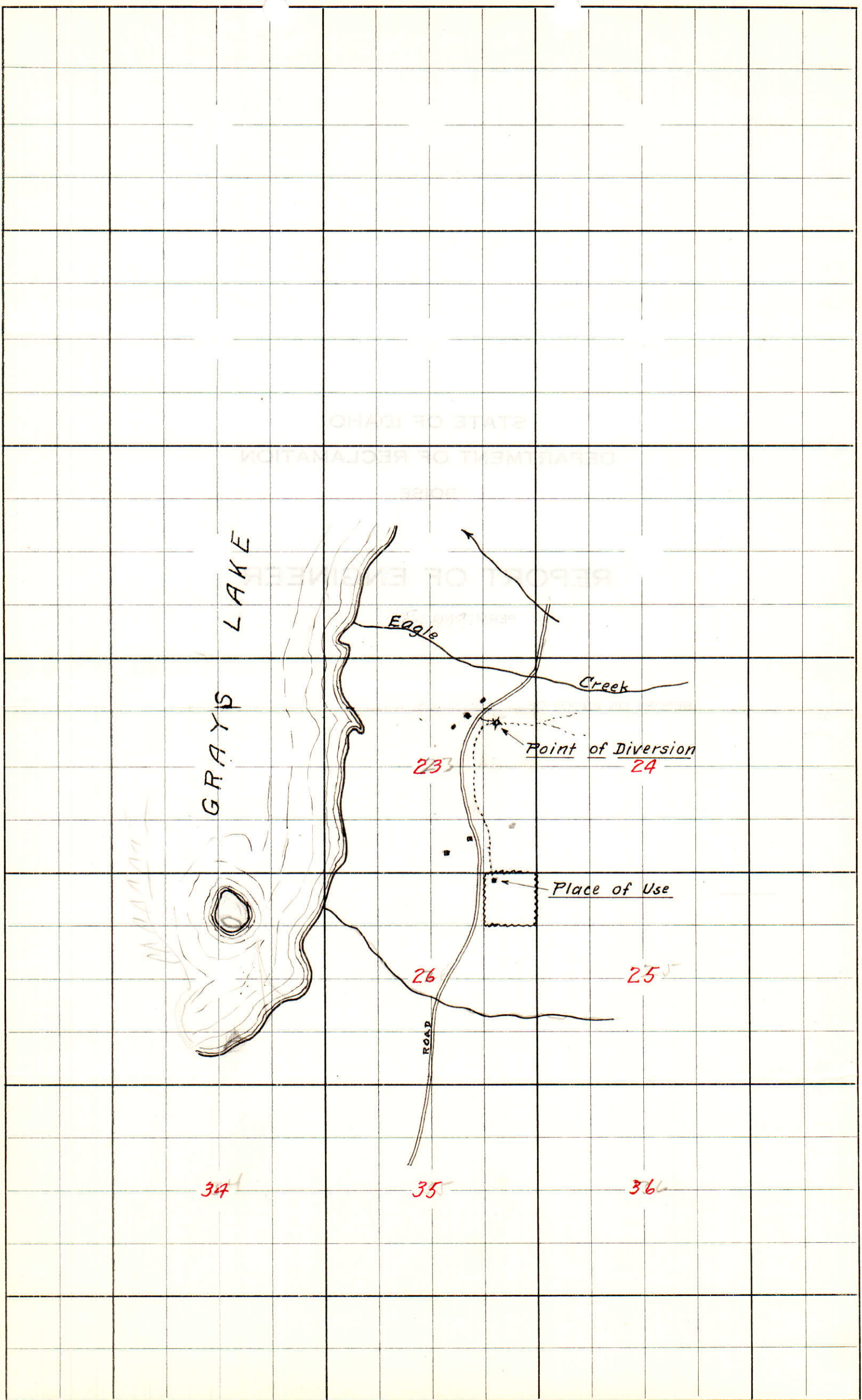




Cecil Sibbett, Gray Idaho #19177

FORM No. 0

Trp. 4 S., R 43 E, B 2

23

SPRING

PLACE
OF USE

26

19177

PROOF OF PUBLICATION

STATE OF IDAHO, } ss.
County of Bonneville, }

I, Robert Hyde, first being duly sworn, depose and say that I am the Principal Clerk of the Idaho Commoner Corporation, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Idaho Commoner, a legal newspaper of general circulation, published weekly, at Idaho Falls, Idaho; said The Idaho Commoner having been published continuously and uninterruptedly for more than seventy-eight (78) weeks prior to the first publication of the notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in The Idaho Commoner for Four consecutive weeks, first publication having been made on the Eighth day of June, 1945, last publication having been made on the Twenty-ninth day of June, 1945, and that notice was published in regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

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

Notice is hereby given that at 2:00 p. m. on the 14th day of July, 1945, at Soda Springs, county of Caribou, state of Idaho, before S. E. Matthews, a notary public, proof will be submitted of the application to beneficial use of 0.025 cubic feet per second of the waters of unnamed springs in accordance with the terms and conditions of permit No. 19177 heretofore issued by the state reclamation engineer of the state of Idaho.

The name and postoffice address of the person holding said permit is Cecil Sibbett, Gray, county of Bonneville, state of Idaho.

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

The amount applied to beneficial use is 0.025 cubic feet per second.

The place where said water is used is at the residence of Cecil Sibbett in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 26, township 4 south, range 43 east, B. M., in Bonneville county, state of Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is "The Private Pipe Line of Cecil Sibbett."

The right to take water from such works is based upon permit No. 19177.

The source of supply from which such water is diverted is unnamed springs in section 23, township 4 S., R. 43 east, B. M., Bonneville county, Idaho.

The date of priority which said user is prepared to establish is July 8, 1941.

Subscribed and sworn to before me, this Thirtieth day of June, 1945

Alice Hunter
Notary Public.

My Commission Expires

4-12, 1948

Statement to
Cecil Sibbett,
Gray, Idaho

FORM No. 0



State of Idaho
License and Certificate of Water Right

Water License No. 19177

Amount 0.025 sec. ft.

Water District No. _____

Priority July 8, 1941

THIS IS TO CERTIFY that **CECIL SIBBETT**
of Gray, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 8, 19 41; that Permit No. 19177
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.025 second feet, was issued thereunder on September 28, 1944, showing that said works
were completed on the 19th day of June, 19 44; and that on the 14th
day of July, 19 45,

CECIL SIBBETT

of Gray, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of unnamed
springs, a tributary of - - - , for the purpose of domestic use
, under Use Permit No. 19177 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
7 of Licenses at page 4293, on the 3rd day of May, 19 46;
The right hereby confirmed dates from July 8, 19 41;

The Point of Diversion is located
in the SE 1/4 NE 1/4, Sec. 23, Tp. 4 S., R. 43 E., B. M. Bonneville County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.025 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>4 S.</u>	<u>43 E.</u>	<u>26</u>	<u>NE 1/4 NE 1/4 - Domestic use</u>		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
3rd day of May, 19 46.

MARK R. KULP

State Reclamation Engineer

(SEAL)

~~23-2052~~
25-2165

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

23-2052

Application No. 26641
Permit No. 19177
District No.

1. Name of Applicant: **CECIL SIBBETT**
Postoffice address: **Gray** County: **Bonneville** State: **Idaho**
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation:
 (b) Amount of capital stock:
 (c) Amount paid in:
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are:
 (a) Cash on hand:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: **.025** cubic feet per second.
3. Source of water supply: **unnamed springs** which is a tributary of
4. Location of point of diversion: **SW 3865** feet distant from the **NE** corner of Section **23**, T. **4 S**, R. **43 E**, B. M., and is the **SE 1/4 NW 1/4** of Section **23**, T. **4 S**, R. **43 E**, B. M., County of **Bonneville**
5. Water is to be used for: **Domestic purposes**
6. If for mining, milling, power or manufacturing purposes, give:
 - (a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.
 - (b) Amount of power generated: H. P., under feet head.
 - (c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B. M., in the of Section , T. , R. , B. M.
7. Estimated cost of works: \$ **900.00**
8. Kind of works: **pipe**
9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom feet; width at water line feet; depth of water feet; dimensions of flume:
 Diameter of pipe **3/4" -- 3"** inches; length of conduit **3/4** miles.
 Average grade per mile **250** feet.
12. The time required for the completion of such work is **one** years.
13. The time required for the complete application of the water to the proposed use is **none** additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

CECIL SIBBETT
Applicant.

