

AFFIDAVIT OF PUBLICATION

THE SODA SPRINGS CHIEFTAIN SODA SPRINGS, IDAHO

Geo. F. Lee, being

first duly sworn on oath according to law deposes and says: That he is the *foreman* of THE SODA SPRINGS CHIEFTAIN, a newspaper printed and published every week in the city of Soda Springs, County of Caribou, State of Idaho; that said newspaper has a general circulation in Caribou County; and said newspaper has been so published continuously and uninterruptedly in said Caribou County, Idaho, during a period of seventy-eight (78) consecutive weeks next prior to the first publication of said notice; that the annexed notice or advertisement was published once each week for *four* successive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the *21st* day of *June*, 192*3*, and that the date of the last publication was on the *12th* day of *July*, 192*3*.

Geo. F. Lee

Subscribed and sworn to before me this *23rd* day of *July*, 192*3*.

Herbert Horsley

Notary Public, Caribou County,
Residence: Soda Springs, Idaho.

NOTICE FOR PUBLICATION.

Notice of Proof Application of Water to Beneficial Use.

Notice is hereby given that at 10 a. m. on the 23rd day of July, 1923, at Soda Springs, County of Caribou, State of Idaho, before D. K. McLean, U. S. Commissioner, final proof will be submitted of the application to beneficial use of one (1) cubic foot per second of the waters of Unnamed spring in accordance with the terms and conditions of Permit No. 15038 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are John Burchett, Soda Springs, County of Caribou and State of Idaho.

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

The amount applied to beneficial use is one (1) cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2, T. 9 S., R. 43 E., B. M., in the County of Caribou and State of Idaho.

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

The right to take water from such works is based upon Permit No. 15038.

The source of supply from which such water is diverted is an unnamed spring.

The date of the priority which said user is prepared to establish is December 22nd, 1920.

W. G. SWENDSEN,
Commissioner of Reclamation.
First Pub. June 21, 1923.
Last Pub. July 12, 1923.

(Notarial Seal)

15038

Name of Applicant

John B. Borchert Soda Springs

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Spring

150.38

SEC.

SEC.

SEC.

SEC.

State of Idaho
License and Certificate of Water Right

Water License No. 15038
 Water District No. 34

Amount 1 sec. ft.
 Priority 12-22-20

THIS IS TO CERTIFY that **John Burchett**
 of **Soda Springs, Idaho**, made application for a permit to appropriate the
 public waters of the State of Idaho, dated **December 22**, 19 **20**; that Permit No. **15038**
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
one second feet, was issued thereunder on **November 15**, 19 **22**, showing that said works
 were completed on the **9th** day of **November**, 19 **22**; and that on the **23d**
 day of **July**, 19 **23**,

John Burchett
 of **Soda Springs**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **an unnamed spring**
 , a tributary of **----**, for the purpose of **irrigation and**
domestic use, under Use Permit No. **15038** of the **Commissioner of Reclamation**
 and that said right to the use of said waters has been perfected in accordance with the laws of
 Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
 Volume **6** of Licenses, at page **3071**, on the **6th** day of **September**, 19 **23**;

The right hereby confirmed dates from **December 22**, 19 **20**;

The Point of Diversion is located
 in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. **11**, Tp. **9 S.**, R. **43 E.**, B. M.

County of 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 **one** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	43 E.	2	SW$\frac{1}{4}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$ SE$\frac{1}{4}$	40 40	30 20

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
 this **6th** day of **September**, 19 **23**.

W. G. SWENDSEN.
 Commissioner of Reclamation.

(SEAL)

27 1928

State of Idaho
License and Certificate of Water Right

Trans 394

Water License No. 4713
Water District No. 65

Amount 80.80 sec. ft.
Priority 4-15-12

THIS IS TO CERTIFY that William Owsley
of Market Lake, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 13, 19 09; that Permit No. 4713
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
153.4 second feet, was issued thereunder on June 19, 19 14, showing that said works
were completed on the 1st day of June, 19 14; and that on the 3rd
day of June, 19 21, The

OWSLEY CANAL COMPANY

of Roberts, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Mud Lake
, a tributary of -----, for the purpose of irrigation &
domestic use, under Use Permit No. 4713 of the State Engineer
and that said right to the use of said waters has been perfected in accordance with the laws of
Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
Volume 6 of Licenses, at page 3072, on the 10th day of September, 19 23;

