

NOTICE FOR PUBLICATION
Notice of Proof of Application of
Water to Beneficial USE.

Notice is hereby given that at 10 a. m. on the 2nd day of October, 1915, at Soda Springs, County of Bannock, State of Idaho, before Herbert Horsely, N. P., proof will be submitted of the application to beneficial use of 3 1-5 cubic feet per second of the waters of Trail Creek, in accordance with the terms and conditions of Permit No. 11449 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Ernest H. Smith, Soda Springs, Idaho.

2. The use to which said water has been applied is Irrigation and Domestic.

3. The amount applied to beneficial use is 3 1-5 cubic feet per second.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) E 1-2, NE 1-4, E 1-2 SE 1-4, Sec. 14, T. 8 S., R. 43 E. B. M.

5. The right to take said water is based upon Permit No. 11449.

6. The source of supply from which such water is diverted is Trail Creek.

8. The date of priority which said user is prepared to establish is July 12, 1915.

J. H. SMITH,
State Engineer.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
COUNTY OF BANNOCK. } SS

~~P. J. McCormack~~
~~I. W. H. Hildreth~~ being first duly sworn, deposes and says

that he is the publisher of THE SODA SPRINGS CHIEFTAIN, a newspaper published every week in Soda Springs, County of Bannock, State of Idaho; that the annexed advertisement was published once each week for ~~Three~~... successive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the ~~Twenty-third~~... day of ~~September~~... 1915, and the date of the last publication was on the ~~Seventh~~... day of ~~October~~... 1915.

P. J. McCormack

Subscribed and sworn to before me this 21st day of October, 1915.

Herbert Horsely
Notary Public.

11449

Ernest A. Smith. No. 11,449.

Ernest A. Smith. No. 11,449.

Township No. 8. South Range No. 43 East B. M.

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DEC. 1

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11449

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

Ernest Smith

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51

51

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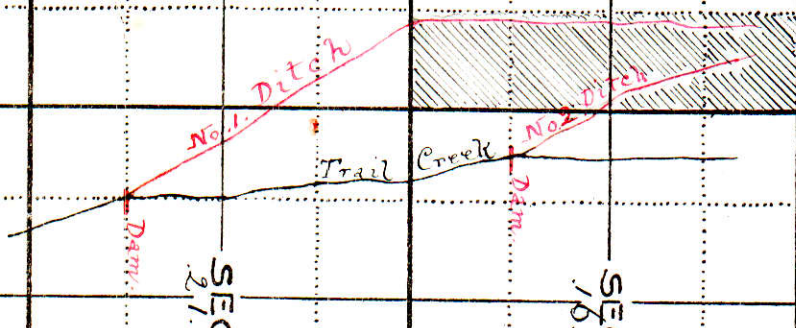
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11449

Ernest H. Smith

Touranshik No 8. South Korea No. 43. E dsl-B m



11449

County: Bannock
Stream: Trail creek.
Amount: 3 sec.ft.
Use: Irrigation.
Priority: 7-12-15

STATE OF IDAHO

Water License No. 11449.

WHEREAS, On the 12th day of July, A. D. 1915, Ernest H. Smith, of Soda Springs, County of Bannock, State of Idaho, duly made application (No. 16661) to me for a permit to use 3.2 cubic feet per second of the waters of Trail Creek, County of Bannock, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 30th day of July, A. D. 1915, Permit No. 11449 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 30th day of January, A. D. 1916, and for the application to beneficial use of said water on or before the 30th day of January, A. D. 1916, and,

WHEREAS, On the 9th day of October, A. D. 1915, Ernest H. Smith, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 11449, dated October 26, 1915, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of said water with date of priority of July 12, 1915, and

WHEREAS, On the 9th day of October, A. D. 1915, Ernest H. Smith, the holder of said permit, duly made proof of the application to beneficial use of three (3) cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

Ernest H. Smith

of Soda Springs, County of Bannock, State of Idaho, the holder and owner of said Permit No. 11449, a perpetual right, dating from July 12, 1915, to the use of three (3) cubic feet per second of the waters of Trail Creek,

in the County of Bannock and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted as follows: #1 at the S.W. Cor. of SE4 of SE4, Sec. 17; #2 at a point 620 feet east from the N.W. Cor. of SW4 of SW4, Sec. 16, T. 8 S., R. 43 E.B.M.,

and conducted to and upon 150 acres, as follows: 30 acres in the SE4 of SE4, 40 acres in the NE4 of SE4, 40 acres in the SE4 of NE4 and 40 acres in the NE4 of NE4, Sec. 17, T. 8 S., R. 43 E.B.M.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source or supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 15th day of November, A. D. nineteen hundred and fifteen.

J. H. Smith,

(Seal)

State Engineer:

27 2052

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

27-2052

1. Name of applicant: Ernest H. Smith,

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 No. 1 Ditch 1 1/2 - No 2 Ditch 1 7/10 } cubic feet per second.
3 1/5th.