By _____ *Agent.*

Date of first receipt at Department of Reclamation: 11:00A. M.; July 8, 1941

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is **19177**
Recorded in Book **69** Page **19177** Approved **A** **July 14, 1941**
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 **Sept. 12, 1941**
Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before **Jan. 14, 1942**
The whole of said work to be completed on or before **July 14, 1942**
Beneficial use of water appropriated in accordance herewith, to be made on or before **July 14, 1943**

Witness my hand this 14th day of July, 1941.

E. V. BERG.
Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We **Chase A. Clark** Governor of the State of Idaho, and **Geo. H. Curtis**
Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and have
caused the Great Seal of the State of Idaho to be hereunto affixed, this **14th** day of **July** 19 **41**

Countersigned:

STATE OF IDAHO

(SEAL

By **GEO. H. CURTIS**

Secretary of State.

By

CHASE A. CLARK

Governor.

Remarks :

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4S	43 E	26					2												2
AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS.																			
I, EARL SIBBETT, of Gray, County of Bonneville, State of Idaho, do hereby certify that I am the lessee of the land on which the spring mentioned in the application of Cecil Sibbett is located, to-wit: SE1/4NW1/4, Sec. 23, Twp. 4 S, Rge. 43 E.B.M. and that I do hereby grant unto the said applicant permission to file on the said spring as set forth in the foregoing application.																			
EARL SIBBETT /s/																			
State of Idaho) Co. of Bonneville & Caribou) ss																			
On this 7th day of July, 1941, before me a Notary Public for the State of Idaho, residing at Soda Springs, personally appeared, Earl Sibbett, known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same.																			
Witness my hand and seal, the day and year in this certificate first above written.																			
D. K. MC LEAN /s/, Notary Public My commission expires Sept. 18, 1943.																			

PERMIT NO. 19177																			
APPLICATION FOR COMPLETION OF WORKS EXTENSION OF TIME																			
STATE OF IDAHO) COUNTY OF CARIBOU)																			
CECIL SIBBETT, of Gray, State of Idaho, being first duly sworn, upon his oath deposes and says: That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 19177																			

Under the terms and conditions of said permit, construction work thereunder was required to be completed by July 14, 1942. That he has heretofore performed the following work described under said permit. Have secured the pipe but am unable to get help and machinery to go on with the work costing \$ _____. That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit: Have secured the pipe but I am unable to get help and machinery to go with the work. WHEREFORE, HE asks that the Commissioner of Reclamation extend the time for the completion of works under said permit to July 14, 1944.

CECIL SIBBETT /s/

(SEAL)

Subscribed and sworn to before me this 2nd day of July, 1942. COLIN CHESTER, /s/ Clerk of District Court.
My Commission Expires
Date of Receipt at office of Department of Reclamation July 3, 1942

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, E. V. BERG, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 19177 to July 14, 1944.

Witness my hand this 7th day of July, 1942.

E. V. BERG /s/ Commissioner of Reclamation

APPLICATION FOR AMENDMENT

TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, No. 19177

Comes now CECIL SIBBETT, of Gray, Idaho, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 19177, and requests that the list of lands to be irrigated, as described in said Permit be changed to read as follows:

The point of use is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 4 South, Range 43 East, B. M.
in Bonneville County, Idaho- making a total of two acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Soda Springs, Ida., this 22nd day of September, 1944.

CECIL SIBBETT

S. T. Franklin
Witness

Date of receipt at Office of Department of Reclamation Sept, 25, 1944.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 19177. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer.

PERMIT NO. 19177
CERTIFICATE OF COMPLETION OF WORKS

To All Whom it May Concern:

This is to certify that CECIL SIBBETT, of Gray, County of Bonneville, and State of Idaho, the holder of Permit No. 19177, issued upon Application No. 26641, bearing date of priority of July 8, 1941, authorizing the diversion of 0.025 second foot of the waters of unnamed springs, County of Bonneville, State of Idaho, for domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.025 second foot of the waters of said unnamed springs; that the point of diversion of said waters is located 3865 feet Southwest from the Northeast corner of Section 23, Township 4 South, Range 43 East, B. M., and in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 23, Township 4 South, Range 43 East, B. M.; and that the point of use of said water is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 4 South, Range 43 East, B. M.

Witness my hand this 28th day of September, A. D. 1944.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made June 19, 1944
Certificate of completion of works issued September 28, 1944

APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

NO. 19177

Comes now CECIL SIBBETT, of Gray, Idaho, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 19177, and requests that the list of lands upon which domestic water is to be used, as described in said Permit, be changed to read as follows:

Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 26,
Township 4 South, Range 43 East, B. M., in Bonneville County, Idaho

Making a total of Forty (40) acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Soda Springs, Idaho, this 11th day of June, 1945.

CECIL SIBBETT

(SEAL) S. F. Thatcher
Notary Public
Witness

Date of receipt at Office of Department of Reclamation- 3:30 P. M. June 12, 1945.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 19177. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers, and of which it now becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

AFFIDAVIT FOR CHANGE OF POINT OF DIVERSION OF WATER RIGHT
PERMIT NO. 19177

STATE OF IDAHO)
COUNTY OF CARIBOU) ss.

CECIL SIBBETT, being first duly sworn, deposes and says: That his postoffice address is Gray, Idaho. That he is the owner of and using a certain water right for 0.025 cubic feet per second of the water of unnamed springs in the County of Bonneville, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 19177, issued by the Department of Reclamation, dated July 14, 1941, bearing date of priority of July 8, 1941, for the purpose of domestic use on the following described lands, situate, lying and being in Water District No. 1 in the County of Bonneville, and State of Idaho, to-wit: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, Twp. 4 South, Range 43 East, B.M., and is the person to whom such right was so issued.

That said waters are now described as being diverted from said stream in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23, Twp. 4 S., Range 43 E., and conducted to the above described lands through a pipe line, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said waters from the point above described to a point located in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 23, Twp. 4 S., Range 43 E., and thereafter conduct same to the above described land through the pipe line as per map above referred to;

That his reasons for desiring to make such change are as follows: The point of diversion was erroneously described in the original application, and has always been diverted from the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 23, Twp. 4 S., Range 43 E., B.M.

That no one will be injured by such change and that such change will be made at affiant's own risk.

CECIL SIBBETT

Subscribed and sworn to before me this 26th day of July, 1945.

(SEAL) S. E. Matthews
Notary Public for Idaho
Residing at Soda Springs, Idaho

Date of receipt at Office of Department of Reclamation- July 26, 1945.

LICENSE NUMBER FOR 0.025 SEC. FT.
p.4293

WATER RIGHT NUMBER 25-2165

OWNER LAST NAME - SIBBETT

FIRST NAME - CECIL

GRIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - GRAY

STATE - ID ZIP CODE -

SOURCE - UNNAMED SPRING

TRIBUTARY OF - SINKS

STAGE - LICENSE

STATUS -

PRIORITY - 07-03-1941 COUNTY - BONNEVILLE TOTAL DIV. RATE -

.0200 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. - 01 DLE/CAREY ACT - RIGHT BASIS - C

DIVERSION POINT - SENE 23 04S 43E LOT 00 REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

SENE 23 04S 43E LOT REDIV -

272.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 4.5

FROM - 00-00 TO - 00-00 USE - DOMESTIC

USE DIV. RATE - .0200 CFS USE DIV. VOLUME -

.00 AFA

USE - DOMESTIC

PLACE OF USE - T4N 04S R4G 43E SEC 26 TRACT NENE LOT AC

DATE -

TOTAL ACRES 0

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 19177

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

281 071183V

May 4, 1946

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We enclose herewith License and Certificate of Water Right issued under the above numbered permit, confirming your right to the use of 0.025 of a second foot of water from unnamed springs in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, Township 4 South, Range 43 East, B.M., Bonneville County, for domestic use on the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, same township and range, with date of priority of July 8, 1941.

