

Affidavit of Publication

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

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

That he 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.

(SEAL)

Clark of District
County Notary Public, residing at Soda
Springs, Idaho.

My Commission expires the
day of _____, 19____

COSTS: 42 lines at 10 cents a line for the first insertion
and 5 cents a line for each of 4 subsequent insertions,
total \$ 12.60

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 3.2
cubic feet per second of the waters
of an unnamed stream and Mabey
creek, in accordance with the terms
and conditions of Permit No. 11405
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 irrigation and do-
mestic purposes.

The amount applied to beneficial
use is 3.2 cubic feet per second.

The place where said water is used
(if for irrigation, give full and ac-
curate description of the lands ir-
rigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
31, and W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32, Twp. 7
S., R. 44 E. B. M.

The right to take water from such
works is based upon Permit No.
11405.

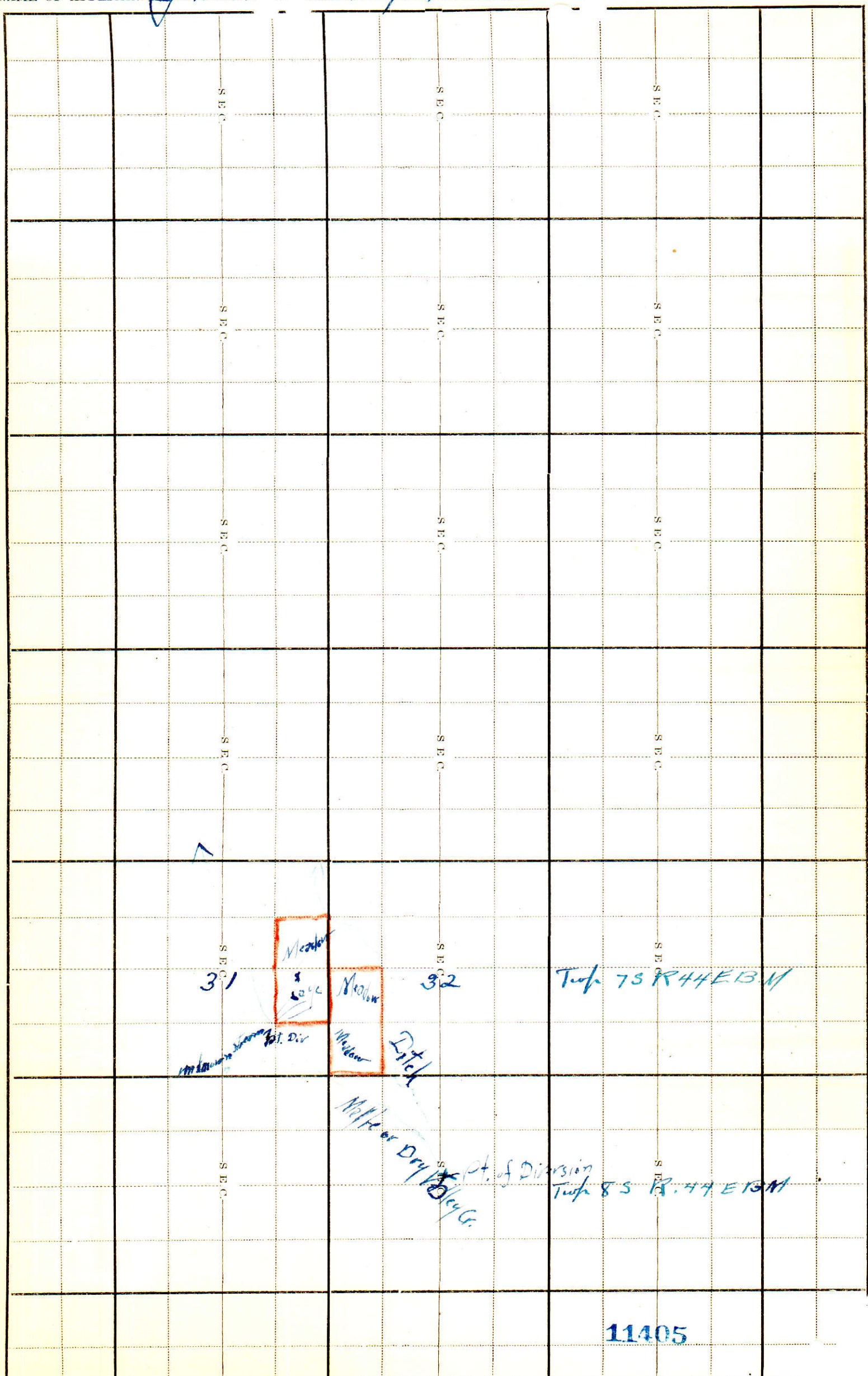
The source of supply from which
such water is diverted is an unnamed
stream and Mabey creek.

The date of the priority which
said user is prepared to establish is
October 12, 1922.

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

11405

NAME OF APPLICANT John R. Stocking, Permit 11405



11405

AFFIDAVIT OF PUBLICATION

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

NOTICE is hereby given that at 10 a. m., on the 17th day of October, 1919, at Blackfoot, County of Bingham, State of Idaho, before Lorenzo R. Thomas, a Notary Public, proof will be submitted of the application to beneficial use of 1.5 cubic feet per second of the waters of an Unnamed Creek; and 1.7 sec. ft., of the waters of Dry Valley or Mabey Creek in accordance with the terms and conditions of Permit No. 11405 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 John R. Stocking, 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 3.2 sec. ft.

4. The place where said water is used (if not irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32, Twp. 7 S., R. 44 E. B. M.

5. The date of the priority which said user is prepared to establish is September 30th, 1915.

W. G. SWENDSEN,
Commissioner of Reclamation.

STATE OF IDAHO. }
COUNTY OF ~~BANNOCK~~ } ss
Caribou

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 *Caribou*, ~~Bannock~~, State of Idaho; that the annexed 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 *Fourth*... day of *September*... 1919... and the date of the last publication was on the *Twenty-fifth*... day of *September*... 1919..

W. H. Hildreth.....

Subscribed and sworn to before me this *Tenth*... day of *October*... 1919..

Herbert Horsley.....
Notary Public.

State of Idaho

License and Certificate of Water Right

Water License No. 11405
Water District No. 34

Amount 3.2 sec. ft.
Priority Oct. 12, 1922.

THIS IS TO CERTIFY that John R. Stocking,
of Soda Springs, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 30, 1915; that Permit No. 11405
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.2 second feet, was issued thereunder on May 10, 1918, showing that said works
were completed on the 6th day of May, 1918; and that on the 6th
day of November, 1926,

John R. Stocking,

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 Dry Valley, or Mabey, Creek,
stream,
and an unnamed tributary of no stream, for the purpose of irrigation and domestic use
, under Use Permit No. 11405 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 3424, on the 14th day of March, 1927;

The right hereby confirmed dates from October 12, 1922;
are

The Point of Diversion is located in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, Tp. 8 S., R. 44 E., B.M., and
in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, Tp. 7 S., R. 44 E., B.M. Caribou County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.2
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	44 E.	31	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
		32	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40

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 14th day of March, 1927.

GEO. N. CARTER,

Commissioner of Reclamation

By MYRON SWENDSEN,
Assistant.

(SEAL)

No. 16605.

27-2050

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

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 3.2 (Point No. 1, 1½ cubic feet (Unnamed Creek) (Point No. 2, 1.7 " " (Mabey Creek) cubic feet per second.