3. Source of water supply: Trail Creek.

4. Location of point of diversion: No. 1 Ditch SW corner - NE 1/4 SW 1/4 Sec. 21 T. 8 S., R. 43
E.B.M. - No. 2 Ditch 620 ft. E. from NW corner SW 1/4 SW 1/4 Sec. 16, T. 8 S. R. 43
E.B.M. County of Bannock

5. To be used for: Irrigation & Domestic.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 160 acres.

(b) In the following legal subdivisions: E 1/2 NE 1/4, E 1/2 SE 1/4 Sec. 17, T. 8 S., R. 43 E.B.M.

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?
return:

[d] If so, name stream and locate point of

6. Estimated cost of works: \$500.00

7. Description of works for diversion:

I. Kind of works: 2 dams - 2 ditches.

II. Dimensions of works:

[a] Height of dam No. 1 ditch 3'.0" feet, length of dam at top No. 1 ditch 14'.0" feet,
No. 2 do 3.0 No. 2 - 14.0 feet,
length of dam at bottom No. 1 ditch 14. feet. Material used in construction: Wood, earth and stone.
No. 2 14.

[b] Capacity of reservoir

acre feet.

(c) Size of headgate, width

No. 1 ditch 6'.0" feet,
No. 2 " 6.0 feet,Height No. 1 ditch 3'.0" feet,
No. 2 " 3.0

(d) Conduit 2 ditches

width at bottom

No. 1 ditch 3'.0" feet,
No. 2 ditch 3.0width at water line No. 1 ditch 3'.0" feet, depth of water No. 1 ditch 1 1/2 feet, diameter of pipe
No. 2 " 3.0 No. 2 " 1 1/2 (No. 1 Ditch 3/4 - No. 2 ditch 3/4)

inches, average grade per mile is No. 1 ditch 7.0 feet. Length of conduit is / miles, 3/4

and it crosses the following quarter sections: No. 1 Ditch NW 1/4 SW 1/4, SW 1/4 NW 1/4, Sec. 21,

E 1/2 NE 1/4 Sec. 20, T. 8 S. R. 43 E.B.M. No. 2 Ditch NW 1/4 SW 1/4 Sec. 16, T. 8 S. R. 43 E.B.M.

8. The time required for the completion of the construction of such work is 3 months years.

9. Time required for the complete application of the water to the proposed use is none.
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.

Ernest H. Smith.

Applicant.

By Chas. B. Wilson.

Agent.

11449
Date of first receipt at office of State Engineer 9:00 A.M. July 12, 1915.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 11449

Recorded in Book 39 Page 11449 Approved July 30, 1915.

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 September 28th, 1915. 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 October 30, 1915.

The whole of said work to be completed on or before January 30, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before January 30, 1916.

Witness my hand this 30th day of July, 1915.

J.H. Smith.

State Engineer.

Remarks:

Proof of completion of works made October 9th, 1915.

Certificate of Completion of works issued October 26th, 1915.

- - - - -
Permit No. 11449.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Ernest H. Smith of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No. 11449, issued upon application No. 16661, bearing date of priority of July 12, 1915, authorizing the diversion of 3 1/5 second feet of the waters of Trail Creek County of Bannock, State of Idaho, for irrigation & 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 3 1/5 second-feet of the waters of Trail Creek, that the points of diversion of said waters are as follows: No. 1 Ditch; SW corner - NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, T. 8 S., R. 43 E.B.M.- No. 2 Ditch 620 ft. E. from NW corner SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16, T. 8 S., R. 43 E.B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 17, T. 8 S., R. 43 E.B.M. containing 160 acres.

Witness my hand this 26th day of October, A.D. 1915.

J.H. Smith,

State Engineer of the State of Idaho.

- - - - -
License issued to 3 Page 2676 sec. 11449

Recorded by
Checked by

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 11449 / 27-2052
 Old No. New No.

Record

1. Original Owner: Ernest H. Smith

Present Owner: _____

2. Address:

3. City: Soda Springs State: 112 Zip: _____

4. A. Source of Water: Trail Creek

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: 7-12-1915

D. County: 05

E. Total Diversion Rate: 3

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 Lot	Rediv.
6. A. Point of Diversion	<u>SESE</u>	<u>17</u>	<u>8S</u>	<u>43E</u>		
	<u>SWSW</u>	<u>16</u>	<u>8S</u>	<u>43E</u>		

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

from _____ to _____ for 3 A purposes. Amount 3
 (cfs or AG-FT/yr)

from _____ to _____ for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

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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: 11449

F. Proof Made (P or blank):

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

H. Conditions of Approval:

14. Diversion Means (brief narrative):

November 24, 1915.

Re Permit No. 11449 .

Ernest H. Smith,
Soda Springs, Idaho.

Sir:--

Am enclosing herewith water license issued
under above permit.

Very truly yours,

J. H. SMITH,

State Engineer.