We also enclose Departmental Receipt # 19422 for the \$5.00 fee in connection with beneficial use proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19177

Shay Ida
April 28 - 46

Department of Reclamation.

Dear Sir.

Permit no. 19177.

I am enclosing \$5.00 for
Water License.

Yours Truly
Beril. Subbott
Shay. Ida.



19177

✓
April 25, 1946

Re: Permit No. 19177

Mr. Cecil Sibbett,
Gray, Idaho

Dear Mr. Sibbett:

We now have on file the report of our
Field Engineer on examination for bene-
ficial use under the above numbered per-
mit.

Therefore, upon receipt of the statutory
fee of \$5.00, a license will be issued you
for 0.025 cubic foot per second of water
from unnamed springs in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section
23, Township 4 South, Range 43 East, B.M.
for domestic use.

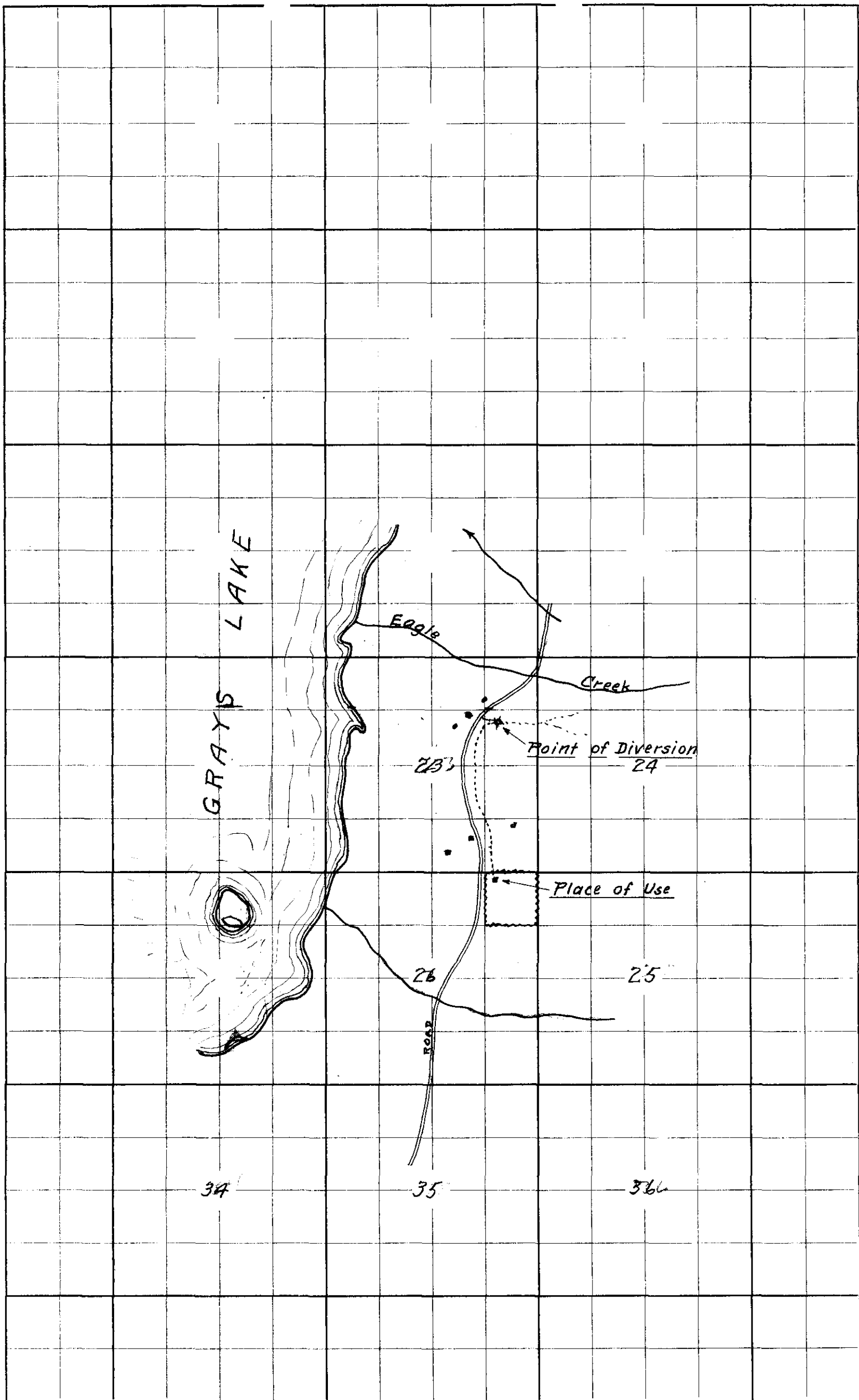
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

19177



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19177

REPORT ON PROOF OF Beneficial use

107.67

67

per 100

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19177

This proof is for Beneficial use In Water District No.

1. Name of applicant Cecil Sibbett, Gray, Idaho
2. Source of water supply: Unnamed springs
3. Location of point of diversion: Is in the SE¹₄ NE¹₄ of Section 23
T. 4 S. R. 43 E. County of Bonneville
4. Describe works as they exist, giving dimensions and capacities of same: Diversion works consist of an intake box 6 feet long, 4 feet wide, and 2 feet deep; A wire strainer and a pipe line of galvanised iron 4000 feet long and of diameters reducing from 4 inches to 3/4 inch.
Use is from three hydrants.
5. Water is used for: Domestic purposes
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): Domestic use at dwelling in NE¹₄ NE¹₄ Section 26, Twp. 4 S., Range 43 E., B.M.

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

8. What large stream would the water here appropriated finally reach? None

Remarks:

This examination was made on the 18th. day of October, 1945.

(Signed)

A. J. Johnson
Examiner.

Cecil Sibbett

Gray, Idaho

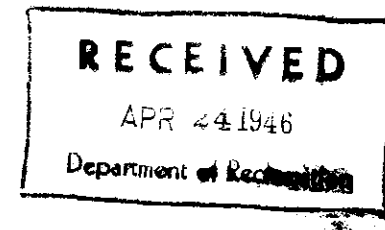
Permit No. 19177

Examination for Beneficial use

County Bonneville

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.
-
-



✓
July 31, 1945

Re: Permit No. 19177.

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We acknowledge receipt of your affidavit for change of point of diversion, under the above numbered permit, which has been duly recorded.

With these changes, your depositions in proof of beneficial use have been approved and filed.

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

We cannot say just when this examination will be made, since this department has but one field engineer, who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this department, will try and contact you at the time set for examination, so that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

19177



CHARLES C. GOSSETT
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

July 23, 1945

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We are in receipt of your reply of July 21st to office letter addressed you on July 18th in regard to point of diversion under your Permit No. 19177.

Since the correct point of diversion is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, Twp. 4 S., Range 43 E., B.M., and not the SE $\frac{1}{4}$ NW $\frac{1}{4}$ as described in your original application and sketch map, it will be necessary to correct this error by an affidavit for change of point of diversion.

We have partially made this out on the form enclosed, which you may complete and return to this department for record.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By *Jeannie L. Anderson*
Chief Clerk

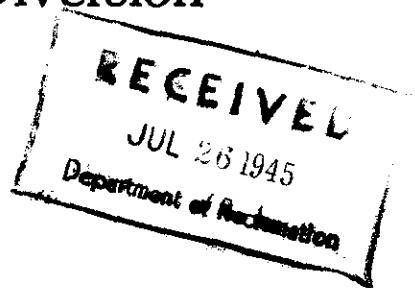
A
Encl.

*Executed
Affidavit
Herewith
THANKS
7-26-45*

19177

Affidavit for Change of Point of Diversion of Water Right

Permit No. 19177



STATE OF IDAHO,

County of Caribou }

ss.