3. Source of water supply: Dry Valley, or Mabey Creek, and an unnamed stream,

4. Location of point of diversion: No. 1, SW¼SE¼, Sec. 31, T. 7 S. R. 44 E.B.M.
No. 2, SW¼NE¼, Sec. 5, T. 8 S. R. 44 E.B.M.

County of Bannock.

5. To be used for: irrigation purposes.

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

(b) In the following legal subdivisions: SE¼NE¼, NE¼, SE¼, Sec. 31, W½ SW¼, Sec. 32, Township 7 South, Range 44 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: \$300.00

7. Description of works for diversion:

I. Kind of works: Ditches.

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

acre feet. (c) Size of headgate, width

feet,

Height

feet.

(d) Conduit

ditches

width at bottom 3

feet,

width at water line 4

feet, depth of water 1

feet; diameter of pipe

inches; average grade per mile is 7

feet. Length of conduit is 1 ¾ miles,

and it crosses the following quarter sections: Ditch No. 2 crosses NE¼, NW¼, Section 5, Township 8 South, Range 44 E., and SW¼, Section 32, Township 7 South; Ditch No. 1 crosses SE¼, Section 31, Township 7 South, Range 44 East.

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

9. Time required for the complete application of the water to the proposed use is 1 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 Lorenzo R. Thomas,

Agent.

February 15, 1956

Re: Permit Nos. 11536 and 11405
Georgana and John R. Stocking

Merrill & Merrill
Counselors and Attorneys at law
Pocatello, Idaho

Dear Sir:

We are enclosing our departmental receipt No. 27832
in the sum of \$3.00 for certified copies of Permit No. 11536
in the name of Georgana R. Stocking and Permit No. 11405 in
the name of John R. Stocking.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

KPR
Encl.
cc: Georgana R. Stocking
John R. Stocking
Soda Springs, Idaho

11405

COPY

February 13, 1956

RE: Permits Nos. 11536 & 11405

Mr. R. D. Merrill
Attorney at Law
Pocatello, Idaho

Dear Mr. Merrill:

In reply to your letter of February 4, 1956, we enclose a certified copy of each of the above numbered Permits, (Permit No. 11536 in the name of Georgana R. Stocking and Permit No. 11405 in the name of John R. Stocking).

The fee for making each copy and certifying it is \$1.50 or a total of \$3.00 for both Permits, for which you may send us your check.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:hl1
Enc.

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LAW OFFICE
IRWIN CLAWSON
141 EAST SECOND SOUTH
SALT LAKE CITY 1, UTAH
PHONE 9-2058

September 8, 1952

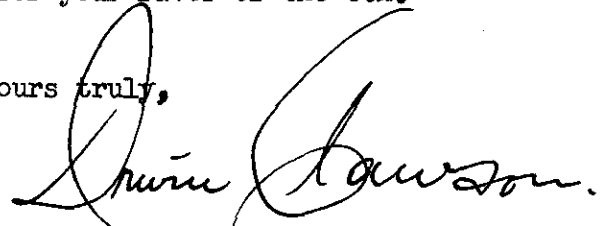
Department of Reclamation
State Capitol
Boise, Idaho

Dear Mrs. Anderson:

It was so nice of you to remind me that I had not sent that check to you. Your letter of August the 6th arrived just prior to my leaving town for a short vacation, and through some mischance got into the file without it being noticed that the remittance had not gone forward. I am therefore enclosing my check to you in the amount of \$4.50, and trust that I have not inconvenienced you. I just phoned over about the check on Permit No. 20434 and 20435. I am informed that check is going forward to you by this mail. I will take the trouble to investigate this tomorrow to make sure the check has gone.

Again, many thanks to you for your favor of the 6th.

Yours truly,



Irwin Clawson

IC/rw

Encl. - check

R 24860 - \$4.50

RECEIVED
SEP 10 1952

Department of Reclamation

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August 6, 1952

Mr. Irwin Clawson
No. 141 East 2nd South
Salt Lake City, 1, Utah

Dear Mr. Clawson:

In reply to your letter of August 2nd, 1952 we enclose herewith a certified copy of License No. 11405, and also certified copies of Licenses 11536 and 11406, all for the appropriation of water from Mabey Creek, or Dry Valley Creek.

As you, of course, know, Permit No. 21981 of Western Fertilisers' Association, is for three second feet of water from a spring tributary to Dry Valley Creek, with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10, Twp. 8 South, Range 44 East, B. M.

There are no other valid filings of record in this department on Mabey or Dry Valley Creek.

Permit No. 21981 is the only filing on springs in that township, except License No. 3157, which is in the name of Oliver J. Backman, for 1.1 second feet from "Backman Springs", with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30, Twp. 8 South, Range 44 East, B. M.-- which would appear to be a different location from Permit No. 21981.

The fee for making these three certified copies is \$1.50 each, or \$4.50

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Encls.

11405

LAW OFFICE
IRWIN CLAWSON
141 EAST SECOND SOUTH
SALT LAKE CITY 1, UTAH
PHONE 9-2058

RECEIVED
AUG 4 1952
Department of Reclamation

August 2, 1952

Bureau of Reclamation
State Capitol
Boise, Idaho

Dear Mr. Kulp:

I understand that a man by the name of Stocking obtained Certificate No. 11405 for the privilege of diverting up to 3.2 second feet of the water from Mabie Canyon, which is a tributary of the Blackfoot River, located about 23 miles east and slightly north of Soda Springs. I would like a copy of the certificate in that case, and also of any other certificates relating to the same canyon.

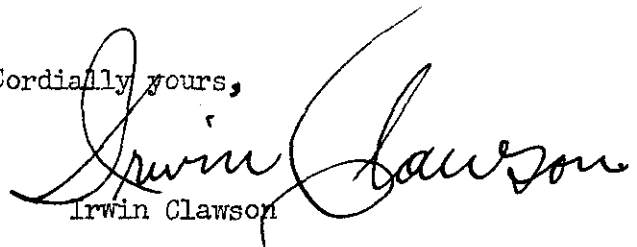
If you will be kind enough to send me copies of those, I will be happy to send you a check for the costs.

Our own application, concerning water out of the same stream, is Permit No. 21981. I am not sure just what was done on this matter prior to this year, but I do know that this year a re-survey was made of the route, and we are about to lay and trench the pipe for the pipe-line.

Have there been any applications made for waters from Mabie Canyon since the time of filing our application, which resulted in Permit No. 21981?

With kindest regards to you, I remain

Cordially yours,


Irwin Clawson

IC/rw

11405

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July 9, 1952

Mr. E. P. Morgan
Bode Springs
Idaho

Dear Mr. Morgan:

I have your letter of July 7, 1952, asking for more definite answers to your questions of June 28, and enclosing original Licenses and Certificates of Water Right Nos. 11405 and 11536. We are returning these documents as they are already a matter of record except for the assignments which should be recorded in the County rather than in this office. A water right is real estate and is transferred by deed and recorded in the County Court House.

Question 1: What is your degree of right in the Mabey Canyon water?

Answer: License No. 11405 is a water right for 3.2 cubic feet per second with a priority of October 12, 1922, and License No. 11536 for 3.2 cubic feet per second with a priority of September 4, 1922. These are good rights of record and not subject to cancellation or forfeiture if used at the place and for the purpose for which the water was appropriated. They are subject to all prior rights. According to our records, the Stewart right (License No. 14406) for 2 cubic feet per second with a priority of October 26, 1920 is a prior right although it may be subject to forfeiture by non-use or abandonment. Only the courts can declare a water right forfeited or abandoned.

