

# Affidavit of Publication

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

Nellie K. Kelley being first duly sworn  
on her oath, states:

That she is Principal Clerk of the Soda  
(Printer, Foreman or Principal Clerk)

Springs Chieftain, 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 5 successive weekly issues

thereof, the date of the first publication being the 30th  
day of September, 1926, the date of the last publication being the 28th day of October  
1926.

Nellie K. Kelley  
Subscribed and sworn to before me this 29  
day of Oct., 1926

Clerk of District M. de Lehen  
(SEAL) Notary Public, residing at Soda Springs, Idaho.

My Commission expires the  
day of \_\_\_\_\_, 19\_\_\_\_

COSTS: 37 lines at 10 cents a line for the first insertion  
and 5 cents a line for each of 4 subsequent insertions,  
total \$ 11.70

## NOTICE FOR PUBLICATION

### NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 a. m. on the 30th day of October, 1926, at Blackfoot, County of Bingham, State of Idaho, before Lorenzo R. Thomas, notary public, proof will be submitted of the application to beneficial use of 0.4 cubic feet per second of the waters of a spring, in accordance with the terms and conditions of Permit No. 12432, heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are John R. Stocking, Soda Springs, Idaho.

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

The amount applied to beneficial use is 0.4 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) at home of applicant on the NE 1/4 SE 1/4, Sec. 30, Twp. 7 S., R. 44 E. B. M.

The right to take water from such works is based upon Permit No. 12432.

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

The date of the priority which said user is prepared to establish is September 8, 1923.