WL

By _____

11449

November 9, 1915.

Re Permit No. 11449.

Ernest H. Smith,
Soda Springs, Idaho.

Sir:--

Am enclosing herewith certificate of completion
of works, with receipt for fees.

Very truly yours,

J. H. SMITH,

State Engineer.

CCW-R7804

By _____

11449

2 Encl

Soda Sp. ga.
Ldals.

October 9th 1915.

J. H. Smith Esq

State Engineer

Borde

Permit No. 11449.

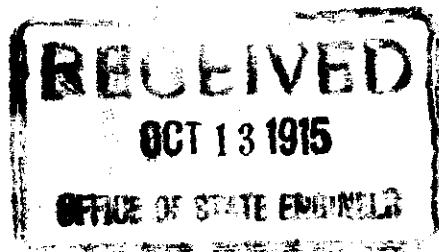
Ernest H. Smith

Dear Sir.

I herewith enclose my report made re above
Permit.

I remain

Yours truly
Charles Wilson



11449

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO. }
COUNTY OF BANNOCK. } SS

P. J. McCormack

I, ~~being~~ being first duly sworn, deposes and says

that he is the publisher of THE SODA SPRINGS CHIEFTAIN, a newspaper published every week in Soda Springs, County of Bannock, State of Idaho; that the annexed advertisement was published once each week for Three... successive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the Twenty-third day of September....., 1915,, and the date of the last publication was on the Seventh..... day of October....., 1915..

P. J. McCormack

Subscribed and sworn to before me this 21st day of

October....., 1915.

Herbert Hursley
Notary Public.

11449

... of Application of
... to Bannock, USA.
... is hereby given that at 10
... the end day of October,
... Soda Springs, County of
... State of Idaho, before Her-
... M. P. proof will be
... of the application to ben-
... of 8 1-5 cubic feet per
... the waters of Trail Creek,
... with the terms and
... Permit No. 11449 here-
... by the State Engineer
... of Idaho.
... and custodial ad-
... of the person or corporation
... and agent are Ernest H.
... Soda Springs, Idaho.
... to which said water
... is applied is irrigation and
... amount applied to benef-
... is 8 1-5 cubic feet per sec-
... the place where said water is
... for irrigation, give full
... description of the
... N 1-3, NE 1-4, E
... Sec. 14, T. 3 S., R. 42
... the right to take said water
... Permit No. 11449.
... of supply from
... water is diverted is
... date of priority which
... to establish is
... 1915.
... State Engineer.

REPORT OF ENGINEER

OCT 13 1915

OFFICE OF STATE ENGINEER

1. State name of applicant and number of permit: Ernest H. Smith - No. 11449
2. State source of water supply: Trail Creek Bamuck County
3. Location of point of diversion: No. 1 Ditch SW Corner SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 17 T8 S R. 43 E B M.
No. 2 Ditch 620 feet E from NW Corner SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 16. T8 S R. 43 E B M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes (see Remarks)
5. Describe works as they exist, giving dimensions and capacities of same: No. 1 Ditch Height of Dam 2 feet Length at top 10 feet Length at bottom 10 feet Wood and earth width of ditch at bottom 3 feet at water line 3 feet depth of water 8 inches average grade per mile $\frac{1}{4}$ feet Length $\frac{3}{4}$ Mile
No. 2 Ditch Height of Dam 2 $\frac{1}{2}$ feet Length at top 14 feet Length at bottom 14 feet earth and stone Headgate width 4 feet height 2 feet width of ditch at bottom 4 feet at water line 5 feet depth of water 1 foot average grade per mile $\frac{1}{4}$ feet Length 1 Mile
6. State whether or not water has been turned into works of diversion: Yes
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 17 = 30 Acres.
NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 17 = 40 Acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 17 = 40 Acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 17 = 40 Acres } T8 S R. 43 E B M.
8. Submit map on enclosed plat, showing location and details of above description.

Remarks: Point of diversion No. 1 Ditch is SW Corner SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 17 T8 S R. 43 E B M.

(This report must be sworn to when not made by an attaché of the State Engineer's office)

STATE OF IDAHO

County of Bannock } ss.

Chas B. Wilson, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 9th day of October 1915

My Commission Expires Jan 21st 1918

Herbert Horsley

Notary Public.

Name of Applicant

Ernest H. Smith No. 11,449.

Township No. 8. South Range No. 43 East B.M.