I suggest that you consult an attorney to advise you on the advisability of having the waters of Mabey Canyon adjudicated. An adjudication fixes all water rights from the same source in relation to all other rights. An adjudication would confirm your rights and dispose of all other claims, one way or another. After an adjudication, there is a statutory procedure for administration of the decree (distribution of the water). Also in an adjudication, if you can prove beneficial use in 1918 instead of 1922, you will get a 1918 priority.

11405

July 9, 1952

Question 2: Can you accept pay for 15,000 gallons per day of water from your irrigation or domestic right for mining purposes?

Answer: No.

We consider drilling for petroleum a mining operation. There would be one condition under which you could lease or sell an agricultural right and that is for mining purposes in an organized mining district. There is no statutory procedure for organizing a mining district and there is no certainty just what an organized mining district is.

We suggest that you file an application to appropriate unappropriated public water for mining purposes and then you can accept pay for services or right-of-way without jeopardizing your agricultural right. Transferring your agricultural right or part of it to mining use would lose the priority and a new filing would have the same priority as a transfer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:fg
Enc.

11405

RECEIVED
JUL 9 1952

Gooda Springs, Ida
July 7, 1952

Department of Reclamation

Mr. Frank H. Kulp

11405

Dear Mr. Kulp:

Your letter of July 3^d at hand
in ans. to my inquiries of my
degree of rights in the Rabbit
Canyon water. I'm enclosing
License & cert. of water
right which J. R. Stocking sold
to me, also Georgana Stocking
his wife in Dec. 1927. The
Stewarts abandoned this water
it was never turned out of the
~~main~~ ^{natural} channel for 25 yrs. also they
sold all their land & property in
1945 or 6. it was turned out this
yr. & I turned it back & it is still
in the natural channel coming down
to my ranch. Under the Stocking
permits 1915 & completed in
Aug. 1918. as you will note

now Mr. [unclear] after use. The
water in the same ditches & on the
some land for 25 continuous yrs.
Just what procedures have I got
to resort to, too protect my right
& keep my neighbor from taking
this water from me. I would
like a definite ans. also to this
important question about receiving
pay for ^{about} 15,000 gals. per day taken
~~in~~ in out of this ditch after
it comes into my land about
 $\frac{1}{4}$ mile, the purpose is for drill-
ing & wash water for an oil well.
The Shamrock drilling co. has
built a road across my place.
also put in a large Culvert
across this cr. & it makes it very
handy for them to get (I must have
water). The Mgr. says that the people
land from where he gets the water
is theirs & deserves pay for it.
or that's what he thinks ^{of the} ~~done~~ ^{other} ~~places~~.

ⁱⁿ ~~in~~ ~~the~~ ~~rock~~ ~~I~~ ~~at~~ -
If they didn't get it from where
he is getting it, they would have
to make a very much longer haul
or construct ~~new~~ roads which
is very expensive, they are
hauling it in a 2000-gal tank
by truck.

11405
Could I place another filing
on the water, or would it do
me any good. on page 2 of
your letter you stated there is no
reason why you should not lease
a part of your right to someone
who will use it for the purpose
for which it was appropriated
for or for a superior use.

Do you call this Drilling water
a superior use? or would I lose
some or all of my prior?

will you kindly be sure to return

those Dice & Certificate.
water rights back to me

Very Truly Yours
E. P. Morgan
Soda Springs
Ida.

11405

11405 ✓

July 2, 1952

Mr. Paris Martin
No. 913 State St.
Boise, Idaho

Dear Mr. Martin:

Following up our telephone conversation in regard to rights on Mabey Creek:

There have been two licenses issued in the name of Stocking, as follows- and a letter received this morning from E. P. Morgan indicates that he has purchased one or the other of these rights.

License No. 11536, Georgana R. Stocking, for 3.2 second feet from Dry Valley or Mabey Creek, with priority of September 4, 1922, for irrigation and domestic use on NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, Twp. 7 South, Range 44 East, B. M.

License No. 11405, John R. Stocking, for 3.2 second feet, from Dry Valley or Mabey Creek, with priority of October 12, 1922, for irrigation and domestic use on the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, and W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 32, Twp. 7 South, Range 44 East, B. M.

As you will note this latter license includes land in Section 32, as well as in Section 31- but both licenses are for irrigation and domestic use.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

11405

11405

July 3, 1952

Mr. E. P. Morgan
Soda Springs
Idaho

Dear Mr. Morgan:

Our records show License under Permit No. 11536, Georgana R. Stocking for 3.2 second feet from Dry Valley or Mabey Creek, priority September 4, 1922 for irrigation and domestic use on NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, Township 7 South, Range 44 East, B.M., with points of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, Township 7 South, Range 44 East, B.M., and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, Township 8 South, Range 44 East, B.M., and No. 11405, John R. Stocking for 3.2 second feet from Dry Valley or Mabey Creek, priority of October 12, 1922, for irrigation and domestic use on the SE $\frac{1}{4}$ NE $\frac{1}{4}$ ~~for irrigation and domestic use on the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, and W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 32, Township 7 South, Range 44 East, B.M., with points of diversion in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, Township 8 South, Range 44 East, B.M., and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Township 7 South, Range 44 East, B.M.~~

There is also a license No. 14406 for 2 cubic feet per second to Blanchard J. Stewart from the same stream, irrigation and domestic with priority of October 26, 1920 for SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9, Township 8 South, Range 44 East, B.M., with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9, Township 8 South, Range 44 East, B.M.

If you are the owner of any of these rights and are using them on the land designated for the purpose stated, they are good rights.

If the rights have been used in other places than those specified in the license they are not necessarily invalidated as they can be legally transferred if the transfer does not interfere with other rights.

11405

July 3, 1952

There are two conditions when the water should be turned back into the stream; 1. When necessary to fill prior rights and 2. When the water cannot be put to the beneficial use for which it was appropriated.

There is no reason why you should not lease a part of your right to someone who will use it for the purpose for which it was appropriated or for a superior use. Irrigation and domestic rights cannot be put to other uses without loss of priority.

10,000 to 15,000 gallons per day is not very much water. One miner's inch amounts to 15,000 gallons each 24 hours and if the use is inferior to the present use an appropriation can be made which would probably be good at most times outside of the irrigation season and perhaps some of the high water period during the irrigation season.

Selling water appropriated for a definite purpose for other purposes is not legal although it is often done.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:fg

11405

Soledad Springs, Cal.
June 28-1952

Gentleman

I'm writing you in regards
to a stream of water coming out
of Marble Canyon on the National
Lab. Forest T. 8. S. R. 44 E. Sec. 5-
this adorns into my ranch. I got
the ranch property off from
J. P. Stocking in 1927 & 1928
he had filed on the Marble Canyon
water & proved upon it then
transferred it to me when I recd.
the Deeds for the Ranch I have
used it in the same ditches &
on the same land continual for
25 yrs. ^{except} ~~out side~~ 1934 there was time
to use. I have used the water this year
also. What records have you on
this water. Can anyone take the
water away from me after
using it for 25 yrs. what is

11405

the law in regards to holding
this water.
Kindly let me know in regards
to this matter

Respectfully Yours

RECEIVED

JUL 2 1952

Department of Reclamation

E. P. Morgan

Soda Springs, Ida.

at what date do we have to
turn the water down the natural
channel to the Blackfoot River.
after that date what right have
I got to the water that is actually
flowing thru my land, if a person
or firm wanted to buy 10,000 or
15,000 gals per day either haul
it or pipe it by pump, have
I got a right to accept money
for it. Please tell me.