W. G. SWENDSEN,  
Commissioner of Reclamation  
Sept. 30 — Oct. 28.

12432

T. 7 S R 44 E

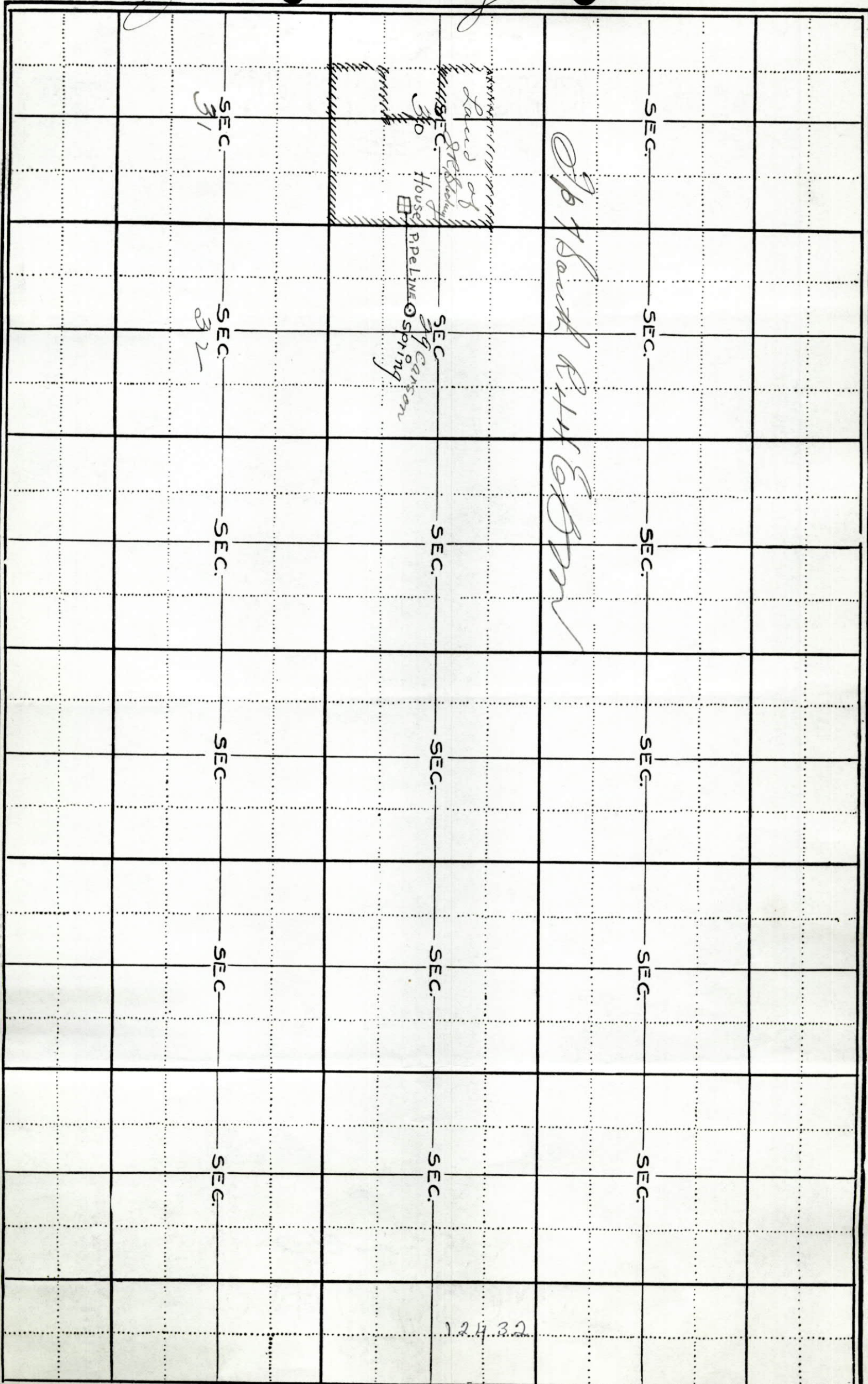
30

House  
String  
Pipeline

124 32

Name of Applicant

John R. Stocking



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

Printed and for sale by the Statesman Shop, Boise, Idaho.

642

Amount. 0.4

Priority 9-8-1923

John R. Stocking,

John R. Stocking,

The Point of Diversion is located  
in the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 29, Tp. 7 S., R. 44 E., B. M. Caribou County.

At house of applicant, in NE 1/4 Sec. 30, Tp. 7 S.  
R. 44 E. B. M.

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.

GEO. N. CARTER

By MYRON SWENDSEN,  
Assistant.

27 2062

PERMIT NO. 12432  
No. 17898

# APPLICATION FOR PERMIT 27-2062

## TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

District No. 34

1. Name of applicant: John R. Stocking

Postoffice address: Soda Springs

County: Bannock

State: Idaho

I. If applicant is a corporation, give

(a) Date and place of incorporation:

(b) The amount of capital stock:

(c) The 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. The quantity of water claimed is Four tenths (.4) cubic feet per second.

3. Source of water supply: Carson Spring

4. Location of point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 29, T. 7 S. R. 44 E.B.M.

County of Bannock

5. To be used for:

I. Irrigation and domestic use: (a) Amount of land to be irrigated:

acres.

(b) In the following legal subdivisions:

Domestic purposes in NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 30 T. 7 S. R. 44 E.

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

(b) Amount of power to be generated:

H. P. under ft. head

(c) Is water to be returned to any stream?  
point of return:

(d) If so, name stream and locate

6. Estimated cost of works: \$1000.00

7. Description of works for diversion:

I. Kind of works: Iron pipe line

II. Dimensions of works:

(a) Height of dam

feet, length of dam at top

feet,

length of dam at bottom

feet. Material used in construction:

(b) Capacity of reservoir

acres feet.

(c) Size of headgate, width

feet,

Height

feet.

(d) Conduit

width at bottom

feet,

width at water line

feet, depth of water

feet; diameter of pipe

2 inches; average grade per mile is 40 feet. Length of conduit is 2200 ~~miles~~ ft.  
and it crosses the following quarter sections:

8. The time required for the completion of the construction of such work is two years.

9. Time required for the complete application of the water to the proposed use is one additional years.

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

John R. Stocking

Applicant.

By J.H. Anderson

Agent.

Date of first receipt at office of State Engineer 9:00 A.M. August 10, 1916

Returned to applicant for correction

Corrected application received

### APPROVAL OF STATE ENGINEER

The number of this permit is 12432

Recorded in Book 43 Page 12432 Approved September 1, 1916

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

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

Work to begin on or before October 30, 1916 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 September 1, 1917

The whole of said work to be completed on or before September 1, 1918

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

September 1, 1919

Witness my hand this 1st day of September, 1916.

J.H. Smith

State Engineer.

#### Remarks:

15. (a) Is reservoir to be used? No.

Remarks: The point of diversion and the spring known as Carson's Spring, is located on the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 29, and is on unappropriated vacant, Government land. The water is to be piped to the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 30, Township 7 South, Range 44 East for domestic use. The pipe line is 2200 feet long and will connect the spring directly with the house and buildings of applicant.