The right hereby confirmed dates from April 15, 19 12;

The Point of Diversion is located at a point bearing N. 42°32' E. 3935 feet
from the S. 1/4 Corner in the 1/4 Sec. 11, Tp. 6 N., R. 34 E., B. M.
County of Jefferson.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed 80.80 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			4040 acres embraced within the First Owsley Carey Act Project. and to correct		
This license is issued in lieu of License No. 4713, issued July 25, 1922, and recorded in Book 6 of Licenses at Page 2958; an error having occurred in the date of priority under license issued July 25, 1922.					

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 1st day of September, 19 23.

W. G. SWENDSEN.
Commissioner of Reclamation.

(SEAL)

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

27-2078

Application No. 21376
 Permit No. 15038
 District No. 34

1. Name of Applicant: **John Burchett.**

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:

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

2. Quantity of water claimed: **one** cubic feet per second.

3. Source of water supply: **unnamed spring** which is a tributary of

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the **NW $\frac{1}{4}$ NW $\frac{1}{4}$**
 of Section **11** , T. **9 S.** , R. **43 E.** , B. M., County of **Caribou.**

5. Water is to be used for: **Domestic and irrigation purposes.**

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

(a) Point of use of water: feet distant from corner of Section
 T. , R. , B. M., in the of Section--- , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet
 distant from the corner of Section , T. , R. , B. M., in the
 of Section , T. , R. , B. M.

7. Estimated cost of works: \$ **100.00**

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

9. Height of dam **3** feet; length of dam at top **20** feet; length of dam at bottom **20**
 feet; material used in dam **Wood, earth and stone.**

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

11. Ditch: Width at bottom **2** feet; width at water line **2 $\frac{1}{2}$** feet; depth of water **$\frac{1}{2}$**
 feet; dimensions of flume

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

Average grade per mile **$\frac{1}{4}$** feet.

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

13. The time required for the complete application of the water to the proposed use is **none** additional years.

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

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

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

John Burchett, Applicant.

By C. B. Wilson. Agent.

Commissioner of Reclamation.

Date of first receipt at office of ~~State Engineer~~ State Engineer 9 A. M., Dec. 22, 1920.

Returned to applicant for correction

Corrected application received

COMMISSIONER OF RECLAMATION
APPROVAL OF STATE ENGINEER

The number of this permit is 15038

Recorded in Book 53 Page 15038 Approved January 8, 1921.

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 **March 9, 1921** 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 **January 8, 1922.**

The whole of said work to be completed on or before **January 8, 1923.**

Beneficial use of water appropriated in accordance herewith, to be made on or before **January 8, 1923.**

Witness my hand this 8th day of January, 1921.

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

Remarks: Land is owned by applicant. Spring is on Government Land. Water sinks a short distance from Spring.

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9 S.	3 42 E.	2													30 20				50
Proof of Completion of Works made November 9, 1922. Certificate of Completion of Works issued November 15, 1922. Permit No. 15038 CERTIFICATE OF COMPLETION OF WORKS To All Whom It May Concern: This is to certify that John Burchett of Soda Springs, County of Caribou, and State of Idaho, the holder of Permit No. 15038, issued upon Application No. 21376 bearing date of priority of December 22, 1920, authorizing the diversion of one second foot of the waters of unnamed spring, County of Caribou, State of Idaho, for domestic and irrigation 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 one second foot of the waters of an unnamed spring; that the point of diversion of said waters is in the NW¼ NW¼ of Section 11, Township 9 South, Range 43 East, B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S½ SE¼ Sec. 2, Twp. 9 S., R. 43 E., B. M. Witness my hand this 15th day of November, A. D. 1922. W. G. SWENDSEN, Commissioner of Reclamation By: Geo. N. Carter, Assistant Upon proper request of the holder of the above numbered Permit (15038) I have this 23rd day of November, 1922, extended the time for beneficial use proof to the 22nd day of July, 1923. W. G. SWENDSEN, Commissioner of Reclamation By: Geo. N. Carter, Assistant. License issued for 1 second feet 3071																			

- DATA ENTRY -

Record

Present Owner: _____

B. Tributary of:

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

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

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

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 $\frac{1}{4}$	
9S	43E	2															30	20	

9. A. Decree Name:

B. Decree Date:

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

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

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 15038

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

September 15, 1923.