March 15, 1927.

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

Messrs. Thomas & Anderson,
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. N. CARTER,
Commissioner of Reclamation

By

Chief Clerk.

Enc.

11405

L. R. THOMAS

J. H. ANDERSEN

THOMAS & ANDERSEN
ATTORNEYS AT LAW
BLACKFOOT, IDAHO

March 11, 1927

Department of Reclamation
Boise, Idaho

Gentlemen:

On November 10th, 1926 you wrote us and said that upon receipt of the necessary fees licenses would issue to John R. Stocking on permit 11405 and 12432 and to Georgana R. Stocking on Permit 11536. The aggregate amount of fees is \$21.00 and we have the pleasure to inclose herewith our check for said amount. We would be glad to receive the licenses in these cases at your convenience.

Yours truly,

THOMAS & ANDERSEN

By *L R Thomas*

LRT:mh
Encl-1

11405

November 10, 1926.

Re: Permit No. 11405--
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 \$8.00, license will be issued.

Very truly yours,

GEO. H. CARTER
Commissioner of Reclamation

By _____
Chief Clerk

CB:HH

11405

L. R. THOMAS

J. H. ANDERSEN

THOMAS & ANDERSEN
ATTORNEYS AT LAW
BLACKFOOT, IDAHO

November 8th
1926

Department of Reclamation
Boise, Idaho

Gentlemen:

We hand you herewith the proof of application of water to beneficial use made by John R. Stocking on permit No. 11405 and 12432, also one of Georgana R. Stocking on her permit No. 11536.

These proofs were not taken on the date fixed therefor, but affidavits explaining the necessity for delay are attached to the proofs and also my certificate showing that no one appeared to protest the said proofs on the dates fixed therefor.

I trust you will find these proofs satisfactory.

Very respectfully,

THOMAS & ANDERSEN

By *L. R. Thomas*

LRT:mh

11405

Affidavit of Publication

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

Nellie K. Kelley being first duly sworn
on h.s. 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.

(SEAL)

Clark H. DeLem
Notary Public, residing at Soda
Springs, Idaho.

My Commission expires the
day of _____, 19____.

COSTS: 42 lines at 10 cents a line for the first insertion
and 5 cents a line for each of 4 subsequent insertions,
total \$ 12.60.

11405

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 11405

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, 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. 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. 11405, July 17, 1915. October 12, 1922.

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

Ans. Source of water supply is Dry Valley or Mabey Creek, SW 1/4, Sec. 5,

Tp. 8 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. Ditch 3 feet wide in bottom, 4 ft. wide at water line and 2 ft. deep;

250 inches; private ditch.

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; SE 1/4, NE 1/4, Sec. 31, W 1/2, Sec. 32, Tp. 7 South, Range

44 East, B. M., all of the SE 1/4 and NE 1/4, Sec. 31, and all of the SW 1/4 and

25 acres in the NW 1/4, Sec. 32, Tp. 7 South, Range 44 East, B. M. It is all

all natural meadow land with the exception of 10 acres in NW 1/4 of the SE 1/4
a good growth of Blue grass which was feed by pasturing same.

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

Ans. Irrigation purposes only.

11405

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

Ans. 1 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. This is my own 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. Irrigation seasons of 1916 and each and every year since that time, by spreading the water over the land, in the amount of more than 1 inch per acre, and to the extent of 145 acres as in hereabove described and explained.

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 R. Storking

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 October November A. D. 1926.

Lawrence R. Thomas
Notary Public for Idaho

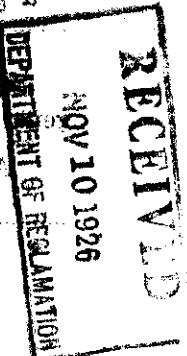
Residing at Blackfoot, Idaho

My commission expires May 26, 1927.

I do hereby certify that I was at my office in Blackfoot, Idaho from nine o'clock A. M. until five thirty P. M. with the exception of the noon hour and no one appeared on said day nor at all for the purpose of pretesting in any manner or to any extent or at all the above proof of beneficial use of water.

Lawrence R. Thomas
Notary Public.

11405



11405

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 11405

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. 11405? 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. 11405, 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. Dry Valley and Mabey Creek; SW $\frac{1}{4}$ Sec. 5, Tp. 8 South, Range 44 East, B. M. Ditch 3 ft. wide at the bottom and 4 ft. at the water line and 2 ft. deep.

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. 5; 4 second ft.

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. Irrigation on the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 31, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32, Tp. 7 South Range 44 East, B. M. 40 acres of each legal subdivision excepting the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32 have been irrigated and 25 acres of the said NW $\frac{1}{4}$ SW $\frac{1}{4}$; all natural meadow land except 10 acres of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 10 acres of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, which was cultivated and seeded to blue grass. The improvement as a result of irrigation and cultivation was a production of a good growth of grass all of which one year with another was used for pasturage.

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

Ans. Irrigation purposes only.

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

Ans. The land is of the character of reclaimed land and is irrigated. It has been reclaimed and it requires one inch of water per acre for profitable cultivation.

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. I have been upon the land and seen it irrigated during the irrigation season from 1914 to the present time, and saw the land irrigated, it was covered with water 1 inch per acre or more was used in the irrigation of 145 acres. The irrigation was thorough and complete.

(Signed)

Burdette P. 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 24th day of November, A. D. 1925.

Laurie R. Thomas

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

My commission expires May 26, 1927.

11405

RECEIVED
10 1926
DEPARTMENT OF REGULATION

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 11405

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. Margaret R. Stooking; 54 years; Heyburn, Idaho; housewife; Heyburn, Idaho.

Ques. 2. Are you acquainted with John R. Stooking, the holder of Permit No. 11405? How long have you known him and where does he reside?

Ans. Yes; 35 years; Heyburn, Idaho.

Ques. 3. Have you read or heard read said Permit No. 11405, 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. Dry Valley and Mabey Creek; SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, Tp. 8 South, Range 44 East, B. M.

Ditch 3 ft. wide at the bottom and 4 ft. at the water line and 2 ft. deep.

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. 5; 4 second ft.

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. Irrigation on the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32, Tp. 7 South, Range 44 East, B. M. 40 acres of each legal subdivision excepting the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32 have been irrigated and 25 acres of the said NE $\frac{1}{4}$ SW $\frac{1}{4}$; all natural meadow land except 10 acres of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 10 acres of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, which was cultivated and seeded to blue grass. The improvement as a result of irrigation and cultivation was a production of a good growth of grass all of which 1 year with another was used for pasturage.

11405

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

Ans. Irrigation purposes only.

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

Ans. 125 acres of natural meadow land has been reclaimed and it requires one inch of water per acre for profitable cultivation.

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 interest whatever except I am the wife of the claimant.

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

Ans. I have been upon the land every year from 1916 to 1926 except 1924, during the irrigation season and saw this land irrigated by seeing the water spread over the land in the amount of more than 1 inch per acre on 145 acres. The irrigation was complete and beneficial and resulted in the production of a good growth of grass, which was used for pasturing purposes.

(Signed)

Georgiana R. Stocking

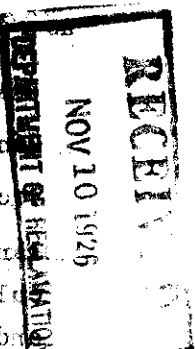
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Blackfoot, County of Bingham, State of Idaho, on this 5th day of November, A. D. 1926.