C.W.--8-15-18

Permit No. 12432

### CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that JOHN R. STOCKING of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No. 12432, issued upon Application No. 17898, bearing date of priority of August 10, 1916, authorizing the diversion of .4 of 1 second foot of the waters of Carson Spring, County of Bannock, State of Idaho, for domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use .4 of 1 second foot of the waters of said spring; that the point of diversion of said waters is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 29, T. 7 S., R. 44 E., B. M., and that the place of use of said water is at home of applicant, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 30, T. 7 S., R. 44 E., B. M.

WITNESS my hand this 20th day of August, A. D. 1918.

FRED A. WILKIE

State Engineer of the State of Idaho

License issued for 0.4  
3425

## WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 12432 / 27-2062  
Old No. New No.

## Record

1. Original Owner: John R. Stocking

Present Owner: \_\_\_\_\_

2. Address: 83. City: Soda Springs State: ID Zip: \_\_\_\_\_4. A. Source of Water: Carson Spring

B. Tributary of: \_\_\_\_\_

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: 9-8-1923D. County: 29E. Total Diversion Rate: .4

F. Total Diversion Volume: \_\_\_\_\_

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

H. Water District: 27

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

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

|                          | Tract       | Sec.      | Twp.      | Rge.       | Gov't<br>Lot | Rediv. |
|--------------------------|-------------|-----------|-----------|------------|--------------|--------|
| 6. A. Point of Diversion | <u>NESW</u> | <u>29</u> | <u>72</u> | <u>44E</u> | _____        | _____  |
|                          | _____       | _____     | _____     | _____      | _____        | _____  |
|                          | _____       | _____     | _____     | _____      | _____        | _____  |
|                          | _____       | _____     | _____     | _____      | _____        | _____  |
|                          | _____       | _____     | _____     | _____      | _____        | _____  |

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

from \_\_\_\_\_ to \_\_\_\_\_ for D purposes. Amount .4  
(cfs or AC FT/yr.)

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 \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

pf 72679

8. Use Code: D

| 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 |        |
| 7S   | 44E   | 30   | D      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
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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: 12432

F. Proof Made (P or blank):

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

H. Conditions of Approval: \_\_\_\_\_

14. Diversion Means (brief narrative):

Soda Springs Idaho  
Aug 10 1932

State Reclamation Water Dept.

Dear Sir, I understand from members of our E.P. Morgans family, that about three week ago, one of your men from your Office was up in Dry valley to make an inspection of water coming from a spring on the forest which I have used for watering stock, on the forest license and before, the forest was established, and I am using for House hold use and stock water, The Forest service put in water troughs for watering my stock. <sup>on the Forest</sup> Now if Mr Morgan would put a tap on his line there would

be enough water for all concerns  
if it is handled right.

I suggest that you take it  
up with the forest Office at  
Montpelier.

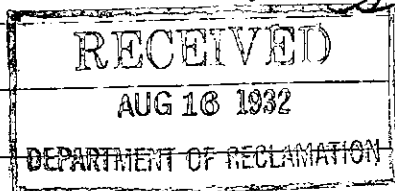
There is to Family on the  
pipe line and the Forest at the  
head with watering troughs for  
sheep, <sup>and live stock</sup> and I am asking you to  
make a inspection as well as  
take it up with the forest

Yours Respt.

J. H. Stacking

Soda Springs

Idaho.



August 18, 1932

Re; Permit No. 12432

Mr. John H. Stocking  
Soda Springs, Idaho

Dear Sir:

I have your letter of the 10th inst. relative to the permit which was issued to Mr. E. P. Morgan some years ago.

In checking over the filings which you have made we find that the above numbered permit was issued to you with a date of priority of September 8, 1923. I am of the opinion that the spring which is given as the source of supply under this permit is very likely the same spring upon which Mr. Morgan filed. If such is the case, you have the prior date over him as he did not file until October 2, 1929. The location of this spring is given under the permit as being in the NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 29, Twp. 7 S., R. 44 E. B.M.

When any person obtains a permit to appropriate water from any source of supply this permit is issued subsequent to all prior rights. Therefore, if your source of supply is the same as Mr. Morgan's, your right should be satisfied before he is entitled to any of the waters of the said spring.