CECIL SIBBETT, being first duly sworn, deposes and says: That his postoffice address is Gray, Idaho. That he is the owner of and using a certain water right, for 0.025 cubic feet per second of the water of unnamed springs in the County of Bonneville, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 19177, issued by the Department of Reclamation, dated July 14, 1941, bearing date of priority of July 8, 1941, for the purpose of ^{DOMESTIC USE ON} ~~irrigating~~ the following described lands, situate, lying and being in Water District No. _____, in the County of Bonneville and State of Idaho, to-wit: NE 1/4 NE 1/4 Section 26, Twp. 4 South, Range 43 East, B.M.

and is the person (~~or representative of the person or persons~~) to whom such right was so issued, (~~or has become the owner thereof in the following manner:~~)

~~described as being~~
That said waters are now diverted from said stream in the SE 1/4 of NW 1/4 of Sec. 23, Twp. 4 S., Range 43 E., and conducted to the above described lands through the pipe line ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said waters from the point above described to a point located in SE 1/4 of NE 1/4 of Sec. 23, Twp. 4 S., Range 43 E., and thereafter conduct same to the above described land through the pipe line ditch, as per map above referred to;

That his reasons for desiring to make such change are as follows: The point of diversion was erroneously described in the original application, and has always been diverted from the SE 1/4 NE 1/4 of said Section 23, Twp. 4 S., Range 43 E., B.M.

That no one will be injured by such change and that such change will be made at affiant's own risk.

Cecil Sibbett
Affiant.

Subscribed and sworn to before me this 26th day of July, 1945

S. S. Andrews
Notary Public for Idaho

Residing at SODA SPRINGS, IDAHO

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

19177

FORM No. 0

Twp. 4 S., R 43 E, B2

23

5/19/68

PLACE
OF USE

26

19177



CHARLES C. GOSSETT
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

July 18, 1945

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We acknowledge receipt, from Mr. S. E. Matthews, Notary Public, of the depositions of yourself and two witnesses, also affidavit of publication from the Idaho Commoner, all in connection with beneficial use proof under the above numbered permit.

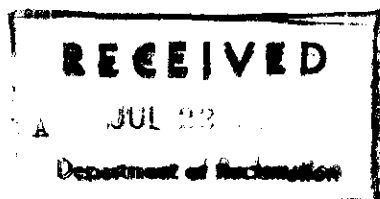
However, all of these depositions describe the point of diversion as being in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 4 South, Range 43 East, B.M., whereas the permit, and the sketch map accompanying same show it in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of the section.

Please advise if this is a typographical error in the depositions, or if the point of diversion has been changed. If an error, we can correct same, with your authorization to do so. If there has been a change, it will be necessary for you to file an application for such change- proper form for which we can send you.

Please let us know about this at your early convenience.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By *Jeannie L. Anderson*
Chief Clerk



Soda Springs, Idaho. July 21, 1945.
GENTLEMEN:
A typographic error occurred in my Permit; the true and correct description of the original (and only) point of diversion is properly described in my proof and in the testimony of my two witnesses. Please correct where necessary. Yours respectfully,
Cecil Sibbett

Correct
Cecil Sibbett

Has never been changed at any time
Cecil Sibbett

19177

✓
July 18, 1945

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We acknowledge receipt, from Mr. S. E. Matthews, Notary Public, of the depositions of yourself and two witnesses, also affidavit of publication from the Idaho Commoner, all in connection with beneficial use proof under the above numbered permit.

However, all of these depositions describe the point of diversion as being in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 4 South, Range 43 East, B.M., whereas the permit, and the sketch map accompanying same show it in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of the section.

Please advise if this is a typographical error in the depositions, or if the point of diversion has been changed. If an error, we can correct same, with your authorization to do so. If there has been a change, it will be necessary for you to file an application for such change- proper form for which we can send you.

Please let us know about this at your early convenience.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19177

S. E. MATTHEWS FINANCIAL
AGENCY

SOUTHEASTERN IDAHO FARM SALES AND RENTALS

OPERATING ALSO

CARIBOU COUNTY ABSTRACT CO.

BONDED ABSTRACTERS

SODA SPRINGS, IDAHO

INSURANCE
INVESTMENTS
ABSTRACTSMTG. LOANS
LAND PLATS
NOTARY PUBLIC

July 15th, 1945.

State of Idaho,
Department of Reclamation,
BOISE, IDAHO.

Gentlemen:-

Re: Permit No. 19177 -- Cecil Sibbett -- PROFF OF
BENEFICIAL USE

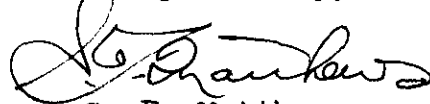
Herewith we hand you:

- (a) Proof (Affidavit) of Publication--Idaho Commoner
- (b) Proof of Application of Water to Beneficial Use -- Deposition of Holder
- (c) Proof of Application of Water to Beneficial Use -- Deposition of Witness
(A. Lindstrom, Jr.)
- (d) Proof of Application of Water to Beneficial Use -- Deposition of Witness
(L. F. Neff)

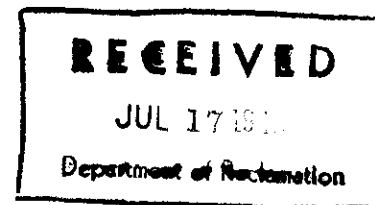
The above depositions and proof was made on July 14th, 1945 in my
Notary Public Office in Soda Springs, Idaho.

No one appeared to contest or protest the proof.

Yours respectfully,

S. E. Matthews
Notary Public
Soda Springs
Idaho.

Encs. as above.



19177

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19177

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Cecil Sibbett, of Gray, Idaho, a farmer. (P.O. Address: Gray, Idaho)

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

Ans. I am an individual.

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

Ans. No. 19177, dated by Approval of Commissioner of Reclamation July, 14, 1941.
Date of priority July 8, 1941.

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

Ans. Unnamed Spring, in the SE $\frac{1}{4}$ -NE $\frac{1}{4}$ of Sec. 23, T. 4 S., R. 43 E., B.M., in Bonneville County, Idaho. Diversion Point in the Northwest Corner of said SE $\frac{1}{4}$ -NE $\frac{1}{4}$ of said Section 23, Twp., & Range aforesaid.

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. Frame Box 4'x6' and 2' high; at the bottom of which box my 3" (starting) pipe has been inserted; 3" pipe for 60'; 300' of 1" pipe; 3600' of 3/4" pipe which reaches place of use. This pipe line is known as "The Private Pipe Line of Cecil Sibbett" and conducts 0.025 cubic feet per second of water to the place of domestic use. This pipe line is in its original location and it has never been changed or altered as to its course or pipe sizes.

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

Ans. Water is used for domestic purposes at my dwelling in the NE $\frac{1}{4}$ -NE $\frac{1}{4}$ of Sec. 26, Twp. 4 South, Range 43 E., B. M., in Bonneville County, Idaho and produces a constant (steady) flow the year around.

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

Ans. Water is used for domestic purposes at my farm residence.

19177

Permit

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 0.025 cubic feet per second.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.
Ans. I am the individual owner.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. Commenced using water July 8, 1941 to the full amount of 0.025 cubic feet persecond. Full pipe line was not installed until 1943.

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 water has been diverted from said unnamed springs.

(Sign) Bevil Libbett

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Soda Springs, County of Caribou, State of Idaho, on this 14th day of July, A. D. 1945.

St. Lawrence
Notary Public.

My commission expires Aug. 1st, 1948.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19177

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. L. F. Neff, age 47, residence Gray, Idaho, occupation ranching,
Post office address Gray, Idaho.

Ques. 2. Are you acquainted with Cecil Sibbett, the
holder of Permit No. 19177? How long have you known him and where does he reside?

Ans. I have known him for 20 years and he resides at Gray, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19177, and are you familiar
with its provisions and conditions?

Ans. Yes

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

Ans. Source an unnamed spring, diverted in SE $\frac{1}{4}$ -NE $\frac{1}{4}$ of Sec. 23, T. 4 S.,
R. 43 E., B.M. Water is conveyed through a metal pipe line from the
diversion point to place of use. This is the original pipe line as
originally installed by Cecil Sibbett and at no time has its course
been altered or changed.

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

Ans. 0.025 cubic feet per second is my estimate and same can safely
be conducted to the place of use and I have seen same so conveyed.