Samuel R. Thomas

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

My commission expires May 26, 1927.

11405



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. 11405 approved July 17, 1915 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 left 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. 11405 approved July 17, 1915 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. Thomas
Notary Public for the State of Idaho,
residing at Blackfoot, Idaho.

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

Permit No. 11405This 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 SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 31
SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5
7 S 44 E.B.M.
T. 8 S R. 44 E.B.M. County of Caribou
4. Describe works as they exist, giving dimensions and capacities of same: Ditches apparently were made about 2 ft wide, capacity of 100" flow furrows carry water on to land. Small earth dams divert water into ditches.
5. Water is used for: Irrigation and domestic use
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): SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32, Twp. 7 S., R. 44 E., B.M.
see map gives exact acreage, estimates on map.

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

8. What large stream would the water here appropriated finally reach?
- Blackfoot River

Remarks: Land high, elevation about 6000 ft. mostly native meadow, some sage, utilized for pasture only for stock.
No one on place, used in summer months only.
See also Permit # 11536, as some system covers places.
High water right only.

11405This examination was made on the 15 day of Oct. 1926

(Signed)

R. H. Stiff

Examiner.

John R. Stocking
Soda Springs

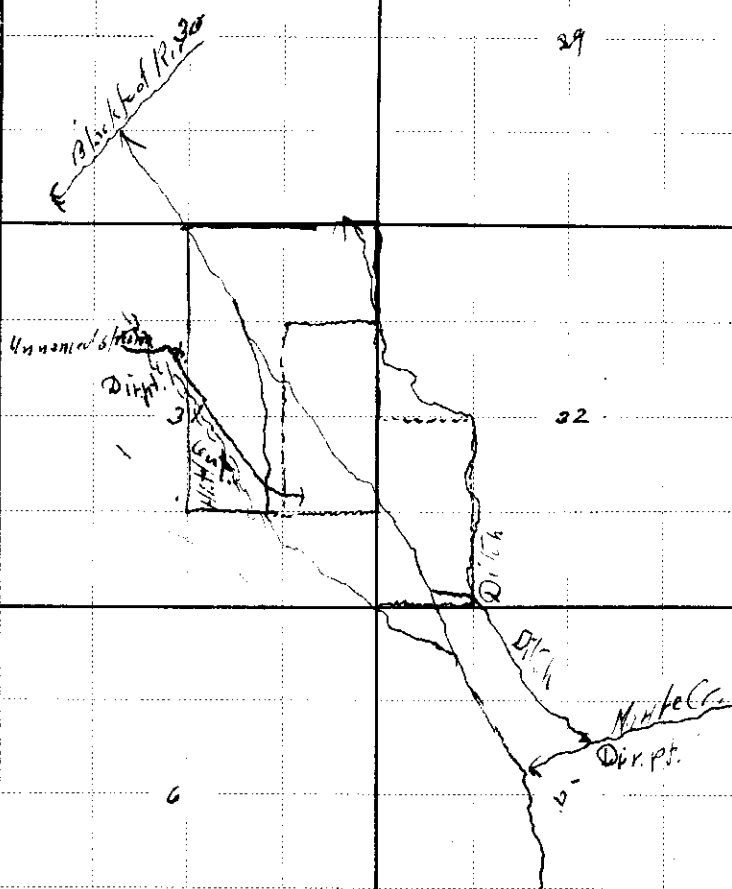
Permit No. 11405.....

Examination for BEN. 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.
-



11405

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

11405

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date Sept. 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, or his to whom you should furnish proof of publication Mr. L. R. Johnson, date Blackfoot.

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.

11405

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 Lorenz D. Thomas, notary public, proof will be submitted
of the application to beneficial use of 3.2 cubic feet per second of the
waters of an unnamed stream and Mabey creek, in accordance with the terms and conditions of
Permit No. 11405, 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 irrigation and domestic purposes.

The amount applied to beneficial use is 3.2 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands
irrigated) SE 1/4, NE 1/4, Sec. 31, and W 1/4, Sec. 32, 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~~
is

The right to take water from such works is based upon Permit No. 11405.

The source of supply from which such water is diverted is an unnamed stream and Mabey creek

The date of the priority which said user is prepared to establish is October 12, 1922

*unnamed - SW 1/4 - 31 - 7S - 44E
Mabey - SW 1/4 - 5-8S - 44E
and here -*

W. G. Swendsen,
Commissioner of Reclamation.

11405

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. 11405

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, 1936, 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.

11405

September 24, 1926

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

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. SWENDESEN
Commissioner of Reclamation

By _____ Chief Clerk

CB:HH
Encl.

11405

L. R. THOMAS

J. H. ANDERSEN

THOMAS & ANDERSEN
ATTORNEYS AT LAW
BLACKFOOT, IDAHO

September 22d
1926

Commissioner of Reclamation
Boise, Idaho

Dear Sir:

John R. Stocking, permittee, desires to advertise and make proof of beneficial use of water on his permits numbered 11405 and 12432, and his wife, Mrs. Georgana R. Stocking, permittee, wishes to make proof of beneficial use of water on her permit No. 11536.

These proofs should have been made some years ago, but we have advised these parties that the proofs can still be submitted but their date of priority will be advanced a length of time equal to the difference between the date on which the proof should have been made and the date upon which they will be made.

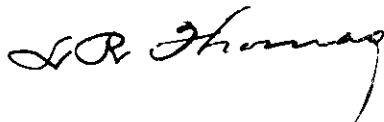
To expedite the business, can you advertise these proofs to be made before Lorenzo R. Thomas, Notary Public, at his office in Blackfoot, Idaho, at a time to be fixed by you and send the notices of proof, direct to The Chieftain, Soda Springs, Idaho, without first sending any blanks or papers to be prepared here? If this can be done, it will be appreciated because the permittees desire to make the proofs at the earliest possible moment.

Thanking you for your kindness in the matter, we remain

Yours truly

THOMAS & ANDERSEN

By



LRT/mr

11405

June 20, 1923.

Re: Permit #11405-Jno.R.Stocking.

Mr. Lorenzo R. Thomas,
Attorney at law,
Blackfoot, Idaho.

Dear Sir:-

The report of our examining engineer on proof of beneficial use of water under the above permit has just been filed. Upon receipt of fees in the sum of \$8.00, license will issue.

Very truly yours,
W. G. STENHOLSEN,
Commissioner of Reclamation.
By

Chief Clerk.

11405

REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. -24-1. State name of applicant and number of permit: John R. Stocking - Permit No. 114052. State source of water supply: Unnamed Stream and Dry Valley, or Mabey creek.3. Location of point of diversion: #1- SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, T. 7 S., R. 44 E., B.M.#2- SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, T. 8 S., R. 44 E., B.M.4. Describe works as they exist, giving dimensions and capacities of same: Small dams of earth divert streams directly into ditches. Ditches made by plow + R'd out. 1 1/2' on bottom, 2 ft. on top. Laterals to flood ground.5. State whether or not water has been turned into works of diversion: Yes, but not this season.6. Give exact location 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): SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31; W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 32, Twp. 7 S., R. 44 E., B.M.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? Two, John R. Stocking + wife.9. Give names and amount of each right: Unable to learn, no one at home.10. What large stream would the water here appropriated finally reach? Blackfoot + Snake R.