In other words the question is entirely one of priority, and in all cases the first in time is the first in right.

If this does not suffice to clear up the matter we should appreciate hearing further from you.

Very truly yours,

D. W. FARIS  
Commissioner of Reclamation

By \_\_\_\_\_  
Chief Clerk

PLH:MC

12432

March 15, 1927.

Re: Permits No.'s 11405-11536-12432,  
J.R. & G. R. Stocking.

Messrs. Thomas & Andersen,  
Attorneys at law,  
Blackfoot, Idaho.

Gentlemen:

We are herewith mailing you Water Licenses  
issued under the above numbered permits; also  
receipt for fees paid.

Very truly yours,

GEO. H. CARTER,  
Commissioner of Reclamation

By

Chief Clerk.

Enc.

~~12423~~

12432

November 10, 1926.

Re: Permit No. 12432--  
John R. Stocking

Messrs. Thomas & Andersen  
Attorneys at Law  
Blackfoot, Idaho.

Gentlemen:-

We are today in receipt of the  
depositions and affidavit of publication for  
proof of beneficial use of water under the  
above numbered permit. Upon receipt of fees  
in the sum of \$5.00, license will be issued.

Very truly yours,

GEO. M. CARTER  
Commissioner of Reclamation

By \_\_\_\_\_  
Chief Clerk

CB:HH :

~~12423~~

12432

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO.

PERMIT NO. 12432

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

Ans. John R. Stocking; 55 years; Heyburn, Idaho; Farmer; Heyburn, 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. I am acting in my own behalf.

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

Ans. No. 12432; September 1, 1916; September 8, 1923.

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

Ans. Carson Spring, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 29, Tp. 7 South, Range 44 East, 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. Pipe line, 2200 ft. long, 4 inch at intake reduced to 2 inch 16 ft. from the spring and again reduced to 1 inch 16 ft. from the first reduction, steel pipe; cannot estimate the quantity of water but the fall is approximately 200 ft.; private pipe line.

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. Water used for domestic purposes in NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 30, Tp. 7 South, Range 44 East, B. M.

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

Ans. Used for domestic purposes only.

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12432

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

Ans. The amount conveyed through the pipe line.

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. This is my private appropriation.

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

Ans. I have used the water for domestic purposes ever since it was appropriated; by conveying same through a steel pipe line as hereinabove described; and all the water the said pipe line flows.

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) John P. Stocking

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 Blackfoot, County of Bingham, State of Idaho, on this 6th day of November A. D. 1926.

Learze R. Thomas

Notary Public for state of Idaho, residing at Blackfoot, Idaho.

My commission expires May 26, 1927.

I do hereby certify that I was at my office in Blackfoot, Idaho from 9:00 A. M. until 5:30 P. M. with the exception of the noon hour and that no one appeared on said day nor at all to protest in any manner whatsoever against the allowments of this proof for beneficial use of water.

Learze R. Thomas  
Notary Public.

12423

12432

NOV 10 1926

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO.

PERMIT NO. 12432

## 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. Burdette R. Stocking; 28 years; Burley, R 2, Idaho; Farmer; Burley R 2, Idaho.

Ques. 2. Are you acquainted with John R. Stocking, the holder of Permit No. 12432? How long have you known him and where does he reside?

Ans. Yes 28 years; Heyburn, Idaho.

Ques. 3. Have you read or heard read said Permit No. 12432, and are you familiar with its provisions and conditions?

Ans. Yes; 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. Carson Spring; NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 29, Tp. 7 South, Range 44 East, B. M.  
Steel pipe line 2200 Ft. long, first 16 ft. 4 inch pipe, next 16 ft. 2 inch pipe,  
balance 1 inch pipe.

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. 2; the capacity of the pipe line.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 purposes.

12432

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

Ans. This water has been used for domestic purposes to the extent and capacity of the pipe line; applied in culinary use and watering of live 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. Domestic purposes.

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. For 10 years last past; for domestic purposes; capacity of pipe line.

(Signed) Burdette R. Stocking

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 Blackfoot, County of Bingham, State of Idaho, on this 6th day of November, A. D. 1926.

My commission expires May 26, 1927.

George R. Sherrard  
Notary Public  
For State of Idaho, residing at Blackfoot,  
Idaho.

12432

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO.