Re: Permit No. 15038

Mr. John Burchett,
Soda Springs, Idaho

Dear Sir:

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

Very truly yours,

W. G. SWENDSON,
Commissioner of Reclamation

By

Chief Clerk.

15038

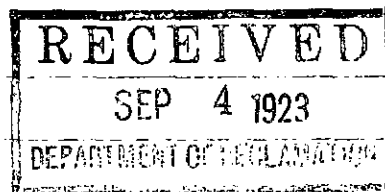
Soda Springs Idaho
August 27, 1923

Mr W. G. Swendren
Boise, Idaho

Dear Sir: I enclose the four
dollars (\$4.00) fee for the issuing
of my license for the use of
water upon two forty acre tracts.
The number of my permit is
15038.

Respectfully Yours
John Burchett

address: Soda Springs, Idaho
(Star Line)



15038

July 24, 1925.

Re: Permit No. 15038

Mr. John Burchett,
Soda Springs, Idaho.

Dear Sir:

We are to-day in receipt of Depositions of holder and two witnesses and affidavit of publication in the matter of proof of beneficial use of water under the above numbered Permit.

The report of our engineer shows two forty acre tracts under irrigation and cultivation. The fees, therefore, will be \$4.00, being \$2.00 for each forty acre tract under cultivation or irrigation.

Upon receipt of fees, license will be issued.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

Chief Clerk.

15038

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. I5038

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. John Burchett, 24 years, Soda Springs Idaho, Rancher,
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. None

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

Ans. Number I5038, January 8th. 1921, December 23rd. 1920,

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

Ans. Unnamed Spring NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11; T. 9 S. R. 43. E. B. M.

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

Ans. Dam and Ditch, Dam is built of wood, stone, and earth, 3 $\frac{1}{2}$ feet high,
20 feet long, 6 feet at bottom and 3 feet at top. Ditch 1936 feet long.
will convey one second foot. John Burchett's canal.

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

Ans. Domestic and irrigation used at my home and on SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 2; T. 9 S. R. 43 E. B. M. Cultivated and raised potatoes.
and I irrigate some natural meadow which produces, about 1/3 more
grass.

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

Ans. None

15038

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

Ans. One cubic foot per second.

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 original person

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

Ans. For domestic use the summers of 1921, 1922, 1923, and for irrigation the summer of 1923. Being conveyed to the house by ditch was used for domestic purposes, and irrigation potatoes. to the extent of One 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 right claimed thereunder.

Ans. None

(Sign) John Brinkett

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 23rd day of July A. D. 1923

U.S. Commissioner Dist. of Idaho



15038

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. _____

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Mary Burchett, 64, Eleven miles north of Soda Springs Idaho
Farmer, Soda Springs Idaho

Ques. 2. Are you acquainted with John Burchett, the
holder of Permit No. 15038? How long have you known him and where does he reside?

Ans. Yes, 23 years, On his homestead south of Johnson Creek.

Ques. 3. Have you read or heard read said Permit No. 15038, 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. Unnamed Spring, NW 1/4 NW 1/4, Sec. 11, T. 9, S. R. 45 E. B.M. Works of diversion
Wood, Rock and Dirty Dam, 4 feet high, 20 feet long, 6 feet deep; conveying
the water, into a ditch 3 feet wide and 3 feet deep, 40 rods long.

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. One second foot, One second foot.

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. Used to water stock and in the house and to water a small garden,
A small cultivated garden.

15038

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

Ans. Domestic.

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. Small garden and house use.

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. June 13th 1923. By being on the place and seeing the water being conveyed to place of use as much as would flow to the place as it would sink as the season would advance.

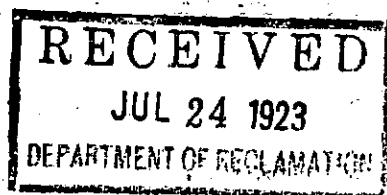
(Sign) Mary Buschett

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 23rd day of July A. D. 1923.

Dr. H. C. Lee
U. S. Commissioner Dist. of Idaho

My commission expires _____

15038



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. I5038

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.