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks: Est. 40 or 50 acres had been plowed. Ground lies in large pasture est 1000 Acres. Altitude too high to farm but excellent summer pasture. Mostly natural meadow.This examination was made on the 13 day of June 1923

11405

(Signed)

W. F. Seckliff

Examiner.

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

County of.....

ss.

....., 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.....day of.....19.....

My commission expires.....

Notary Public.

-34-

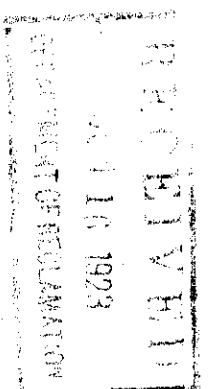
John H. Stocking

Soda Springs

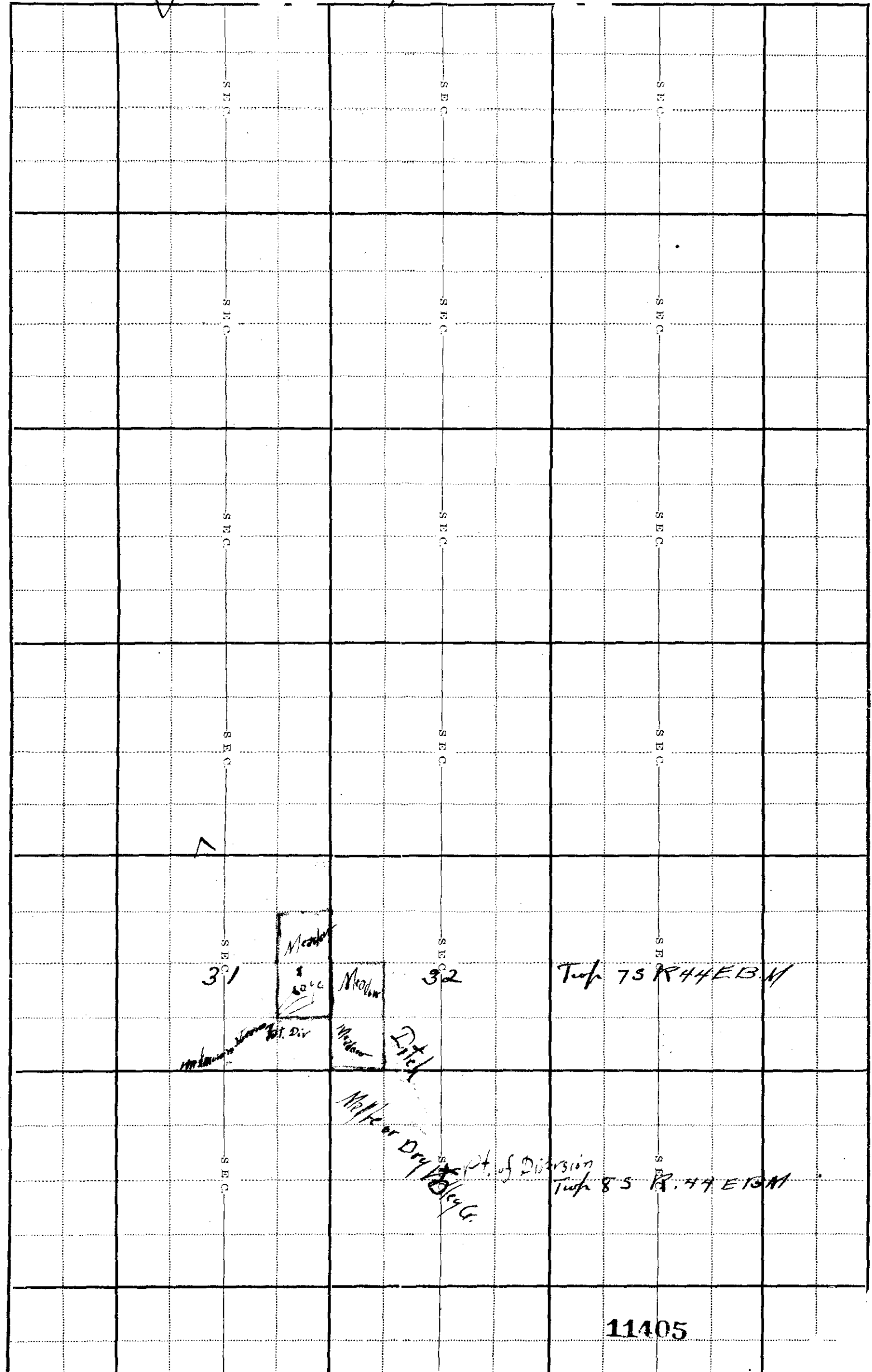
Permit No. 11405

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. 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.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. 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.



NAME OF APPLICANT John R. Stocking, Permit 11405



January 18, 1923.

Re: Permit No. 11405- J.R.Stocking.

Mr. Lorenzo R. Thomas,
Attorney at law,
Blackfoot, Idaho.

Dear Sir:-

The depositions and affidavits filed in the matter of proof of beneficial use of water under the above permit have been checked and are satisfactory and in acceptable form. These will be held, without further action, until the examination can be made by our engineer later in the season, at which time the holder will be advised as to fees required before issuing license.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

11405

AFFIDAVIT OF PUBLICATION

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

NOTICE is hereby given that at 10 a. m., on the 17th day of October, 1919, at Blackfoot, County of Bingham, State of Idaho, before Lorenzo R. Thomas, a Notary Public, proof will be submitted of the application to beneficial use of 1.5 cubic feet per second of the waters of an Unnamed Creek; and 1.7 sec. ft. of the waters of Dry Valley or Mabey Creek in accordance with the terms and conditions of Permit No. 11405 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 John R. Stocking, 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 3.2 sec. ft.

4. The place where said water is used (if not irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32, Twp. 7 S., R. 44 E. B. M.

5. The date of the priority which said user is prepared to establish is September 30th, 1915.

W. G. SWENDSEN,
Commissioner of Reclamation.

STATE OF IDAHO, }
COUNTY OF ~~BANNOCK~~ } SS
Caribou

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~~ *Caribou*, State of Idaho; that the annexed 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... *Fourth*... day of... *September*..., 1919... and the date of the last publication was on the... *Twenty-fifth*... day of... *September*..., 1919..

I. W. H. Hildreth.....

Subscribed and sworn to before me this... *Tenth*... day of... *October*..., 1919..

Herbert Mossley.....
Notary Public.

PERMIT No. 11405**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; 48 years; stock-grower and farmer;
at Soda Springs, Idaho, both residence and post office address.

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. I am acting for myself.

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

Ans. 11405; July 17, 1915; July 17, 1919.

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

Ans. Mabev Creek and unnamed stream; Mabev Creek SW $\frac{1}{4}$ ND $\frac{1}{4}$ Sec. 3, T $\frac{1}{2}$ P. 8 S., R. 44 E., B. M. Unnamed Stream SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, T $\frac{1}{2}$ P. 7 S., R. 44 E.

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. Ditches; 3 feet wide at bottom, 4 feet wide at water line and 1 foot deep. Capacity 150 inches each. Private ditches.

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 purposes; SE $\frac{1}{4}$ ND $\frac{1}{4}$, NW $\frac{1}{4}$ ND $\frac{1}{4}$, Sec. 31, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, T $\frac{1}{2}$ P. 7 S. Range 44 E. B. M. all of which land has been actually irrigated with said water with the exception of ten acres of high land in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, all of this land is natural meadow land with the exception of twenty acres that have been cultivated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32. The improvements which have been made as direct result of this water is a good growth of hay and pasturage.