PERMIT NO. 12432

## 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. Georgana R. Stocking; 54 years; Heyburn, Idaho; housewife; Heyburn, Idaho.

Ques. 2. Are you acquainted with John R. Stocking, the holder of Permit No. 12432? How long have you known him and where does he reside?

Ans. 35 years, Heyburn, Idaho

Ques. 3. Have you read or heard read said Permit No. 12432, and are you familiar with its provisions and conditions?

Ans. Yes; 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. Carson Spring; NE 1/4 SW 1/4, Sec. 29, Tp. 7 South, Range 44 East, B. M.  
Steel pipe line 2200 ft. long, first 16 ft. 4 inch pipe, next 16 ft. 2 inch pipe,  
balance 1 inch pipe.

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. 2; the capacity of the pipe line.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 purposes.

1243212423

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

Ans. This water has been used for domestic purposes to the extent and capacity of the pipe line; applied in culinary use and watering of live 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. Domestic purposes.

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, except that I am the wife of applicant.

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 10 years last past; for domestic purposes; capacity of pipe line.

(Signed) Georgiana R. Stocking

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 Blackfoot, County of Bingham, State of Idaho, on this 6th day of November, A. D. 1926..

Laurel R. Thomas

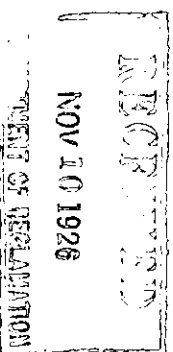
Notary Public:

My commission expires May 26, 1927

for the State of Idaho, residing at Blackfoot, Idaho.

12423

12432



# Affidavit of Publication

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

Nellie K. Kelley being first duly sworn  
on oath, states:

That she is Principal Clerk of the Soda  
(Printer, Foreman or Principal Clerk)

Springs Chieftain, 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 con-  
tinuously 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 at-  
tached in the regular and entire edition of said newspaper and not in any  
supplement thereof for 5 successive weekly issues

thereof, the date of the first publication being the 30th  
day of September, 1926, the date of the last publi-  
cation being the 28th day of October  
1926

Nellie K. Kelley  
Subscribed and sworn to before me this 29

day of Oct., 1926

Clerk of District Court  
(SEAL) Notary Public, residing at Soda  
Springs, Idaho.

My Commission expires the  
day of, 19  

COSTS: 37 lines at 10 cents a line for the first insertion  
and 5 cents a line for each of 4 subsequent insertions,  
total \$ 11.70

## NOTICE FOR PUBLICATION

### NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at  
10:30 a. m. on the 30th day of  
October, 1926, at Blackfoot, County  
of Bingham, State of Idaho, before  
Lorenzo R. Thomas, notary public,  
proof will be submitted of the ap-  
plication to beneficial use of 0.4  
cubic feet per second of the waters  
of a spring, in accordance with the  
terms and conditions of Permit No.  
12432, heretofore issued by the  
State Engineer of the State of Idaho.

The name and postoffice address  
of the person or corporation holding  
said permit are John R. Stocking,  
Soda Springs, Idaho.

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

The amount applied to beneficial  
use is 0.4 cubic feet per second.

The place where said water is  
used (if for irrigation, give full and  
accurate description of the lands ir-  
rigated) at home of applicant on  
the NE 1/4 SE 1/4, Sec. 30, Twp. 7 S.,  
R. 44 E. B. M.

The right to take water from such  
works is based upon Permit No.  
12432.

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

The date of the priority which  
said user is prepared to establish is  
September 8, 1923.

W. G. SWENDSEN,  
Commissioner of Reclamation  
Sept. 30 — Oct. 28.

12432

A F F I D A V I T

STATE OF IDAHO     §  
                              :  
County of Bingham   §

John R. Stocking of Heyburn Idaho, being first duly sworn, deposes and says that he is the identical person who filed application for Permit No. 12432 approved September 1, 1916 by the State Engineer of Idaho, that proof of beneficial use of water was advertised to be made on said permit before Lorenzo R. Thomas at Blackfoot, Idaho at 10:30 A. M. on the 30th day of October, 1926 at Blackfoot, Bingham County, State of Idaho, that he did not appear at the time and place fixed for submission of said proof for the reason that he was very busily engaged in road work for Minidoka County, State of Idaho, and the nature of this work was such that he could not leave at the time but leaft at the first possible opportunity thereafter, and is submitting his proof at the place fixed therefor and before the officer designated in the published notice of proof on this 6th day of November, 1926, that if he had left his employment in order to have been at Blackfoot, Idaho on October 30th, 1926, he would have been without the necessary means to pay the expenses of said proof,

That he filed his application for permit and advertised this proof in absolute and entire good faith, that the delay in the submission of the proof was unavoidable for the reasons herein stated.