Verna Irene Shape, 34, Soda Springs, Teacher, and Rancher,

Ans.

Soda Springs Idaho

Ques. 2. Are you acquainted with **John Burchett**, the

holder of Permit No. **I5038**? How long have you known him and where does he reside?

Ans. **Yes, I have known him 3 years, On his homestead about one mile from my place.**

Ques. 3. Have you read or heard read said Permit No. **I5038**, 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. **Unnamed spring, NW 1/4, Sec II, T. 9 S. R. 43 E. B. M.**

Wood Stone, Earth. Dam. 4 feet high, 20 feet long, from 3 to five feet thick, or wide.

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. **One second foot. one second foot.**

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, and to irrigate a small garden.**

Cultivated a small garden

15038

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

Ans. Domestic

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. 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. None

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

Ans. Summer of 1922 and 1923. by being on the place and drinking
the water at the house, and saw the potatoes which was raised.

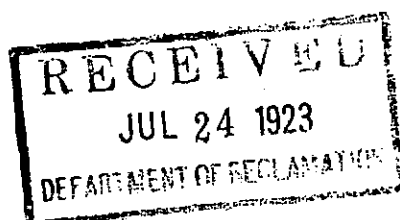
(Sign) Verna Irene Shupe

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 23rd day of July, A. D. 1923

[Signature]
U.S. Commissioner Dist. of Idaho

My commission expires _____



15038

AFFIDAVIT OF PUBLICATION

THE SODA SPRINGS CHIEFTAIN SODA SPRINGS, IDAHO

Geo. F. Lee, being

first duly sworn on oath according to law deposes and says: That he is the *foreman* of THE SODA SPRINGS CHIEFTAIN, a newspaper printed and published every week in the city of Soda Springs, County of Caribou, State of Idaho; that said newspaper has a general circulation in Caribou County; and said newspaper has been so published continuously and uninterruptedly in said Caribou County, Idaho, during a period of seventy-eight (78) consecutive weeks next prior to the first publication of said notice; that the annexed notice or advertisement was published once each week for *four* successive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the *21st* day of *June*, 192*3*, and that the date of the last publication was on the *12th* day of *July*, 192*3*.

Geo. F. Lee

Subscribed and sworn to before me this *23rd* day of *July*, 192*3*.

Herbert Hossley
Notary Public, Caribou County,
Residence: Soda Springs, Idaho.

NOTICE FOR PUBLICATION.

Notice of Proof Application of Water ---to Beneficial Use.

Notice is hereby given that at 10 a. m. on the 23rd day of July, 1923, at Soda Springs, County of Caribou, State of Idaho, before D. K. McLean, U. S. Commissioner, final proof will be submitted of the application to beneficial use of one (1) cubic foot per second of the waters of Unnamed spring in accordance with the terms and conditions of Permit No. 15038 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are John Burchett, Soda Springs, County of Caribou and State of Idaho.

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

The amount applied to beneficial use is one (1) cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) S½SE¼ of Section 2, T. 9 S., R. 43 E., B. M., in the County of Caribou and State of Idaho.

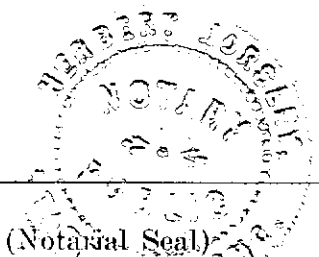
The name of the canal or ditch or other works by which said water is conducted to such place of use is John Burchett's canal.

The right to take water from such works is based upon Permit No. 15038.

The source of supply from which such water is diverted is an unnamed spring.

The date of the priority which said user is prepared to establish is December 22nd, 1920.

W. G. SWENDSEN,
Commissioner of Reclamation.
First Pub. June 21, 1923.
Last Pub. July 12, 1923.



15038

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

Permit No. 15038This proof is for Beneficial UseIn Water District No. 34

1. Name of applicant: John Burchett
2. Source of water supply: Unnamed spring
3. Location of point of diversion: Is in the NW¹ NW¹ of Section 11
T. 9 S. R. 43 E. B.M. County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same: Small ditch est to
carry 1/2 sec ft. on land,

5. Water is used for: Irrigation + Dam.
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 for other than irrigation): S¹ SE¹ Sec. 2, Tp. 9 S., R. 43 E., B.M.