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

Ans. For irrigation purposes exclusively.

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. This permit was issued to me personally.

11405

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

Ans. During the irrigation seasons of 1917, 1918 and 1919, the land was watered by spreading the water over the land, one inch of water per acre was used. 150 acres of land were irrigated.

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 R. Sticking

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 17th day of October A. D. 1919.

Samuel R. Thomas
Notary Public
residing at Blackfoot, Idaho.

11405

Permit No. 11405

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Georgiana R. Stocking; 47; Soda Springs, Idaho; housewife;
Soda Springs, Idaho.

Ques. 2. Are you acquainted with John R. Stocking, the holder of Permit No. 11405? How long have you known him and where does he reside?

Ans. Yes. Thirty years. Soda Springs, Idaho.

Ques. 3. Have you read or heard read said Permit No. 11405, 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. Mabey creek and an unnamed creek; point of diversion from Mabey Creek is SW¹NE¹ Sec. 5, T¹ S. R. 44 E., and from the unnamed creek the SW¹SW¹, Sec. 31, T¹ S. R. 44 East.
Private ditch.

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 second feet. I have seen the ditches full carrying at least 150 inches.

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 purposes. SE¹NE¹, NE¹SE¹, Sec. 31, W¹SW¹, Sec. 32, T¹ S. R. 44 E.B.M. all of which has been irrigated with this water excepting approximately ten acres of high land in the SW¹SW¹, Sec. 32. This is mostly natural meadow land; 50 acres of the tract have been cultivated in the NW¹SW¹, Sec. 32, and as a result of the irrigation, the land has been improved and produced a good growth of hay and a good pasture.

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

Ans. Irrigation purposes exclusively.

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. The land reclaimed is largely meadow land and for the production of hay or agricultural crops one inch of water per acre is required for profitable cultivation.

11405

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, 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. I saw this land irrigated during the summer season of 1917-18 and 1919. The water was spread over the land and in an amount of more than one inch per acre. Approximately 140 acres have been irrigated.

(Sign) *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 17th day of October A. D. 1919.

Samuel R. Thomas
Notary Public.
for state of Idaho, residing at
Blackfoot, Idaho.

My commission expires May 26, 1923.

11105

Permit No. 11405

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. John G. Arient; 73 years; Blackfoot, Idaho; retired farmer; Blackfoot, Idaho.

Ques. 2. Are you acquainted with John S. Stockins, the holder of Permit No. 11405? How long have you known him and where does he reside?

Ans. Yes, 30 years or more. Soda Springs, Idaho.

Ques. 3. Have you read or heard read said Permit No. 11405, 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. Mabey Creek and an unnamed creek. Diversion from Mabey Creek is in the SW 1/4, Section 5, Tp. 8 South Range 44 E. R. 44 E.P.M. and from the unnamed creek in the SW 1/4, Sec. 31, Tp. 7 South, R. 44 E.P.M. Private ditches.

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. Three second feet; three second feet; have seen the ditches full.

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 purposes. All of the SE 1/4, NE 1/4, Sec. 31, and 25 acres of the SW 1/4, Sec. 32, Tp. 7 South Range 44 E.P.M. 20 acres of the SW 1/4, have been cultivated and the balance of the tract is natural meadow land. That the improvements, cultivation and irrigation have resulted in a good growth of hay and grass.

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

Ans. IRRIGATION PURPOSES EXCLUSIVELY.

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. With the exception of 20 or 30 acres, this tract is natural meadow land; 20 acres of the remainder is sage brush land cultivated and ten acres of high land above the water; 1 inch of water per acre is necessary for the profitable cultivation of the agricultural and meadow land.

11405

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, 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. I saw this land irrigated during the summer seasons of 1917-18-19. The land was covered with water and at least one inch per acre was used on about 150 acres.

(Sign) *John E. Wright*

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 17th day of October, A. D. 1919.

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

My commission expires May 26, 1923.

11405

C E R T I F I C A T E

I do hereby certify that John R. Stocking of Soda Springs, Idaho, the holder of permit #11405 advertising his "Notice of Proof of Application of Water to Beneficial Use" involving the water described in the said permit in THE SODA SPRINGS CHIEFTAIN a newspaper of general circulation published every week in Soda Springs, Idaho.

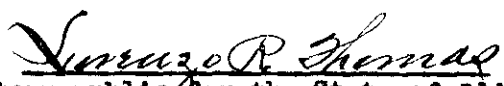
That the said notice provided for the submission of said proof before Lorenzo R. Thomas, a notary public at his office in Blackfoot, Bingham County, Idaho, at 10 o'clock A. M. on the 17th day of October, 1919.

That the said John R. Stocking appeared with two corroborating witnesses and submitted his said proof at the time and place designated in the said Notice of Publication.

That I was at my office in Blackfoot, Idaho, at 9 o'clock A. M. until 5 o'clock P. M. on the said 17th day of October, 1919, and no person or persons appeared there during that time or at any other time previously or subsequently to protest or attack in any manner whatsoever, the said Proof of Beneficial Use of Water of the water involved in this case.

That the papers comprising the said proof consisting of the deposition of the holder and the depositions of the two witnesses, together with the affidavit of publication of the Notice of Proof, were inadvertently misplaced by the officer taking the said deposition, his stenographer or some other person in his office, and were not found until recently; that the said proof is filed herewith.

That it is requested that the said proof be accepted and acted upon in the same manner and with the same consideration as though it had been filed and submitted immediately after it was taken or prepared, because no person other than the said John R. Stocking is interested in the case or the water involved, in any manner whatsoever.


Notary public for the State of Idaho
Residing at Blackfoot, Idaho.

Dated at Blackfoot, Idaho, this 4th day of January, 1923.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

BOISE, IDAHO,

September 30, 1919.

Mr. 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 application of water to beneficial use under Permit No. 11405

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 the permit holder's rights:

1. On October 17, 1919., 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 the office of Lorenzo R. Thomas.

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 examining engineer, you will be further advised as to fees due before issuing license.

Yours truly,

W. C. Swendsen.
Commissioner of Reclamation.
~~State Engineer~~

11405

9 Oct 17

August 29th
1919

In re: Permit: 11405

John A. Stocking
Soda Spring, Idaho

Dear sir:

This will advise you that your proof of beneficial use under the above numbered permit has been set for the 17th day of October, 1919; notice will be published in the Soda Springs Chieftain; blanks for use in taking the proof will be forwarded to Mr. Thomas, at Blackfoot.

Yours very truly

A. G. Swendsen
Commissioner of
Reclamation

By:

11405

39

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 27, 1919.

(P. O.) Blackfoot, Idaho

TO THE STATE ENGINEER:

Boise, Idaho.

DEAR SIR:

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

John R. Sticking

(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.

