use of 0.06 second foot of water from two unnamed springs in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20, Township 7 S., Range 43 E. B.M., with priority of July 1, 1946, for domestic-stock watering use in Sections 18 and 21, Township 7 S., Range 43 E. B.M.

We also enclose Departmental Receipt No. 20355 for the \$5.00 fee paid by you in connection with beneficial use proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

19868

Feb. 6-1948

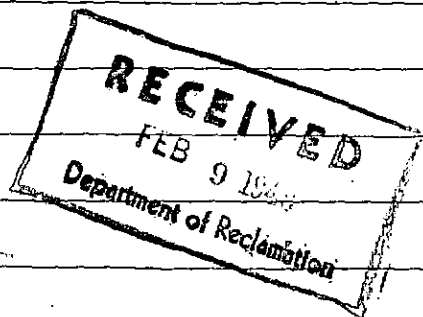
Soda Springs
Idaho

Mr. Mark R. Kulp,
Boise, Idaho

Dear Sir:

Enclosed will find check
for \$5.00 as required for license
on permit no. 19868.

Yours truly
Carl Hayes



19868

January 28, 1948

Re: Permit No. 19868

Mr. Carl Hayes
Soda Springs, Idaho

Dear Mr. Hayes:

We now have on file the report of our Field Engineer on examination for beneficial use under your Permit No. 19868.

A license will therefore be issued for .08 of cubic feet per second of water from two unnamed springs located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, Township 7 S., Range 43 E. B.M. for domestic and stock watering purposes upon receipt of the statutory fee of \$5.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