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

8. What large stream would the water here appropriated finally reach? slug Creek, Blackfoot R.

Remarks: No one at home. Land in this country is mostly
natural meadow and watered for that purpose.

This examination was made on the 30 day of June 1923

(Signed)

R. S. Stetson

Examiner.

15038

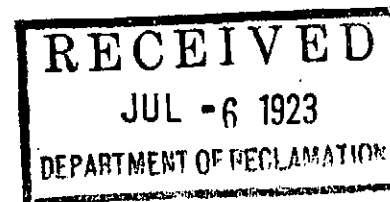
Permit No. **15038**

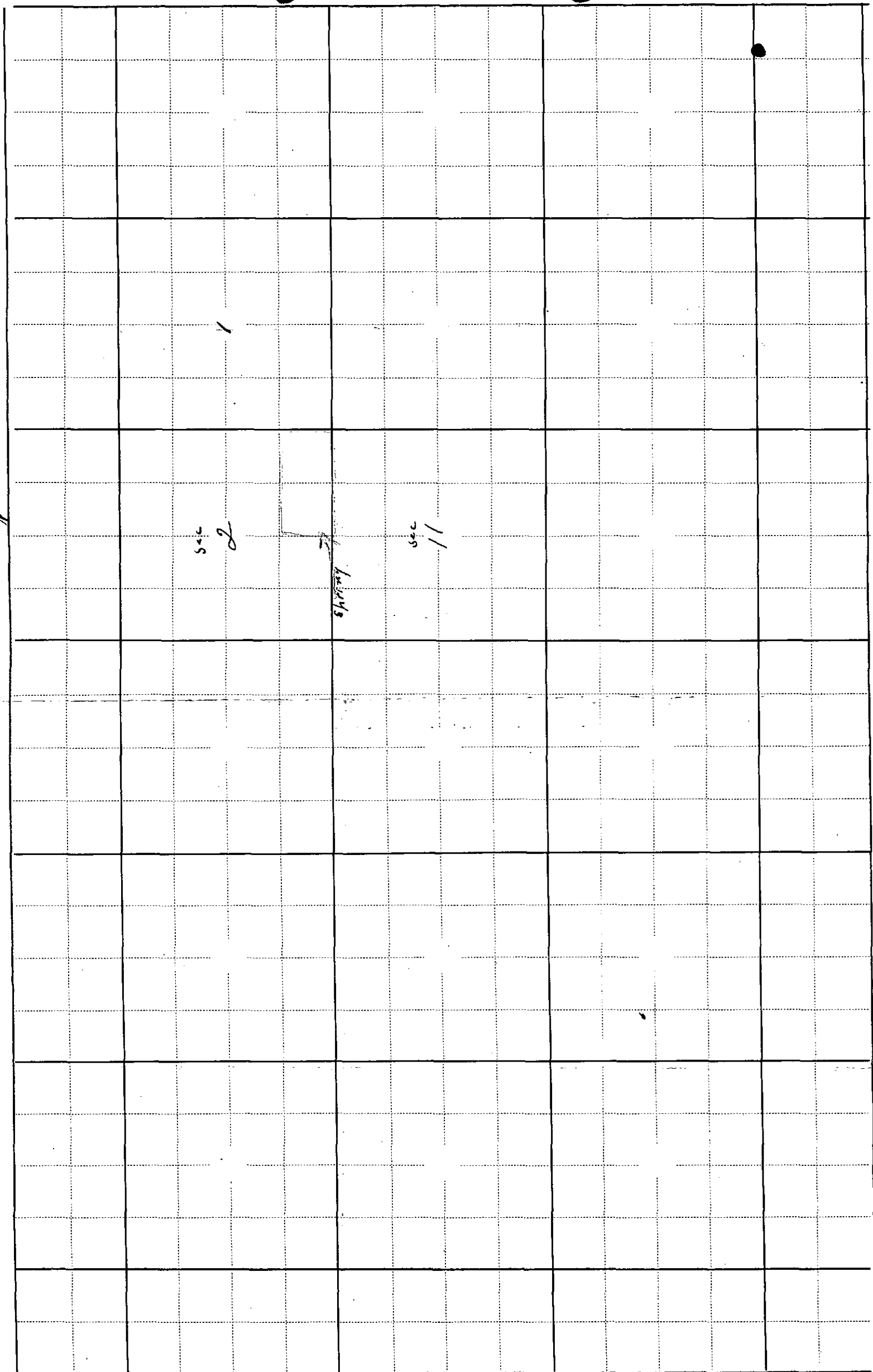
Examination for **Beneficial Use**

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 a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.
-