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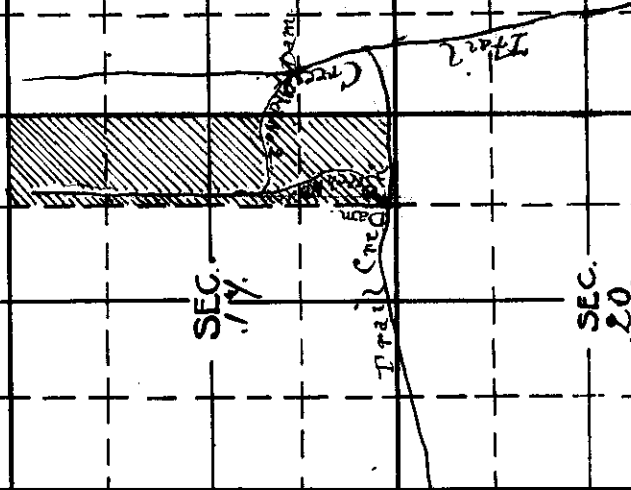
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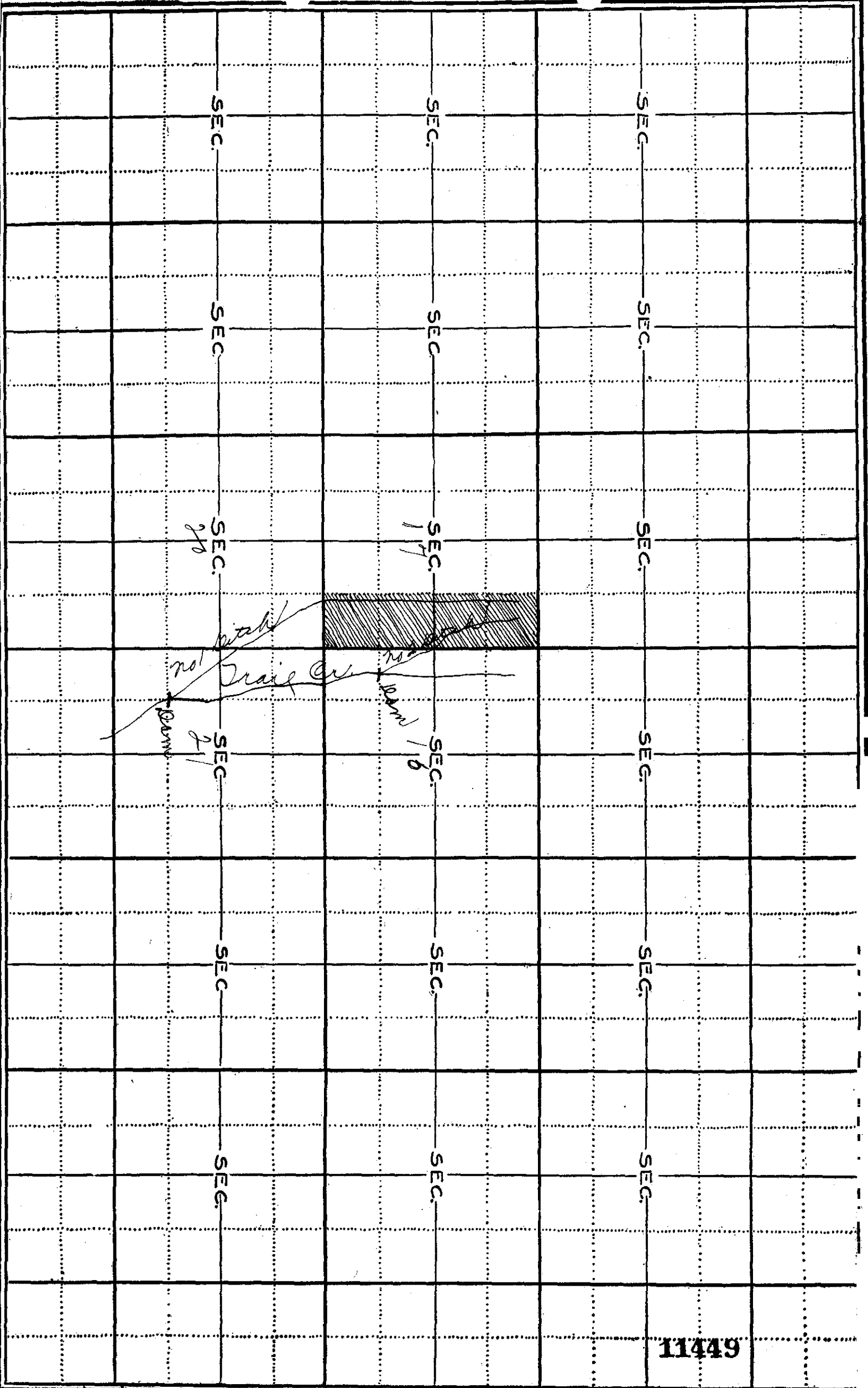
SEC.



11449

Name of Applicant.....

Ernest Smith



11449

October 11, 1915.

Re Permit 11449.

Mr Herbert H. Henshaw,
Soda Springs, Idaho.