John R. Stocking

Subscribed and sworn to before me at my office at Blackfoot, Idaho this 6th day of November, 1926.

Lorenzo R. Thomas  
Notary Public for State of Idaho,  
residing at Blackfoot, Idaho.

Also appeared at the same time and place Georgana R. Stocking of Heyburn, Idaho and Burdette R. Stocking of Burley, Route 2, Idaho, who being first duly sworn, each for himself, deposes and says that he is well acquainted with John R. Stocking and with the contents and provisions of permit No. 12432 approved September 1, 1916 by the Department of Reclamation of the State of Idaho, that he has read the foregoing affidavit of the said John R. Stocking and knows from observation and his own personal knowledge that the statements made there are true.

Georgana R. Stocking

Burdette R. Stocking

Subscribed and sworn to before me at my office in Blackfoot, Idaho this 6th day of November, 1926.

James R. Shorman  
Notary Public for the State of Idaho,  
residing at Blackfoot, Idaho.

12432

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

Permit No. 12432This proof is for BEN. USEIn Water District No. 34

1. Name of applicant: John R. Stocking
2. Source of water supply: Unnamed Stream and Mabey Creek
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 29  
T. 7 S R. 44 E.B.M. County of Caribou
4. Describe works as they exist, giving dimensions and capacities of same: pipe line 1" pipe extends from spring to ranch house + troughs near house  
extends from spring to ranch house + troughs near house.
5. Water is used for: domestic purposes
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): At home of applicant, on the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec.30, Twp. 7 S., R. 44 E.B.M.

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

8. What large stream would the water here appropriated finally reach? None
- Remarks: no one living at place has been abandoned for several years as a permanent residence. some evidence of people being here in summer months.  
no one living at place. Has been abandoned for several years as a permanent residence. some evidence of people being here in summer months.  
pipe line covered with earth. Broken no water this date.  
Pipe line covered with earth. Broken no water this date.

This examination was made on the 15th day of October 1925

12432

(Signed)

R. L. Sutcliffe

Examiner.

John R. Stocking  
Soda Springs, Ida.

Permit No. 12432

Examination for BENEFICIAL USE

County CARIBOU

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### 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.
-

T. 7 S R 44 E

30

House  
Spring 29  
Pipeline

12432

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. \_\_\_\_\_

REPORT ON PROOF OF \_\_\_\_\_

# State of Idaho

## DEPARTMENT OF RECLAMATION

### BOISE

### INSTRUCTIONS

#### PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, October 19, 1926

John R. Stocking,

c/o Lorenzo R. Thomas,  
Blackfoot, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 12432

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 October 30, 1926, 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 Blackfoot before Lorenzo R. Thomas, notary public

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

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

Yours truly.

W. G. SWENDSEN,  
Commissioner of Reclamation.

12432

Permit #12432

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Date September 24, 1926

The Chieftain,  
Soda Springs, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to October 30, 1926, the date set for proof, the expense of the publication to be paid by the applicant, John R. Stocking, of Soda Springs, of his attorney, Mr. L. R. Thomas, of Blackfoot. 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.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

12432

# NOTICE FOR PUBLICATION

## NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10.30 a. m. on the 30th day of October, 19 26,  
at Blackfoot, County of Bingham, State of Idaho,  
before Lorenzo R. Thomas, notary public, proof will be submitted  
of the application to beneficial use of 0.4 cubic feet per second of the  
waters of a spring, in accordance with the terms and conditions of  
Permit No. 12432, heretofore issued by the State Engineer  
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are  
John R. Stocking, Soda Springs, Idaho.

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

The amount applied to beneficial use is 0.4 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) at home of applicant, on the NE 1/4 Sec. 30, Twp. 7 S., R. 44 E., B.M.

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

The right to take water from such works is based upon Permit No. 12432

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

The date of the priority which said user is prepared to establish is September 8, 1923.