1486

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

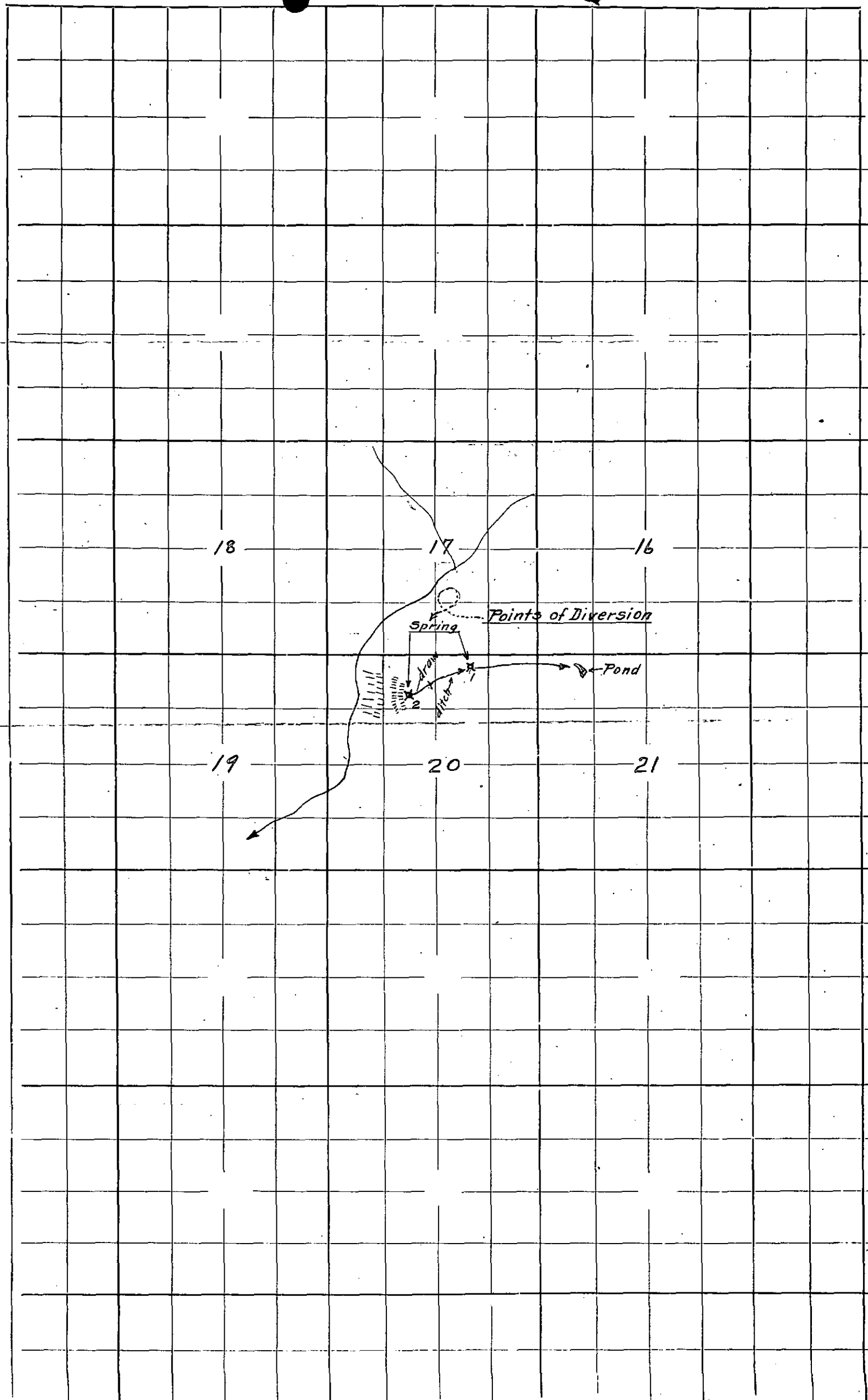
PERMIT NO. 19868

REPORT ON PROOF OF Beneficial use

2/3, 2/7 cfs

*0.6 cfs
max*

500 lbs

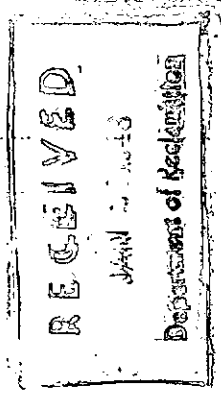


Carl Hayes
Soda Springs, Idaho

Permit No. 19868

Examination for Beneficial use

County: Caribou



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. 19868

This proof is for Beneficial use

In Water District No.

1. Name of applicant Carl Hayes, Soda Springs, Idaho

2. Source of water supply: Two unnamed springs

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20

T 7 S. R. 43 E. County of Caribou

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

Two springs; The upper (# 2) boils out from between layers of shale and flows about 2 miner's inches. The lower spring (# 1) flows approximately 1 miner's inch.

5. Water is used for: Domestic- stock watering

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):

Water is used for watering range cattle which run on Sections 16 and 21,

Twp. 7 South, Range 43 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? None

Remarks: A small ditch runs from approximately midway between the two springs to the lower one, and thence to a small stock pond.

This examination was made on the 22nd day of May, 1947.

(Signed)

A. D. Johnson
Examiner.

19868

✓
November 25, 1946

Re: Permit No. 19868

Mr. Carl Hayes
Soda Springs, Idaho

Dear Mr. Hayes:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Soda Springs Sun, all submitted in proof of beneficial use under your Permit No. 19868.

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

We cannot say just when this examination will be made, since 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, so that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation
Engineer
By

A Chief Clerk

19868

Affidavit of Publication

County of Caribou, }
State of Idaho, } SS.

Freda Massie being first duly sworn
on her oath, states:
That she 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 24th
day of October, 1946, the date of the last publication
being the 14th day of October, 1946
Freda Massie

Subscribed and sworn to before me this 21st
day of November, 1946

(SEAL)

Notary Public, residing at Soda
Springs, Idaho.

My Commission expires the 18th
day of September, 1947

COST: 43 lines at 10 cents a line for the first insertion
and 5 cents a line for each of 3 subsequent insertions.
total \$ 10.75

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00
A. M. on the 20th day of November,
1946, at Soda Springs, County of Caribou,
State of Idaho, before D. K. Mc-
Lean, Notary Public, proof will be
submitted of the application to bene-
ficial use of 0.7 cubic foot per second
of the waters of Two Unnamed
Springs in accordance with the terms
and conditions of Permit No. 19868
heretofore issued by the Department
of Reclamation of the State of Idaho.

The name and postoffice address of
the person or corporation holding said
permit is Carl Hayes, Soda Springs,
Idaho.

The use to which said water has
been applied is domestic for watering
livestock.

The amount applied to beneficial
use is 0.7 cubic foot.

The place where said water is used
is for watering range cattle which
runs on Sections 16 and 21; Twp. 7
South, Range 43 East, Boise Meridian.

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

The right to take water from such
works is based upon Permit No. 19868.

The source of supply from which
such water is diverted is from two
unnamed springs located in the NW 1/4
NE 1/4 and NE 1/4 NW 1/4 Section 20, Twp.
7 South, Range 43 East, B. M.

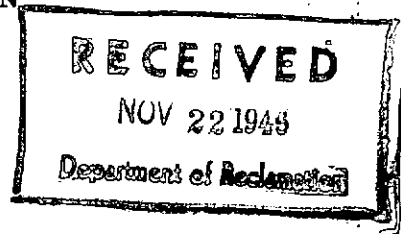
The date of priority which said user
is prepared to establish is July 1, 1946.

MARK R. KULP,
State Reclamation Engineer.
O.24-N.14

19868

19808

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 19868

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Carl Hayes, Soda Springs, Stockraiser, Soda Springs, Idaho.