Sir:--

Am just in receipt of your letter of the 9th inst., enclosing affidavit of holder and fee of \$5.00, for proof of completion of works, also, depositions and special affidavit relative to proof of beneficial use of water under above permit. These have been checked and are satisfactory. The certificate of completion of works will be issued in a few days and mailed to the holder and, upon receipt of the affidavit of publication and report of Mr. Chas. B. Wilson, the matter of issuing the license will be taken up.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

11449

HERBERT HORSLEY

(Wholesale and Retail)

GENERAL MERCHANDISE

BOOTS AND SHOES

LUMBER, LATH, SHINGLES, DOORS, WINDOWS, BUILDING PAPER,
PAINTS, OIL, GLASS, ETC., ETC.

H. H. Smith
~~H. H. Smith~~

Soda Springs, Idaho, 10-9-15

Boise

Dear Sir:-

I enclose you the Proof of Completion of
Works of Ernest H Smith. also check for \$5.00.
for the
Certificate of Completion.

I was unable to be here on
second of October.
so I issued the enclosed Certificate
of Extension of time and Non-Protest.
and hope it will
be satisfactory to you.

Yours Truly

Herbert Horsley

102111 1915

11449

Permit No. 11449

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Camrock

ss.

Oct 11 1915

Ernest H. Smith

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. 11449 and that his postoffice address is Soda Springs State of Idaho.

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by January 30, 1916.

Third: That the use for which said water is intended is Irrigation and Domestic.

Fourth: 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: 2 Dams & Ditches (see Remarks.)
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam ^{No. 1 Ditch 2.0} 2.6 feet, length of dam at top ^{No. 2 Ditch 10.0} 14.0 feet, length of dam at bottom ^{No. 1 Ditch 10.0} 14.0 feet. Material used in construction ^{No. 1 Ditch wood and earth} No. 2 Ditch earth and stone.

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width ^{No. 1 Ditch 4.0} 4.0 feet, height ^{No. 2 Ditch 2.0} 2.0 feet.

(d) Conduit 2 Ditches width at bottom ^{No. 1 Ditch 3.0} 4.0 feet, width at water line ^{No. 2 Ditch 3.0} 3.0 feet, depth of water ^{No. 1 Ditch 1.0} 1.0 feet; diameter of pipe _____ inches;

average grade per mile is ^{No. 1 Ditch 4.0} 4.0 feet. Length of conduit is ^{No. 2 Ditch 3 1/4} 3 1/5 miles.

Fifth. That said works are capable of conducting to the place of intended use 3 1/5

_____ second feet of water.

Sixth. That water appropriated under said permit is available for 160 acres of land described as follows: E 1/2 S E 1/4, E 1/2 N E 1/4 Sec 14, T 8, S 1/4, 43, E B M.

Seventh. Remarks: That the works were constructed by the 5 August 1915.

Ernest H. Smith

Sign here.

Subscribed and sworn to before me this 9th day of October, 1915.

My commission expires Jan 21 1918

Herbert Horsley

Notary Public.

11449

Soda Springs, Idaho. Oct 9th 1915

Certificate of Extension and Non Protest

I Herbert Horsley a Notary Public. in and for the County of Bannock and State of Idaho. do hereby certify:

That the proof of completion of works and application of water to a beneficial use of Ernest H. Smith. under permit No. 11449. was set to be heard at my office at Soda Springs Idaho. on the second day of October. 1915 that I found that I would be unable to attend to the taking of said proofs. upon said date. and that I thereupon extended the time for the taking of said proofs. until 10'o'Clock A.M. 9th. day of October. 1915

that my office was open for business upon the second day of October. 1915. from the hour of 9'o'Clock. A.M. until the hour of 5'o'Clock. P.M. and that my said office was likewise open for business on each business day. thereafter until and including the said 9th. day of October. 1915.

That on the said 9th. day of October. 1915. the said Ernest H Smith. and his two witnesses. to-wit. *Benjamin F Bingham & John J. Hocking.* appeared and submitted their testimony touching on said matters: That though my said office was open as aforesaid. that upon none of said dates did any one appear to protest the taking of said proof. or to offer adverse testimony. therein.

In Witness Whereof: I have hereunto set my hand and affixed my Notarial Seal. the day and year above written.

- *Herbert Horsley* -

Notary Public
Residence: Soda Springs, Idaho

11449

11449

PERMIT No. 11449

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

JUL 11 1915

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

Ans. Ernest H. Smith, 30 Soda Springs Ranches, Soda Springs.

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

Ans. _____

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

Ans. No. 11449 July 30 1915 July 30 1915

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

Ans. Trail Creek No. 1 Ditch SW Corner SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17. } T8. S. 17. 43 E. B. W.
No. 2 Ditch 620 ft. E from NW Corner SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16 }

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

Ans. No. 1 Ditch. Height of Dam 2 ft. Length of Dam 10 ft. at Top, 10 ft. at Bottom, wood & earth, width of ditch 3 ft. at Bottom, width at Top 3 feet, depth of water 8 inches, grade per mile 7 feet, Length $\frac{3}{4}$ Mile, 1 $\frac{1}{2}$ C. H. unnamed.
No. 2 Ditch. Height of Dam 2 $\frac{1}{2}$ ft. Length of Dam 14 ft. at Top, 14 ft. at Bottom, earth & stone, headgate height 2 ft. headgate width 4 ft., width of ditch 4 ft. at Bottom, 5 ft. at Top, depth of water 1 foot, grade 7 ft. Length 1 Mile, 1 $\frac{1}{2}$ C. H. unnamed.