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. It is used at the residence of Cecil Sibbett on land owned by
him for domestic purposes; its first place of use is inside the said
residence of said Cecil Sibbett.

19177

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

Ans. It is used for domestic purposes as previously described
herein.

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. Used for domestic purposes.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No interest in said water of any kind, lands or works.

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 visited this water system on an average of twice a week
since its installation; on these occasions I have seen it in operation
and drank water therefrom.

(Signed) L. J. Neff

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Soda Springs, County of Caribou, State of Idaho, on this 14th day of July, A. D. 19 45.

L. S. Shanks

Notary Public.

My commission expires Aug. 1st, 1948.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19177

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. A. Lindstrom, Jr., age 25, residence Gray, Idaho, occupation a farmer, postoffice address, Gray, Idaho.

Ques. 2. Are you acquainted with Cecil Sibbett, the holder of Permit No. 19177? How long have you known him and where does he reside?

Ans. I have known him for 15 years and he resides at Gray, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19177, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Source an unnamed spring, diverted in SE $\frac{1}{4}$ -NE $\frac{1}{4}$ of Sec. 23, T. 4 S., R. 43 E., B. M. Water is conveyed through a metal pipe line from the diversion point to place of use. This is the original pipe line as originally installed by Cecil Sibbett and at no time has its course been altered or changed.

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

Ans. 0.025 cubic feet per second is my estimate and same can safely be conducted to the place of use and I have seen it so conveyed.

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. It is used at the residence of Cecil Sibbett on land owned by him, it is used for domestic purposes; its first place of use is inside the residence of the said Cecil Sibbett.

19177

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

Ans. The water is used for domestic purposes as previously described herein.

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. Water is used for domestic purposes.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in the land, the water or the water works.

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 visited this water system on an average of once a week since its installation and on each of such occasions I have either seen the system in operation or drank water therefrom, or both.

(Signed) G. Lindstrom Jr.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Soda Springs, County of Caribou, State of Idaho, on this 14th day of July, A. D. 19 45.

L. B. Shanks

Notary Public.

My commission expires Aug. 1st, 1948.

PROOF OF PUBLICATION

STATE OF IDAHO, } ss.
County of Bonneville, }

I, Shen High, first being duly sworn, depose and say that I am the Principal Clerk of the Idaho Commoner Corporation, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Idaho Commoner, a legal newspaper of general circulation, published weekly, at Idaho Falls, Idaho; said The Idaho Commoner having been published continuously and uninterruptedly for more than seventy-eight (78) weeks prior to the first publication of the notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in The Idaho Commoner for Four consecutive weeks, first publication having been made on the Eighth day of June, 1945, last publication having been made on the Twenty-ninth day of June, 1945, and that notice was published in regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

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

Notice is hereby given that at 2:00 p. m. on the 14th day of July, 1945, at Soda Springs, county of Caribou, state of Idaho, before S. E. Matthews, a notary public, proof will be submitted of the application to beneficial use of 0.025 cubic feet per second of the waters of unnamed springs in accordance with the terms and conditions of permit No. 19177 heretofore issued by the state reclamation engineer of the state of Idaho.

The name and postoffice address of the person holding said permit is Cecil Sibbett, Gray, county of Bonneville, state of Idaho.

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

The amount applied to beneficial use is 0.025 cubic feet per second.

The place where said water is used is at the residence of Cecil Sibbett in the NE¼ NE¼ of section 26, township 4 south, range 43 east, B. M., in Bonneville county, state of Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is "The Private Pipe Line of Cecil Sibbett."

The right to take water from such works is based upon permit No. 19177.

The source of supply from which such water is diverted is unnamed springs in section 23, township 4 S., R. 43 east, B.

Subscribed and sworn to before me, this Thirtieth

day of June, 1945

Alice Hunter

Notary Public.

My Commission Expires

4-12, 1948

Statement to
said Pub. Co.
Shen High

State of Idaho

DEPARTMENT OF RECLAMATION BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, July 3, 1945

Re: Permit No. 19177
Cecil Sibbett

Mr. S. E. Matthews
Notary Public
Soda Springs, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19177

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On July 14, 1945, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Soda Springs, Idaho before S. E. Matthews, Notary Public

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

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

Yours truly,

MARK A. KULP

Commissioner of Reclamation
State Reclamation Engineer

19177

June 21, 1945

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We acknowledge receipt of your application for amendment to the above numbered permit, so as to describe the land upon which the water is used as the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, Township 4 South, Range 43 East, B.M.- which has been duly approved and recorded.

We are not sure whether we sent the forms of deposition required in making beneficial use proof to the Notary Public, Mr. S. E. Matthews, at Soda Springs- which proof was advertised to be made on June 14th. We enclose the necessary forms herewith, which are to be executed before him by yourself and two disinterested witnesses, who are familiar with the terms of your permit, and the works constructed thereunder.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19177

Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. 19177

State Reclamation

Comes now Cecil Sibbett of Gray, Idaho, and represents to the ~~Commissioner~~
 Engineer
 of Reclamation of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 19177, upon which domestic water is to be used, and requests that the list of lands ~~appropriated~~ as described in said permit, be changed to read as follows:

Northeast quarter of the Northeast quarter (NE $\frac{1}{4}$ -NE $\frac{1}{4}$) of Section 26,
Township 4 South, Range 43 E., R. M., in Bonneville County, Idaho

making a total of Forty (40) acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Soda Springs, this 11th day of June, 19 45
Idaho

S. J. Chambers
Notary Public
Idaho

Cecil Sibbett

Date of receipt at Office of Department of Reclamation 3:30 P.M. June 12 - 1945

State Reclamation Engineer
 APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

I, Mark R. Kulp, State Reclamation Engineer
~~Commissioner of Reclamation~~ of the State of Idaho, hereby approve
 the above and foregoing application for amendment to Permit to appropriate the Public Waters of
 the State of Idaho, No. 19177. This approval constitutes a new permit and is issued as an
 amendment to the original permit, to which it refers, and of which it becomes a part, and said applica-
 tion is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R. Kulp
 Commissioner of Reclamation.
 State Reclamation Engineer

(Over)

19177

Effective April 10, 1911

Department of Reclamation

REGULATIONS AS TO AMENDED APPLICATION AND PERMIT.

Section 3255 of the Revised Codes, provides for the amendment of a permit as to lands upon which the water is to be used. The permit holder, to avail himself of the provisions of this section, should fill out and file with the Commissioner of Reclamation the application blank found upon the reverse side of the sheet. If there is not sufficient room in such blank for the legal description of the amended list of lands, this may be submitted as an exhibit, proper reference thereto being made in the application.

Before amended permit will be granted applicant must file with the application two maps, showing the following details:

- (a) Name of applicant.
- (b) Section, town and range numbers, where public survey has been made.
- (c) Source or sources of supply.
- (d) Point or points of diversion.
- (e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract of the lands to be irrigated.
- (f) Lands to be irrigated to be shown by cross-hatching, outlining, or coloring.

If original permit called for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me.....
19..... and correctly shows position of points indicated thereon.

.....
Engineer.

P. O.

Date.....19.....

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: June 4, 1945

Re: Permit No. 19177

The Idaho Commoner

Idaho Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 14, 1945, the date set for proof, the expense of the publication to be paid by the applicant; Cecil Sibbett of Gray, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

19177

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

Notice is hereby given that at **2:00 P.M.** on the **14th** day of **July**, 19 **45**
at **Soda Springs**, County of **Caribou**, State of Idaho, before
S. E. Matthews, a Notary Public, proof will be submitted of the
application to beneficial use of **0.025** cubic feet per second of the waters of **unnamed springs**
in accordance with the terms and conditions of Permit No. **19177**
heretofore issued by the **State Reclamation Engineer** of the State of Idaho.

The name and postoffice address of the person ~~or corporation~~ holding said permit are

Cecil Sibbett, Gray, County of Bonneville, State of Idaho.