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

Ans. Individual, Self.

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

Ans. 19868, July, 12th. 1946 July, 1st. 1946

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

Ans. Two unnamed springs, No. 2, NE $\frac{1}{4}$ NW $\frac{1}{4}$, No. 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20; Township 7
South, Range 43 East, Boise Meridian.

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

Ans. Earth ditch connecting Spring No. 2 with Spring No 1, water passing
through a ditch 16 ^{inches} wide and the water is 1 inch deep, carrying the said
water to a reservoir constructed of earth, 200 feet long, 12 feet high,
60 feet at the bottom, 30 feet thick at bottom and 10 feet at the top.
Said Reservoir is where the range cattle water.

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

Ans. Watering livestock, on Section 16 and Section 21, Township 7 South,
Range 43 East, Boise Meridian. Said Sections 16 and 21 is the land on
which the cattle graze that water at the reservoir.

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

Ans. No other purpose than watering stock

19868

Noted

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 0.7 per second foot

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. I am the person

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. About 5 years ago, by reservoir, filled from two unnamed springs conveying water to reservoir, water being diverted from said springs into a ditch to reservoir, amount of water is 0.7 second foot.

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) *Earl Hayes*

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 20th. day of November, A. D. 1946.

W. H. Dean
Notary Public

My commission expires September, 18th. 1947.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19868

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. Ray Campbell, 51 years, Soda Springs, Idaho, Farmer, Soda Springs, Idaho.

Ques. 2. Are you acquainted with Carl Hayes, the holder of Permit No. 19868? How long have you known him and where does he reside?

Ans. Yes, for about 20 years, he resides at Soda Springs, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19868, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Two unnamed springs, No. 2, located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 20; No. 1, located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 20, Township 7 South, Range 43 East, Boise Meridian, said water is conveyed by earth ditch from spring No. 2 to springs No. 1 thence to reservoir in Section 21, same Township and Range.

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 have seen the works a great many time and the water running in the ditch to the reservoir, but I cannot say the exact 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. Watering Livestock, which water is stored in a reservoir.

19868

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

Ans. Used only for watering stock.

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. None

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. For the past 5 or 6 years, running to reservoir from two springs, through an earth ditch.

(Signed)

Ray Campbell

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 20th day of November, A. D. 1946.

L. M. Lean

Notary Public.

My commission expires September, 18th, 1947.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. ; 9868

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. Wilford Steadman, 54 years, Soda Springs, Idaho, Farmer, Soda Springs, Idaho.

Ques. 2. Are you acquainted with Carl Hayes, the holder of Permit No. 19868? How long have you known him and where does he reside?

Ans. Yes, for 20 years and he resides at Soda Springs, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19868, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Two unnamed Springs, No. 2, is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, No. 1NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20 Township 7 South, Range 43 East, Boise Meridian, dirt ditch running from Spring No 2, to Spring No 1, and thence to the reservoir, which is in NW $\frac{1}{4}$, Section 21, Tp. 7 S. R. 43 E. B. M.

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

Ans. 0.7 per second, I would say about the 0.7 second feet.

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. Watering livestock

19868

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

Ans. Not for other purposes

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. Domestic for watering stock

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. For the past 5 years or more, and the water runs through an earth ditch from two springs to the reservoir

(Signed)

Willard Steadman

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 20th. day of November A. D. 19 46

My commission expires September, 18th. 1947.

W. M. Lean
Notary Public.

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

Re: Permit No. 19868
Carl Hayes

November 9, 1946

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. 19868

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 November 20, 1946, 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.~~
State Reclamation Engineer

19868

✓
October 23, 1946

Re: Permit No. 19868

Mr. Carl Hayes
Soda Springs, Idaho

Dear Mr. Hayes:

We enclose herewith Certificate of Completion of Works issued under your Permit No. 19868 for the appropriation of 0.7 of a second foot of water from two unnamed springs, on the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Township 7 South, Range 43 East, B.M., Caribou County, for stock watering purposes; also Departmental Receipt No. 19657 for the \$5.00 fee paid you in connection with completion of works proof.

Notice of beneficial use proof to be made under this permit on November 20th, 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.

About ten days prior to the date set we shall send to Mr. D. K. McLean, Notary Public, the necessary forms of deposition, consisting of one for yourself, as holder, and one for each of two witnesses, so that he may have them in ample time for the proof.