11405

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 17 day of Oct, 1916,
at Blackfoot, County of Bingham, State of Idaho,
before Lorenzo R. Thomas, a Notary Public, proof will be submitted
of the application to beneficial use of 3.2 cubic feet per second of the
waters of Unnamed Creek 1.5 cubic feet in accordance with the terms and conditions of
Dry Valley or Mabey Creek 1.7 cubic feet
Permit No. 11405 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
John R. Stocking, Soda Springs, Idaho
2. The use to which said water has been applied is Irrigation
3. The amount applied to beneficial use is 3.2 cubic feet.
4. The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31 W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 32, T. 7 South,
Range 44 E. B. M.
5. The name of the canal or ditch or other works by which said water is conducted to such place
of use is Stocking ditches
6. The right to take water from such works is based upon Permit No. 11405
7. The source of supply from which such water is diverted is Mabey and Unnamed Creeks
both in Dry Valley
- 5x. The date of the priority which said user is prepared to establish is July 17, 1916
Sept 30-1915

Unnamed: SW SE-31-7-44
Mabey: NW NE-5-8-44
11405 **34** State Engineer.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

April 4th, 1919

J. R. Stocking
Soda Springs, Idaho

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 11405-----, 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,
Comm. of Reclamation

State Engineer

11405

May 14, 1918.

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

In re Permit #11405

Dear Sir:

I enclose you herewith Certificate of
Completion of Works issued under Permit
Number 11405.

Very truly yours,

FRED A. WILKIE,
State Engineer.

By

11405

Permit No. 11405

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Blaine } 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. 11405 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 _____

Habeys Creek and an unnamed creek
 Third: That the point of diversion of said water is No 1 unnamed creek, S. 34 S. Sec. 31 T. 7 S., R. 44 E.
No. 2, Habeys Creek, S. 34 S. Sec. 31, T. 7 S., R. 44 E.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 17, 1918.

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

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: Work is completed: ditches 3 feet wide at bottom, 4' wide at water line and 1' deep.
 (Reservoir, dam, ditch, flume, pipe or otherwise)

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 ditches width at bottom 3 feet, width at water line _____ feet, depth of water 1 feet; diameter of pipe _____ inches; average grade per mile is 7 feet. Length of conduit is 1 3/4 miles.

Seventh: That said works are capable of conducting to the place of intended use 3.3 second feet of water.

Eighth: That water appropriated under said permit is available for 160 acres of land described as follows: SE 1/4 Sec. 31, T. 7 S., R. 44 E.
S. 34 S. Sec. 31, T. 7 S., R. 44 E.

Ninth: Remarks: That _____

John R. Stocking
 (Sign here)

Subscribed and sworn to before me this 6th day of May, 1918.

My commission expires May 20, 1919

Lewis R. Thomas
 Notary Public.
 Residing at Blackfoot, Idaho.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

John A. Stocking,
Soda Springs, Ida.

Boise, Idaho, **May 1, 1918**

Dear Sir:—

Under the terms of your Permit No. **11405**-----, you are required to complete your diversion works on or before **July 17, 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

W. H. SMITH,

State Engineer.

11405

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit # 11405- Stocking.

Boise, Idaho,

Thomas & Andersen,
Blackfoot, Idaho.

July 22, 1915.

Dear Sir:

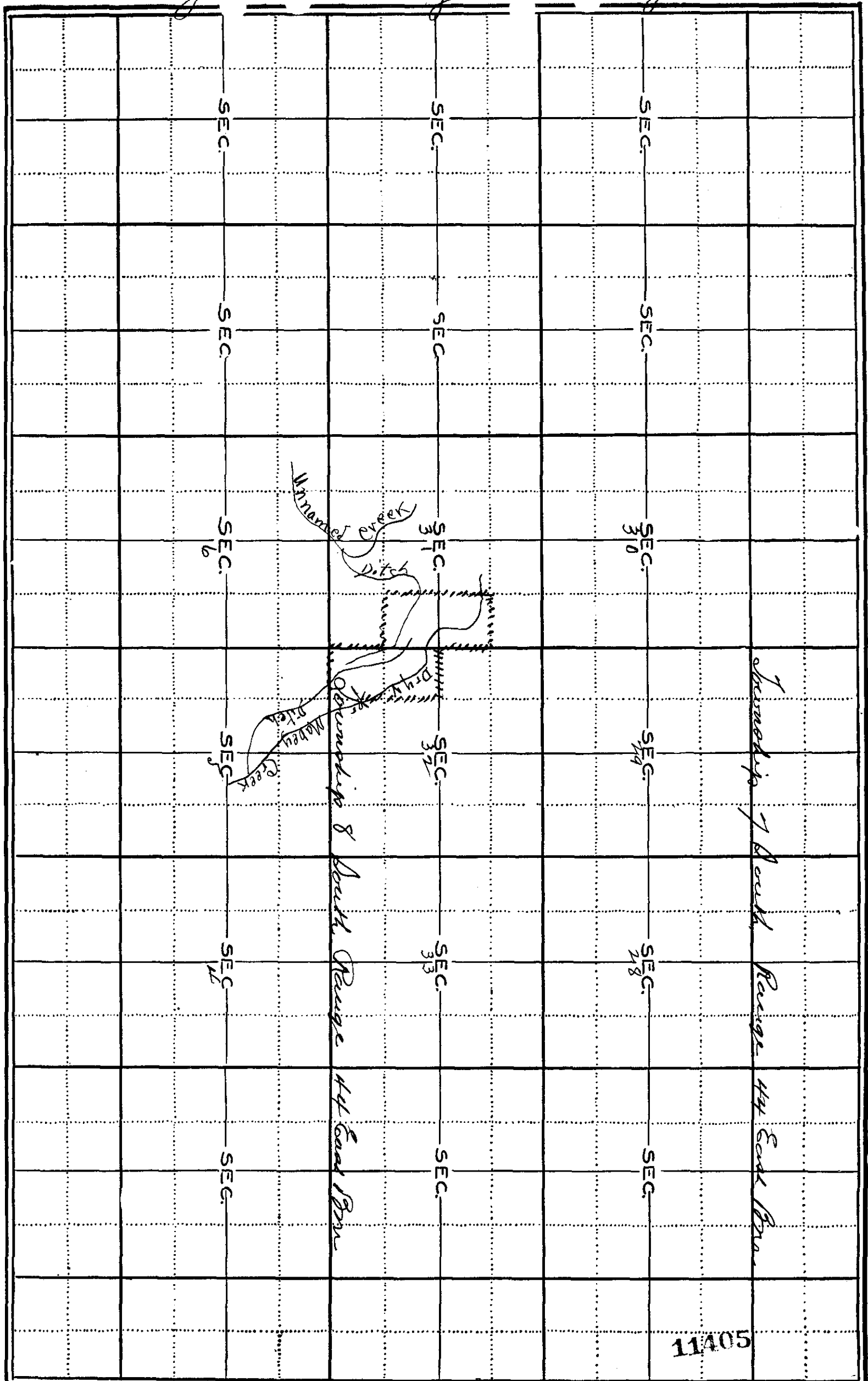
I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND
CONDITIONS OF SAME as given under approval of State Engineer on the third page.

J.H.Smith.

State Engineer

11405

Name of Applicant John R. Stoeckig, Soda Springs Idaho



THOMAS & ANDERSEN
ATTORNEYS AND COUNSELLORS AT LAW
TELEPHONE 175 P. O. BOX 336
BLACKFOOT, IDAHO

OK 17
1200

June
26th
1915.

Hon. State Engineer,
Boise,
Idaho.

C

Dear Sir:

10603

We hand you herewith the application of John R. Stocking, for certain water in Dry Creek and an unnamed stream, together with our check for \$1.50 in payment of your fees in this case.

We will appreciate the approval and issuance of this permit at the earliest possible moment, because we want to file it in connection with a certain desert land application, in the local land office.

Yours very truly,

THOMAS & ANDERSEN,

By *L R Thomas*

LRT-JC
Encl.-2

11405