The use to which said water has been applied is **Domestic use.**

The amount applied to beneficial use is **0.025 cubic feet per second.**

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) **is at the residence of Cecil Sibbett in the NE $\frac{1}{4}$ -NE $\frac{1}{4}$ of**
Section 26, Township 4 South, Range 43 East, B. M., in Bonneville
County, State of Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is **"The Private Pipe Line of Cecil Sibbett."**

The right to take water from such works is based upon Permit No. **19177**

The source of supply from which such water is diverted is **unnamed springs in Section**
23, Twp. 4 S., R. 43 East, B. M., Bonneville County, Idaho.

The date of priority which said user is prepared to establish is **July 8, 1941.**

MARK R. KULP

State Reclamation Engineer.

19177

✓
June 4, 1945

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We are in receipt of your reply to our letter of May 25th, advising that the correct description of your land is the NE¹ NE¹ Section 26, Township 4 South, Range 43 East, and not the NE¹ NW¹ of this section, as described in your original application and permit.

It will be necessary, therefore, for you to file an application for amendment to the permit, on the form enclosed, so that it may be duly recorded in this department.

Meanwhile, we have sent the notice of beneficial use proof to the Idaho Commissioner, of Idaho Falls, with instructions to publish it once a week for four consecutive weeks prior to July 14th, the date set for proof.

About ten days prior to that date, we shall send to Mr. C. E. Matthews, Notary Public, depositions for yourself and two witnesses, so that he may have them in ample time for the proof.

On the date set you should appear at his office, with two disinterested witnesses, who are familiar with the terms of your permit, and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By
Chief Clerk

A
Encl.

19177



CHARLES C. GOSSETT
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

May 25, 1945

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We acknowledge receipt of duplicate notice of beneficial use proof to be made under the above numbered permit on July 14th, 1945, and your authorization to have same published in the Idaho Commoner.

However, we notice that you describe the place of use, which is your residence, as being in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, whereas the permit, and also the plat accompanying same, show it in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of this section.

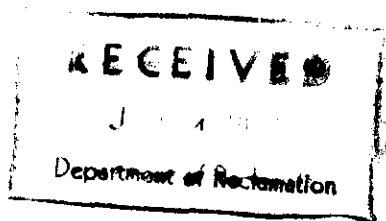
Please advise which is the correct description, as it is important to have the place of use correctly described in the published notice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By *Jeanne L. Anderson*
Chief Clerk

A



Dear Sir:
The NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26 is correct.

19177

Yours Truly
Cecil Sibbett
Gray, Idaho

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 17th, 1945

(P. O.) Gray, Idaho

STATE RECLAMATION ENGINEER;
TO THE ~~COMMISSIONER OF RECLAMATION~~:

Boise, Idaho.

Dear Sir:

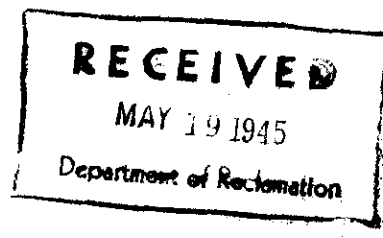
You are hereby authorized to have the attached notice published at my expense in the
Idaho Commoner of Idaho Falls, Idaho, published in
the county in which the works are situated.

Cecil Libbitt

(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.



S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

May 2, 1945

Mr. Cecil Sibbett

Gray, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 19177. This should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make proof, in order to allow time for the four weeks' publication required by law.

The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is July 14, 1945 and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

19177

✓
September 28, 1944

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We enclose herewith Certificate of Completion of Works issued under the above numbered permit to appropriate 0.025 second foot of water from unnamed springs in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Township 4 South, Range 43 East, B. M., Bonneville County, for domestic purposes.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19177

Application for Amendment
To Permit to Appropriate the Public Waters
of the State of Idaho, No. 19177

Comes now Cecil Sibbett of Gray, Idaho, and represents to the State
 Engineer Commissioner
 of Reclamation of the State of Idaho.

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of
 Idaho, No. 19177, and requests that the list of lands to be irrigated, as described in said per-
 mit, be changed to read as follows:

The point of use is in the NE $\frac{1}{4}$ -NE $\frac{1}{4}$ of Section 26, Township 4 South,
 Range 43 E., R. M., in Bonneville County, Idaho

making a total of two acres.

That an additional amount of water is not asked for, and that the rights of others will not be ad-
 versely affected by such change.

Signed at Soda Springs, Idaho, this 22nd day of September, 1944

S. B. Gaudin
 Witness.

Cecil Sibbett

Date of receipt at Office of Department of Reclamation Sept. 25, 1944

STATE RECLAMATION ENGINEER
 APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

I, Mark R. Kulp, State Reclamation Engineer
 Commissioner of Reclamation of the State of Idaho, hereby approve
 the above and foregoing application for amendment to Permit to Appropriate the Public Waters of
 the State of Idaho, No. 19177. This approval constitutes a new permit and is issued as an
 amendment to the original permit, to which it refers, and of which it becomes a part, and said applica-
 tion is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R. Kulp
 Commissioner of Reclamation
 State Reclamation Engineer

(Over)

19177

Effective April 10, 1911

Department of Reclamation

REGULATIONS AS TO AMENDED APPLICATION AND PERMIT.

Section 3255 of the Revised Codes, provides for the amendment of a permit as to lands upon which the water is to be used. The permit holder, to avail himself of the provisions of this section, should fill out and file with the Commissioner of Reclamation the application blank found upon the reverse side of the sheet. If there is not sufficient room in such blank for the legal description of the amended list of lands, this may be submitted as an exhibit, proper reference thereto being made in the application.

Before amended permit will be granted applicant must file with the application two maps, showing the following details:

- (a) Name of applicant.
- (b) Section, town and range numbers, where public survey has been made.
- (c) Source or sources of supply.
- (d) Point or points of diversion.
- (e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract of the lands to be irrigated.
- (f) Lands to be irrigated to be shown by cross-hatching, outlining, or coloring.

If original permit called for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me.....
19..... and correctly shows position of points indicated thereon.

.....
Engineer.

P. O.

Date.....19.....

September 7, 1944

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We have received no reply to office letter addressed to you on July 19th, in which we enclosed an application for amendment to the list of lands to be irrigated under the above numbered permit, so as to include the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, Twp. 4 South, Range 43 East, B.M., instead of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of this section as described in the original permit.

In order for this Department to approve your proof of completion of works, and issue a certificate of completion of works, it will be necessary for this amendment application to be returned and placed on record.

Please give this matter your early attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

19177

July 19, 1944

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We acknowledge receipt of your reply to office letter addressed you on July 10th, and note your statement that the land to be irrigated with the water from the spring described in your Permit No. 19177 is located in the NE ¹/₄ NE ¹/₄ of Section 26, instead of in the NE ¹/₄ NW ¹/₄ of this section, as described in the permit and the sketch map which accompanied same.

It will, therefore, be necessary for you to file an application for amendment on the form enclosed; and with this please indicate on the enclosed plat the exact location of the land to be irrigated.

It is necessary to have the land properly described before the certificate of completion of works can be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19177



C. A. BOTTOLFSSEN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

July 10, 1944

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

This morning's mail brings us the return of your affidavit in proof of completion of works under the above numbered permit.

However, in this affidavit you describe the land on which the water is to be used as being in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, Twp. 4 S., Range 43 E., B.M., whereas your original application and the sketch map which accompanied same showed it in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of the section.

Please advise which is correct.

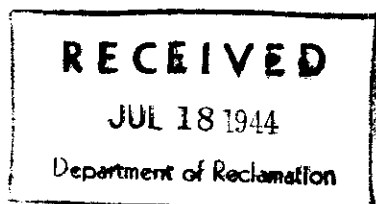
Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannette L. Anderson
Chief Clerk

A



Trans. Div.
The N.E. 1/4 N.E. 1/4 Section 26, Twp. 4 S., Range 43 E., B.M.
is correct.

19177

✓
July 10, 1944

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

This morning's mail brings us the return of your affidavit in proof of completion of works under the above numbered permit.

However, in this affidavit you describe the land on which the water is to be used as being in the NE¹₄ NE¹₄ Section 26, Twp. 4 S., Range 43 E., S.M., whereas your original application and the sketch map which accompanied same showed it in the NE¹₄ NW¹₄ of the section.