W. G. Swendsen,

Commissioner of Reclamation.

NE 1/4 SW - 29 - 7 S - 44 E  
canal  
- 34 -

12432

September 24, 1926

Re: Permits Nos. 11405-11536  
12432--Stocking

Messrs. Thomas & Anderson  
Attorneys at Law  
Blackfoot, Idaho

Gentlemen:-

Referring to your letter of the 22nd inst., relative to proof of beneficial use of water under the above numbered Permits, would say that we have prepared notices for publication in accordance with the instructions given us in your letter, and notices for publication have today been mailed to the Soda Springs Chieftain, October 30, being set as the date for making the proof. Inclosed you will find copies of the notices sent to the publication in order that your files may be made complete in the matter.

Deposition blanks will be mailed to Mr. L. R. Thomas, prior to the date set for proof.

Very truly yours, .

W. G. SWENDBSEN  
Commissioner of Reclamation

By \_\_\_\_\_  
Chief Clerk

CB:HH  
Encl.

12432

**State of Idaho**  
**ENGINEERING DEPARTMENT**  
**BOISE**

**John R. Stocking**  
**Soda Springs, Idaho**

June 7th, 1919

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. ~~12432~~-----, 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. C. Swendsen

State Engineer.

12432

September 20, 1918.

No Permit No. 12432.

John E. Stocking,  
Soda Springs, Idaho.

Dear Sir:--

Enclosing herewith certificate of  
completion of works issued under above permit,  
with receipt for fees.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By \_\_\_\_\_

12432

Permit No. 12432

## OFFICE OF STATE ENGINEER

## PROOF OF COMPLETION OF WORKS

## AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Bingham

} ss.

John R. Stocking, 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. 12432, 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

Carson Spring

Third: That the point of diversion of said water is

NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 29, Tp. 7 South, Range 44 East, B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by September 1st, 1918, ~~xx~~

Fifth: That the use for which said water is intended is domestic purposes

Sixth: That on the date above mentioned, the works constructed under said permit were ~~(xxxxxx)~~ fully completed and consisted of the following:

I. Kind of works: Iron pipe line leading from Carson Spring

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

which is boxed up with cement.

II. Dimensions of work:

(a) Height of dam \_\_\_\_\_ feet, length of dam at top \_\_\_\_\_ feet, length of dam at bottom \_\_\_\_\_ feet. Material used in construction \_\_\_\_\_

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir \_\_\_\_\_ acre feet.

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

(d) Conduit iron pipe width at bottom \_\_\_\_\_ feet, width at water

(State whether ditch, flume or pipe)

line \_\_\_\_\_ feet, depth of water \_\_\_\_\_ feet; diameter of pipe 1" inches; but 4" intake, later reduced to 2" and then to 1" average grade per mile is 40 feet. Length of conduit is 2200 ~~xxxx~~

Seventh: That said works are capable of conducting to the place of intended use

.2 second feet of water.

Eighth: That water appropriated under said permit is available for no acres of land described as follows: domestic and culinary purposes

Ninth: Remarks: That all the facts are set forth above.

John R. Stocking  
(Sign here)

Subscribed and sworn to before me this 15th day of August, 19 18

Samuel R. Thomas

Notary Public.

Residing at Blackfoot, Idaho.

My commission expires May 26, 1919

12432

**State of Idaho**  
**ENGINEERING DEPARTMENT**  
**BOISE**

**INSTRUCTIONS**  
**PROOF OF COMPLETION OF WORKS**

**John R. Stocking,**  
**Soda Springs, Ida.**  
Dear Sir:—

Boise, Idaho, JUN 26 1918

Under the terms of your Permit No.-----**12432**-----, you are required to complete your diversion works on or before----**Sept. 1, 1918**---. 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,

**FRED A. WILKIE**

**J. H. SMITH,**  
~~Stock~~  
State Engineer.

12432

State of Idaho  
ENGINEERING DEPARTMENT  
BOISE

No. 12432. John R. Stocking.

Thomas & Anderson,  
Blackfoot, Idaho.

Boise, Idaho, Sept. 6, 1916.

Dear Sir:

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

J. H. SMITH.

State Engineer

12432

Name of Applicant John R. Stocking

— 6 —

29 South 4th St

1.2.4.3.2

— 17 —

SEC. 1  
House  
P. P. Line  
Spring

— 1 —

2