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

15038

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 15038

REPORT ON PROOF OF BENEFICIAL USE WATER

State of Idaho
ENGINEERING DEPARTMENT
BOISE

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

BOISE, IDAHO, **July 3, 1923.**

Mr. John Burchett,

c/o D. K. McLean,
U.S. Commissioner,
Soda Springs, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of ~~completion of~~
~~works and~~ beneficial use of water under Permit No. **15038.**

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 **July 23, 1923**, 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** before **D. K. McLean, U.S. Commissioner.**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

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

15038

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DATE.....June 13, 1923.....

Soda Springs Chieftain,
Soda Springs, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to
.....**July 23, 1923**....., the date set for proof, the expense of the publication to be paid
by the applicant,.....**John Burchett, Soda Springs**....., to whom you should
furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

15038

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 18th, 1923

(P. O.) Soda Springs, Idaho

TO THE STATE ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Soda Springs Chieftain of Soda Springs, Idaho, published in
the county in which the works are situated.

John Burchett

(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

15038

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 23rd day of July, 19 23,
at Soda Springs, County of Caribou, State of Idaho,
before D. K. McLean, U.S. Commissioner, final, proof will be submitted
of the application to beneficial use of One (1) cubic feet per second of the
waters of Unnamed Spring in accordance with the terms and conditions of
Permit No. 15038 heretofore issued by the Commissioner of Reclamation
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
John Burchett, Soda Springs, County of Caribou and State of Idaho.

The use to which said water has been applied is Domestic and irrigating purposes.

The amount applied to beneficial use is One (1) Cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) S $\frac{1}{2}$ -SE $\frac{1}{4}$ of Section 2, T. 9 S., R. 43 E., B. M., in the County of
Caribou and State of Idaho

The name of the canal or ditch or other works by which said water is conducted to such place of use
is John Burchett's Canal

The right to take water from such works is based upon Permit No. 15038

The source of supply from which such water is diverted is an Unnamed Spring.

The date of the priority which said user is prepared to establish is December 23rd, 1920

nnw nw - 11 - 99 - 43 E

W. G. Swendsen,
Commissioner of Reclamation.

- 34 -
Caribou

15038

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Mr. John Burchett,
Soda Springs, Idaho.

April 6, 1923.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 15038, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and date it is submitted.

Yours truly,

W. G. SWENDSEN.
Commissioner of Reclamation.

15038

STATE OF IDAHO
Department of Reclamation

Permit No. 15038

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO

County of Caribou,

} ss.

John Burchett

, of

Soda Springs,

State of Idaho being first duly sworn upon his oath deposes and says:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 15038

THAT, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by January 8th, 1923

THAT he has heretofore put to beneficial use nil second feet of water and has irrigated nil acres.

THAT, for the following reasons, he is unable to put to beneficial use within the required time, the remainder of the water appropriated under his permit, to-wit:

The source of water supply during the fall and winter months runs too low.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the making of proof of beneficial use under said permit to July 22nd, 1923.

Subscribed and sworn to before me this 23rd day of November, 1922.

My commission expires August 2nd, 1924.

Notary Public.

Date of receipt at office of Department of Reclamation

APPROVAL OF COMMISSIONER OF RECLAMATION

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the making of proof of beneficial use under Permit to Appropriate the Public Waters of the State of Idaho, No. 15038, to July 22nd, 1923

Witness my hand this 23rd day of November, 1922

15038

by W. G. Swendsen
W. G. Swendsen Commissioner of Reclamation.

November 17, 1922.

Re: Permit No. 15038

Mr. John Burchett,
Soda Springs, Idaho.

Dear Sir:

We are inclosing herewith Certificate of
Completion of Works, issued under the above numbered
Permit, together with receipt for fees.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

Encle. 2.

By
Chief Clerk.

15038

November 9, 1922.

Re: Permit No. 15038.

Mr. John Burchett,
Soda Springs, Idaho.