Please advise which is correct.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk



C. A. BOTTOLFSEN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

June 27, 1944

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We acknowledge receipt of affidavit in proof of completion of works under the above numbered permit; also your check for the \$5.00 fee, receipt for which is enclosed.

However, we are returning the affidavit for completion of the Eighth question, by filling in the legal description of the land on which the water is to be used.

Upon return of same, certificate of completion of works will be issued and sent you.

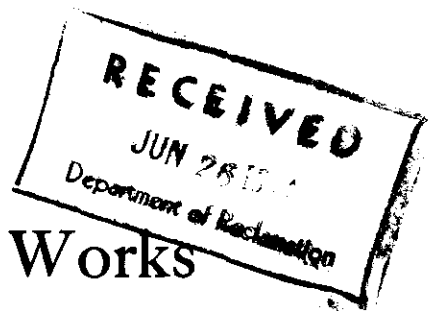
Very truly yours,

MARK R. KULP
State Reclamation Engineer

By *Jeannette L. Anderson*
Chief Clerk

A
Encl.

19177

Permit No. 19177STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO
County of Caribou, } ss.Cecil Sibbett of Gray, Idaho, 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. 19177, and that his postoffice address is Gray, IdahoState of IDAHOSecond: That the name of the stream from which said water is to be directed is Unnamed SpringsThird: That the point of diversion of said water is 3865 feet Southwest from the Northeast Corner of Sec. 23, T. 4 S., R. 43 E., B.M., and is in the SE $\frac{1}{4}$ -NW $\frac{1}{4}$ of said section, township and range aforesaid.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 14th 1942, which date was EXTENDED to the 14th day of July, 1944, by proper approval obtained on July 7th, 1942.Fifth: That the use for which said water is intended is Domestic purposes.Sixth: That on the date above mentioned, the works constructed under said permit were (67 1/2 ft/60 ft) fully completed and consisted of the following:1. Kind of works: Pipe line installed in proper shape, form and manner.
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work: _____

(a) Height of dam No feet, length of dam at top No feet, length of dam at bottom no feet. Material used in construction Three-fourths (3/4ths) miles of metal pipe graduated from 3" down to 3/4" in diameter.
(State whether wood, earth, stone or concrete.)(b) Capacity of reservoir No acre feet.(c) Size of headgate: Width No feet, height No feet.(d) Conduit 3" & 3/4" width at bottom No feet, width at water line No feet, depth of water No feet; diameter of pipe 3" & 3/4" inches, average grade per mile is 250 feet. Length of conduit is 3/4ths miles.
(State whether ditch, flume or pipe.)Seventh: That said works are capable of conducting to the place of intended use .025 cubic feet per second feet of water.Eighth: That water appropriated under said permit is available for Domestic use Acres of land described as follows: For Domestic Use on lands owned and controlled by the applicant, and in particular upon the NE $\frac{1}{4}$ -NE $\frac{1}{4}$ of Section 26, in Township 4 South of Range 43 East of the Boise Meridian, in Bonneville County, State of Idaho.Ninth: Remarks: That said pipe line system is working satisfactorily.Cecil Sibbett
(Sign here)Subscribed and sworn to before me this 19th day of June, 1944.My commission expires Aug. 2nd, 1944.

Notary Public.

19177
PR.
1944.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Cecil Sibbett

Boise, Idaho **May 1, 1944**

Gray, Idaho

Dear Sir:-

Under the terms of your permit No.---~~19177~~-----you are required to complete your diversion works on or before---~~July 14, 1944~~----- 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.

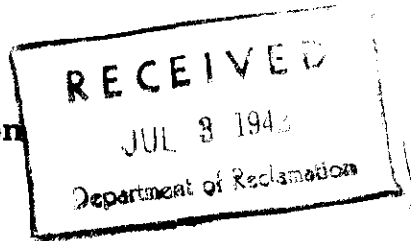
Yours truly,

MARK H. KULP

State Reclamation Engineer

19177

STATE OF IDAHO
Department of Reclamation



Permit No. 19177

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO
County of Caribou } ss

Cecil Sibbett, of Gray

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

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 19177

That, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by July 14, 1943, 19

That he has heretofore put to beneficial use 0.25 second feet of water and has irrigated 2 acres.

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

Cannot get help or machinery to go on with the work

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the making of proof of beneficial use under said permit to July 14, 1945, 19

Subscribed and sworn to before me this 2nd day of July, 1942

X Cecil Sibbett

Colin Hunter

Notary Public

My commission expires

Date of receipt at office of Department of Reclamation

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, E. V. Berg, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho, No. 19177, to

July 14, 1944, 19

Witness my hand this 7th day of July

19177

E. V. BERG
Commissioner of Reclamation.

19177
Permit No. 19177

Application for Extension of Time
FOR COMPLETION OF WORKS

RECEIVED

JUL 3 1942

Department of Reclamation

Cecil Sibbett, of Gray

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

He is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 19177

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by July 14, 1942, 19

That he has heretofore performed the following work described under said permit

Have secured the pipe but am unable to get help and machinery
to go on with the work

costing \$

That he is unable to complete the remainder of the work within the required time, for the fol-
lowing reasons, to-wit:

Have secured the pipe but I am unable to get help and machinery
to go with the work.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the comple-
tion of works under said permit to July 14, 1944, 19

X Cecil Sibbett

Subscribed and sworn to before me this 2nd day of July, 1942.

X

Colin Chester

Clerk of District Court
Notary Public.

My commission expires

Date of receipt at office of Department of Reclamation

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, E.V. Berg, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the com-
pletion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 19177 to

July 14, 1944, 19

Witness my hand this 7th, day of July, 1942

1942

19177
Commissioner of Reclamation.

June 24, 1942

Re: 19177

Mr. Franklin Sant
Farm Security Administration
Soda Springs, Idaho

Dear Mr. Sant:

Cecil Sibbett, Gray, Idaho.

We are enclosing completion of works and beneficial use
proof forms to be signed by Mr. Sibbett before a Notary Public
and returned to this office. Please fill-in the questions that
are checked.

Very truly yours,
E. V. BERG
Commissioner of Reclamation

BY: Chief Clerk.

ml
encl.

19177

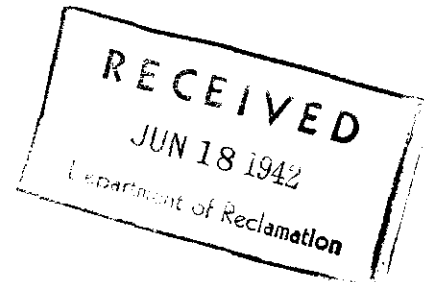
UNITED STATES DEPARTMENT OF AGRICULTURE
FARM SECURITY ADMINISTRATION

Soda Springs, Idaho
June 17, 1942

IN REPLY REFER TO

FS

C. W. 7-14-42 - 44
B. U. 7-14-43 - 45



State of Idaho
Department of Reclamation
Boise, Idaho

Subject: Cecil Sibbett
Gray, Idaho
Permit #19177

Gentlemen:

Due to the difficulty in securing adequate material and supplies and right-away, Cecil Sibbett has requested that this office write to you for a two year extension, during which time he may complete the work on the spring which he has filed upon.

Mr. Sibbett has applied to this office for financial assistance and as soon as the right-away problem and material and supplies are adequate, we expect to be able to make the necessary loan.

Please notify Mr. Sibbett and send a carbon copy to this office, if such an extension of time is possible.

Sincerely yours,

Franklin Sant
Franklin Sant
County RR Supervisor

FS:L

19177

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

May 18, 1942

Per: 19177
Cecil Gibbett
May, Idaho

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. 19177..... you are required to complete your diversion works on or before July 14, 1942..... 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,

E. V. BERG
Commissioner of Reclamation.

19177

December 2, 1941

Re: 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We are returning herewith permit and letters which accompanied your letter of Nov. 24th.