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. Irrigation & Domestic. No. 1 Ditch SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 30 acres
No. 1 Ditch NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 20 acres } Cultivated & brought into meadow
No. 2 Ditch NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 20 acres } result. Hay
No. 2 Ditch SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17 40 acres
No. 2 Ditch NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17 40 acres

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

Ans. _____

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

Ans. One inch per acre

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. _____

11449

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

Ans. August 5 1915, by irrigation, 3 ~~8~~ ⁴/₅ Cubic feet, to full extent.

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. No other waters.

(Sign) Ernest H. Smith.

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, at my office in Soda Springs, County of

Bannock, State of Idaho, on this 9th day of October

A. D. 1915.

Herbert Hersley
Notary Public

Permit No. 11449

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

001 11 1915

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

Ans. John J. Stroking 61 Soda Springs Rancher Soda Springs

Ques. 2. Are you acquainted with Ernest H. Smith, the

holder of Permit No. 11449? How long have you known him and where does he reside?

Ans. Yes 15 years Soda Springs

Ques. 3. Have you read or heard read said Permit No. 11449, 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. Trail Creek No. 1 ditch SW corner SE 1/4 SE 1/4 Sec 14. Length of dam 2 ft Length 10 ft width of ditch 3 ft Grade 4 ft Length 3 1/4 Mile

No. 2 ditch 620 ft E from NW corner SW 1/4 SW 1/4 Sec 16. Length of dam 2 1/2 ft Length 1 1/2 ft, Carthage Road grade Length 2 ft width 4 ft ditch width 4 ft @ bottom 5 ft @ top, grade 4 ft Length 1 Mile all in T 8 S 17 43 E 18 W

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. 3 1/2 Cfs That amount

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

Ans. Irrigation & Domestic SE 1/4 SE 1/4 Sec 14 = 30 acres

NE 1/4 SE 1/4 Sec 14 = 40 acres T 8 S 17 43 E 18 W

SE 1/4 NE 1/4 Sec 14 = 40 acres

NE 1/4 NE 1/4 Sec 14 = 40 acres

Cultivated & brought into meadow

with Hay

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

Ans.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Sage Brush & Mountain grass land One inch to acres

11449

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. August 5th 1915 By irrigation 3 1/2 C.F. full extent.

(Sign)

John J. 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 Soda Springs, County of Bannock, State of Idaho, on this 9th day of October A. D. 1915.

Herbert Horsley

Notary Public.

My Commission Expires

Jan 21st 1918

11449

Permit No. 11449**Proof of Application of Water to Beneficial Use****DEPOSITION OF WITNESS**

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

Ans. Benjamin F. Brigham, 64, Soda Springs Rancher, Soda SpringsQues. 2. Are you acquainted with Ernest H. Smith, the holder of Permit No. 11449? How long have you known him and where does he reside?Ans. Yes 25 Years. Soda SpringsQues. 3. Have you read or heard read said Permit No. 11449, 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. Trail Creek No. 1. Ditch SW Corner SE 1/4 SE 1/4 Sec 14. Height of Dam 2 ft. Length 10 ft. width of Ditch 3 ft. grade 7 ft. Length 3 1/4 MilesNo 2. Ditch 620 ft. East from NW Corner SW 1/4 SW 1/4 Sec 16. Height of Dam 2 1/2 ft. Length 14 ft. earth & stone, headgate height 2 ft. width 4 ft. ditch width 4 ft. at bottom 5 ft. at top Grade 7 ft. Length one Mile all in T. 8. S. 11. 43 E. B. W.

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. 3 1/2 Cfs. That amount.

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

Ans. Irrigation & Domestic SE 1/4 SE 1/4 Sec 14 30 acres
NE 1/4 SE 1/4 Sec 14 40 acres
SE 1/4 NE 1/4 Sec 14 40 acres
NE 1/4 NE 1/4 Sec 14 40 acres. } T. 8. S. 11. 43 E. B. W.Cultivated & brought into meadow result Hay.

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

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Sage Brush and mountain grass land one mile & acre**11449**

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. August 5 1915 By irrigation, 3 1/2 CFS full extent

(Sign) Benjamin E. Bingham

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 Bannock, State of Idaho, on this 9th day of October A. D. 1915.

Herbert Horsley
Notary Public.

My Commission Expires Jan 21st 1918

11449

STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Ernest H. Smith,
c/o Herbert Horsley,
Soda Springs, Idaho.