Dear Sir:-

We are today in receipt of your affidavit, with fee, for proof of completion of works under the above permit. The certificate of completion will be mailed to you within the next few days.

As to your notices for proof of use of water, I note that you have set July 22, 1923, as date for making this proof. I am accordingly returning herewith the notices to be held until about sixty days before the date set for proof, as we have no need of same at this early date. I would say, however, that, if proof is made at a later date than specified in the permit, the date of priority is brought down accordingly.

Very truly yours,

W. G. SWENSON,

Commissioner of Reclamation.

By
Chief Clerk.

15038

S.E. Matthews
G. W. Kerr

Offices:
Soda Springs - American Falls

MATTHEWS AND KERR
Financial Agents
LAND INVESTMENTS
Bonds & Insurance
SODA SPRINGS, IDAHO

November 8th, 1922.

Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:-

Re: Permit No. 15038 - John Burchett

Enclosed herewith I hand you Proof of Completion of Works,
duly executed.

I also return Notice for Publication NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE. You will notice that I have asked that
this proof be made July 22nd, 1923. I ask this for the reason that the
water does not reach my land at this season of the year.

Trusting you will see your way clear to grant the extension of
time requested, I am,

Yours respectfully,

John Burchett

John Burchett,
Soda Springs,
Idaho.

15038

Permit No..15038.....

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of..Caribou,.....

} ss.

...John Burchett.....

...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.15038..., and that his postoffice address is ...Soda Springs,.... State of.....Idaho.....

Second: That the name of the stream from which said water is to be diverted is....
...Water obtained from unnamed spring.....

Third: That the point of diversion of said water is in the NW $\frac{1}{4}$ -NW $\frac{1}{4}$ of Section
...11, Township 9 South, Range 43 E., B. M., Caribou County, State of Idaho.....

Fourth: That under the terms and conditions of said permit, construction there-
under was required to be completed by.....January 8th....., 1923.....

Fifth: That the use for which said water is intended is Irrigation and domestic....

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

I. Kind of works:.....Dam and ditch.....
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam...Three feet, length of dam at top...Twenty...feet, length of
dam at bottom...Twenty...feet. Material used in construction...Earth, wood
and stone.....
(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir...Unknown...acre feet.

(c) Size of headgate: Width...None...feet, height...None...feet.

(d) Conduit...Ditch...width at bottom...Two...feet, width at water
(State whether ditch, flume or pipe)
line...2- $\frac{1}{2}$...feet, depth of water...1- $\frac{1}{2}$...feet; diameter of pipe...
inches, average grade per mile is...14...feet. Length of conduit is...3- $\frac{3}{4}$...
miles.

Seventh: That said works are capable of conducting to the place of intended use
...One (1) Cubic...second feet of water (50 miners inches.)

Eighth: That water appropriated under said permit is available for....50....acres
of land described as follows:..30 acres in the SW $\frac{1}{4}$ -SE $\frac{1}{4}$:..20 acres in the SE $\frac{1}{4}$ -SE $\frac{1}{4}$ of
...Section 2, Twp. 9 S., R. 43 E., B. M.....

Ninth: Remarks: That the water has been consistently used from the source of
...supply described herein from the 22nd day of December 1920, either for irrigation
...purposes or for stock and culinary purposes.....

John Burchett
(Sign here)

Subscribed and sworn to before me this.....day of.....November...., 1922:

My commission expires August 2nd, 1924.

Notary Public

15038

Form No.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Joe Burchett,
Sod Springs, Idaho.

October 2, 1922.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 15038, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and date it is submitted.

Yours truly,

W. G. S WENDSEN.
Commissioner of Reclamation.

15038

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,
October 2, 1922.

Joe Burchett,
Soda Springs, Idaho.
Dear Sir:—

Under the terms of your permit No. ~~15038~~.....you are required to complete your diversion works on or before ~~January 1, 1923~~ 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,

15038

W. G. SWENDSEN.

Commissoner of Reclamation.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 15038
C. B. Wilson
Soda Springs,
Idaho.
Dear Sir:

Boise, Idaho,
Jan. 13, 1921.