At the time set you should appear at Mr. McLean's office, together with two disinterested witnesses, who are familiar with the terms of your permit and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19868

19868

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: October 21, 1946

Soda Springs Sun

Soda Springs, Idaho

Gentlemen:

Enclosed you will find notice for publication
once a week for four consecutive weeks prior to November 20,
1946 the date set for proof, the expense of the
publication to be paid by the applicant, Carl Hayes
of Soda Springs, Idaho, to whom
you should furnish affidavit of publication on or prior to
the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

19868

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

Notice is hereby given that at 10:00 A. M. on the 20th day of November, 1946
at Soda Springs, County of Caribou, State of Idaho, before
D.K. McLean, Notary Public, proof will be submitted of the
application to beneficial use of 0.7 cubic feet per second of the waters of Two Unnamed
Springs in accordance with the terms and conditions of Permit No. 19868
heretofore issued by the ~~Department of Reclamation~~ Carl Hayes the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Carl Hayes
Soda Springs, Idaho.

The use to which said water has been applied is domestic for watering livestock

The amount applied to beneficial use is 0.7 cubic feet

The place where said water is used ~~(if for irrigation, give full and accurate description of the lands irrigated)~~ said water is used for watering range cattle which runs
on Sections 16 and 21; Township 7 South, Range 43 East, Boise Meridian.

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

The right to take water from such works is based upon Permit No. 19868

The source of supply from which such water is diverted is from two unnamed springs
located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Twp. 7 South, Range 43 East, B.M.

The date of priority which said user is prepared to establish is ~~right is 1941~~ July 1, 1946

MARK R. KULP

State Reclamation Engineer.

19868

Gentlemen:

As to the date I wish to make proof I understood that you set that date based upon the date of publication.

However I would like to make proof November, 20th, 1946, at Soda Springs, before D.K. McLean, Notary Public.

Carl Hays

19868

Permit No. 19868

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER



STATE OF IDAHO

County of Caribou

ss.

Carl Hayes

, 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. 19868, and that his postoffice address is Soda Springs, County of Caribou, State of Idaho.

Second: That the name of the stream from which said water is to be directed is two unnamed springs.

Third: That the point of diversion of said water is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 20; Tp. 7 S. R. 43 E. B.M. an earth ditch running in a Northeasterly direction to Spring No. 1, then in an easterly direction to an earth Dam.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October, 12th., 1946.

Fifth: That the use for which said water is intended is watering livestock.

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

I. Kind of works: Dam

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

II. Dimensions of work:

(a) Height of dam: 12 feet, length of dam at top: 240 feet, length of dam at bottom: 100 feet. Material used in construction: earth

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir: none acre feet.

(c) Size of headgate: none feet, height: none feet.

(d) Conduit: 1230 ft. width at bottom: 16 inches, width at water line: 16 inches, running from Spring No. 2; and 2 inches to dam feet, depth of water: 1 inch/feet; diameter of pipe: none inches, average grade per mile is: none feet. Length of conduit is: none miles.

Seventh: That said works are capable of conducting to the place of intended use: .7 second feet of water.

Eighth: That water appropriated under said permit is available for: xx acres of land described as follows: Watering 250 head of cattle.

Ninth: Remarks: That Spring No. 2 situated in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 20; Spring No. 1, is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20; and the two springs are connected by an earth ditch and continues by earth ditch to Dam located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21; Township 7 South, Range 43 East, Boise Meridian.

Carl Hayes
(Sign here)

Subscribed and sworn to before me this 7th day of October, 1946.

My commission expires Sept. 18, 1947.

Notary Public.

19868

B-21-4

✓
October 8, 1946

Re: Permit No. 19868

Mr. Carl Hayes
Soda Springs, Idaho

Dear Mr. Hayes:

We acknowledge receipt of your affidavit in proof of completion of works under Permit No. 19868, together with your check for the statutory fee of \$5.00 in connection therewith.

We are returning the affidavit because it fails to state the point of diversion under Question 3; and while the permit describes a ditch connecting the two springs, as well as the dam, there is no mention made of the ditch in the proof. If you still intend to use the ditch, it should be included in the proof.

Also, in the notice of beneficial use proof under this permit, you do not give the date on which you wish to make this proof. Please advise us as to this.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19868

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October, 7th, 1946

(P. O.) Soda Springs, Idaho

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, Idaho, published in
the county in which the works are situated.

Carl Hayes

(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.

19868

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Mr. Carl Hayes

August 1, 1946

Soda Springs, Idaho

Dear Sir:

Under the terms of your permit No. 19868 you are required to complete your diversion works and make proof of beneficial use on or before October 12, 1946.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public of 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 of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is October 12, 1946, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

19868

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 19868

Date July 18, 1946

Dear Sir:

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

Mr. Carl Hayes
Soda Springs, Idaho
Enclose Receipt # 19507

MARK R. KULP
State Reclamation Engineer

19868

Carl Hayes

FORM No. 0

[illegible]

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

19868

The date of priority which said user is prepared to establish is July 1, 1946.

MARK R. KULP,
State Reclamation Engineer.