BOISE, IDAHO, **Sept. 22, 1915.**

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. **11449.**

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 your rights:

1. On ~~October 2nd~~, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Soda Springs, before Herbert Horsley, N.P.**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

J.H. SMITH, ~~F. P. KING,~~
State Engineer.

11449

Soda Springs
Idaho
Sept 3 1915

J. H. Smith Esq

State Engineer
Boise.

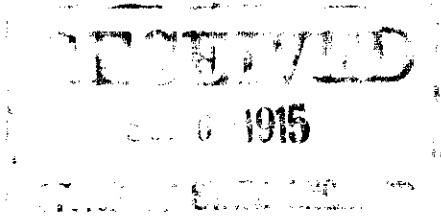
re Permit 11449.
Ernest H. Smith

Dear Sir:

I beg to acknowledge receipt of your favor
of 27th ult, & will make the examination report,
re above permit.

Yours truly

Chas. W. Gilson



11449

Oct. 2

(P. O.) So La Springs
(Date) Aug. 30, 1915

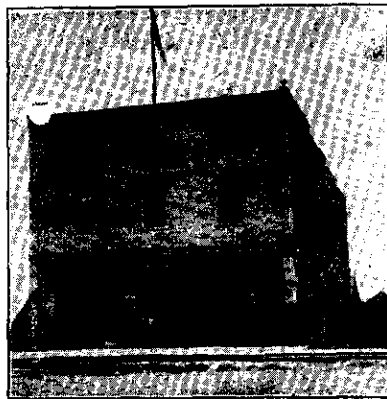
State Engineer, Boise.

Dear Sir:

I have your letter of Aug. 28, 1915 enclosing Notice of Proof of Beneficial Use of Water under Permit No. 11449 which will be published as you request, beginning with our issue of Sept. 2, 1915.

The Chief Clerk
H. E.

11449



C. W. FRYAR

C. R. FRYAR

FRYAR'S CASH STORE

DEALERS IN

GENERAL MERCHANDISE

DRY GOODS, BOOTS, SHOES, HATS, MEN'S CLOTHING AND FURNISHINGS

FRYAR'S HOTEL RUN ON EUROPEAN PLAN

STEAM HEAT, BATHS, HOT AND COLD WATER THROUGHOUT BUILDING

YOUR PATRONAGE SOLICITED. TELEPHONE 34

Mr. J. H. Smith

Loda Springs Ida.
Aug 27-1911

Dear Sir Enclosed find a placard for proof of
water kindly appoint C. B. Wilson to look
over ditches and Dams for investigation and
oblige yours resp.

Ernest H. Smith.

11449

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 23rd 1915.
(P. O.) Soda Springs.

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

Ernest H. Smith

(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.

RECEIVED
AUG 23 1915
G. C. C. E.

11449

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 2nd day of October, 1915,
 at Soda Springs, County of Bannock, State of Idaho,
 before Herbert Horsley N.F., proof will be submitted
 of the application to beneficial use of 3 1/5 cubic feet per second of the waters of
Trail Creek, in accordance with the terms and conditions of Permit No. 11449
 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are E. H. Smith
Soda Springs

2. The use to which said water has been applied is Irrigation and Domestic

3. The amount applied to beneficial use is 3 1/5 Cfs per sec.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)

E 1/2 NE 1/4, E 1/2 SE 1/4 Sec 14, T 8 S R. 43 E B. M.

~~5. The name and postoffice address of the person or corporation holding said permit are~~ works by which said water is conducted to such place of use is

~~heretofore~~

5. The right to take the water from such works is based upon Permit No. 11449

6. The source of supply from which such water is diverted is Trail Creek

8. The date of the priority which said user is prepared to establish is July 30th 1915

J. H. Smith,

~~E. P. King,~~
 State Engineer.

August 27, 1915.

Re Permit 11449.

Mr. C. B. Wilson,
Soda Springs, Idaho.

Sir:--

At the request of Mr. Ernest H. Smith, of Soda Springs, I am enclosing you blanks for report on use of water under the above permit.

Very truly yours,

J. H. SMITH,

State Engineer.

RMF

11449

11419

August 16, 1915.

Permit 11449-Ernest H. Smith.

Mr. Chas. B. Wilson,
Soda Springs, Idaho.

Sir:-

Per your request the 10th I am enclosing herewith
affidavit form for proof of completion of works and blanks
for beneficial use of water under above permit.

Very truly yours,

J. H. SMITH,

State Engineer.

5-6-3NU

By _____

11449

Soda Springs.

Idaho.

August 10 1915.

J. H. Smith Esq.

State Engineer

Boise

Re Ernest H. Smith

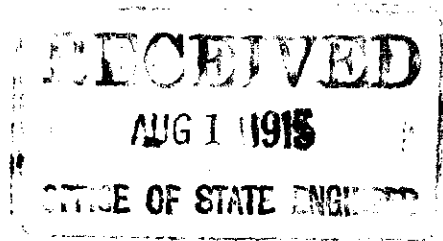
Permit No. 11449

Dear Sir.