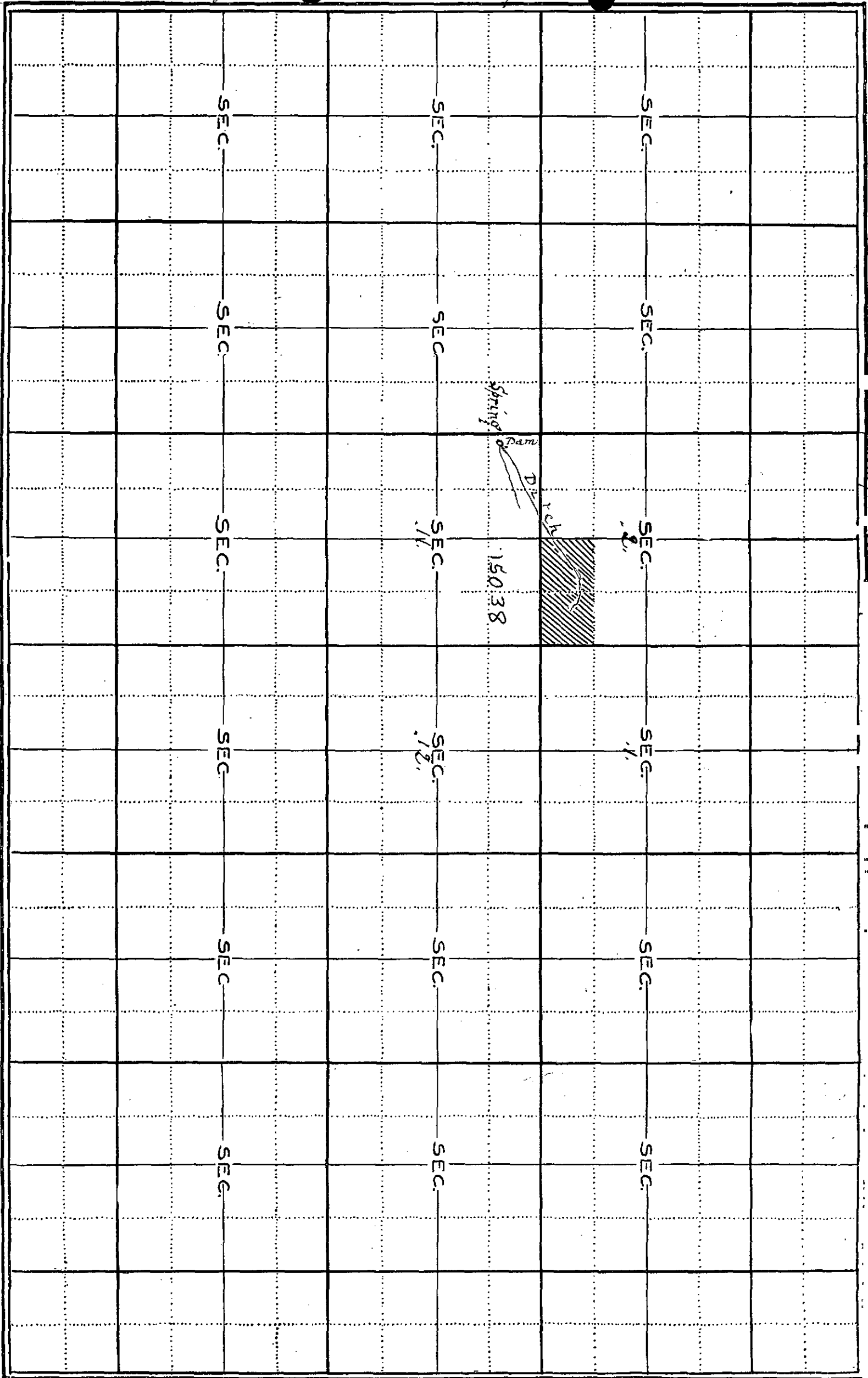
I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of State Engineer on the third page.

W. G. Swendsen,

Commissioner of Reclamation.

15038

Name of Applicant John B. Burchett Soda Springs



4th

Soda Springs.
Idaho.

Dec^r 20th 1920.

Mr W. G. Swendsen

Commissioner of Reclamation }
Boise

Dear Sir:

I herewith enclose "Application for Permit," re
"John Burchett," with fee \$1⁰⁰ & return

Yours Truly,

Chas. B. Wilson.

15038