Please forward Blanks for Completion of Work,
and, also Beneficial Use, re above Permit, as the
holder wishes to make Proof as soon as possible.

Yours truly,
Charles Wilson.

5-6-370

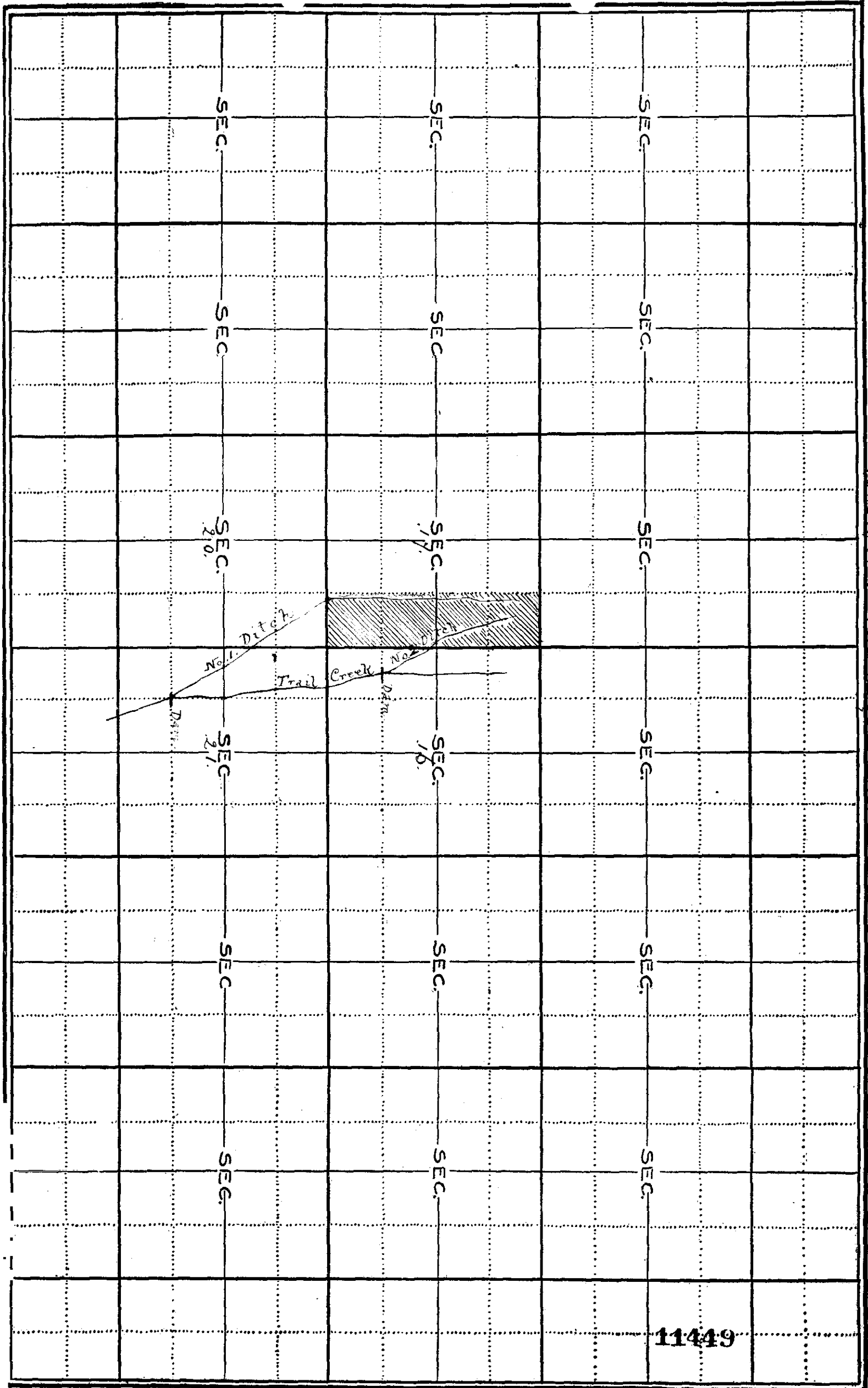


11449

Name of Applicant

Ernest H. Smith

Township No. 8 South Range No. 43 East B M.



11449

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

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit # 11449- Smith.

Boise, Idaho,

Mr. Chas. B. Wilson,
Soda Springs, Idaho.

July 29, 1915.

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

11449

4 Encl

Soda Springs.

Idaho.

July 8 1915.

J. H. Smith Esq
State Engineer.
Boise

EX 982
130

Dear Sir.

I herewith enclose Application for Permit, re. Ernest H. Smith
with maps in duplicate & fee, \$1.30, & remain.

Yours truly,

Charles Wilson.

10062

C

RECEIVED
JUL 13 1915
STATE OF IDAHO

11449