The affidavit for permission to file on spring signed by the leasee of said land upon which the spring is located, together with a copy of letter addressed to Mr. Franklin Bent, County R. H. Supervisor, signed by Mr. C. L. Graves, Superintendent, Fort Hall Indian Agency, stating that no objection was had to Cecil Sibbett using water from said spring for domestic purposes. Also a statement signed by Clarence H. Muir giving the applicant authority to install and maintain pipe line through said property.

In view of the foregoing evidence and the fact that this department was furnished an affidavit giving the applicant permission to file and use the water from said spring, this department rules that the protest of Clarence H. Muir be denied on account of insufficient evidence to warrant this department to hold a hearing on same. Therefore, your permit is returned to you without any restrictions by this Department as to its validity.

Very truly yours,
A. V. BERG.
Commissioner of Reclamation.

BY: ROY W. THOMPSON.
Deputy Commissioner.

RWT:ml.
encl.

19177

Gray, Ida.

Nov 24, 1947

Reclamation Service

Dear Sir.

I am enclosing all ~~the~~ ^{which} papers ~~with~~ I think you'll need to clear this matter up.

I am enclosing a map showing Reclamation ground and mine also.

Earl Sibbett has this ground leased at the present time where the spring is located.

Mine do not live on this place which I have marked on map as there are no dwellings.

This spring has never had

NOV 29 1941
Department of Reclamation

19177

and developing of no kind
and is not a tributary of
~~any~~ ^{any} stream.

Please return those papers
when you have looked
them over.

I am enclosing a self
addressed envelope for their
return.

Waiting your reply

Yours Truly.

Cecil Libbitt

Gray, Ida

P.S. Clarence & Muir has a
dedded Water right for this
place out of Eagle Creek.

1917

November 14, 1941

Re: Permit No. 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

We wish to acknowledge receipt of your letter of November 9, regarding water permit No. 19177.

In your letter you state that your permit includes the affidavit signed by the owner of land upon which the spring is located, giving permission for Cecil Sibbett to file on same.

If this said affidavit was on or attached to the permit, our recording clerk failed to record same on the records of this Department. If this is the case, we are very sorry the error was made.

You are probably anxious to get this matter straightened out. Therefore, we would suggest that you furnish us proof as shown by the affidavit, also a statement or affidavit from Mr. C. L. Graves, Superintendent of Indian Affairs, granting permission to file on said spring. It may be that you could make some kind of a settlement with Clarence H. Muir, thereby avoiding a hearing by this Department.

We are sorry to have all this trouble and hope that you can get everything straightened out satisfactorily.

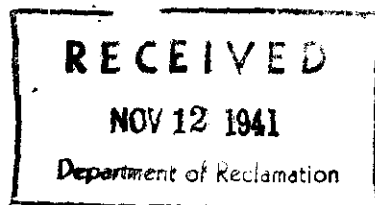
Very truly yours,

E. V. BERG
Commissioner of Reclamation

RWT:
DBJ

By: ROY W. THOMPSON
Deputy Commissioner

19177



Gray Idaho

Nov 9 - 1941

Mr C. V. Berg

Commissioner of Reclamation

Dear Sir

I received your letter yesterday in regard to permit 19177.

This spring is located on land that Earl Sibbett has leased from the Indian Reclamation service he is paying a cash lease so this information should be easily checked. We are unable to get in touch with Mr Sibbett at present but an affidavit of permission to file on this spring was signed by 19177 Earl Sibbett before a Notary - Republic and sent to you

With our application for filing
and Or by Mr Berg.

We have applied for
a loan through the Farm
Security Admin. To pipe this spring
and it was necessary for us to send
in to them the filing proofs to show
we had a right to pipe the water
but if it is necessary I will have the
papers returned immediately and
I will send you the affidavit
of permission to file on spring that
Earl Sebbeth signed.

The pipe line has been surveyed
and some of the trench dug
a part of this pipe line will go through
Mr Jones property but the farm security
has in their possession a written
statement signed by Clarence Davis ¹⁹¹⁷
giving Mr permission to run

a pipe line through his land.

I will be glad to furnish you
with all information possible
to clear up the situation as
I had hoped to have the work
completed this fall for during
the winter months the only water
available for my live stock is a
mile away and water must also
be hauled for house hold purposes
hoping to hear from you in
regard to this soon. Sincerely

Bevil Sibbett

Gray.

Idaho.

1917

November 7, 1941

Re: 19177

Mr. Cecil Sibbett
Gray, Idaho

Dear Mr. Sibbett:

This department is in receipt of a protest from Mr. Clarence H. Muir of Gray, Idaho. Also a letter from Mr. C. L. Graves, Supt. of Indian Affairs of Fort Hall, Idaho, relative to permit 19177, appropriating water from a spring located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, Twp. 4 S., Rge. 43 E.

This department should have demanded of you, prior to the issuance of the permit, a statement stating whether this spring was located on public lands, your own land, or on private lands. If on private lands, an affidavit is mandatory, by law, to be furnished this department giving you permission from the owner to file on said spring. In view of the protests received, we are enclosing herewith an affidavit which you must have signed by the owner of said spring and return same to this department, legal proof that spring is located on public lands, or on your own land.

Otherwise permit No. 19177 will be cancelled under the rules of this department. Kindly furnish us with the required information as soon as possible.

Very truly yours,
E. V. BERG
Commissioner of Reclamation

BY: DEPUTY COMMISSIONER.

RWT:ml.

19177

November 7, 1941

Re: 19177

Mr. C. L. Graves, Supt.
U. S. Office of Indian Affairs
Fort Hall Agency
Fort Hall, Idaho

Dear Mr. Graves:

We wish to acknowledge receipt of your letter of November 3rd requesting information on application for permit No. 19177 in the name of Cecil Sibbett. The status of said permit is as follows:

Amount, .025 cubic feet per second; source, unnamed spring; point of diversion or spring location, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 4 S., Rge. 43 E., B. M.; use, domestic; kind of works, 3/4 mile of 3/4" to 3" pipe; date of filing, July 8, 1941; completion of works due, January 14, 1942; beneficial use proof due, July 14, 1943.

Permit of this size does not have to be published prior to the issuance of a permit. Legal publication is not called for until proof of beneficial use is made on small permits.

We have been advised indirectly that the spring is located on private lands. If this is the case, the permit will be void, providing sufficient proof is evident to prove same or unless the applicant supplies the department with an affidavit of permission to the use of said spring.

The applicant, Mr. Sibbett, is being advised to produce such affidavit, or a statement to the effect that the spring is located on his own land, otherwise permit is considered void.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

RWT:ml.

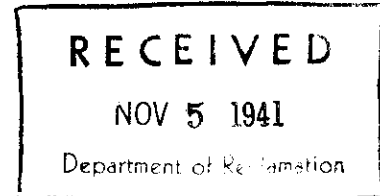
BY: ROY W. THOMPSON
Deputy Commissioner.

19177

Irrigation
9080-R

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

FIELD SERVICE
Fort Hall Agency
Fort Hall, Idaho
November 3, 1941



Mr. E. V. Berg,
Commissioner of Reclamation,
Boise, Idaho.

Dear Mr. Berg:

We have been informally notified that Mr. Cecil Sibbett of Gray's Lake has made application to appropriate .025 cubic-feet of water per second from an unnamed spring on the Gray's Lake watershed.

Will you please advise if Mr. Sibbett has made such a filing and if so, the paper in which notice was published and the final date for hearings in case of protest in connection with the filing?

Very truly yours,


C. L. Graves,
Superintendent.

AKD jfl

19177

Re: 19177

November 7, 1941

Mr. Clarence H. Mair
Cray, Idaho

Dear Mr. Mair:

We wish to acknowledge receipt of your letter of October 27th in which you state the spring which has been used for years on the ranch you are now operating is the same spring which Cecil Sibbett has filed on under permit number 19177.

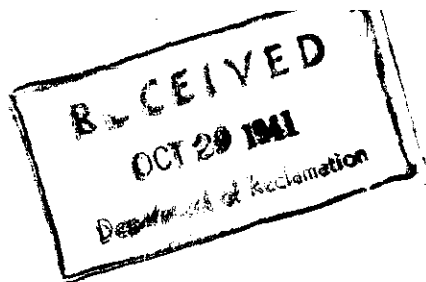
The permit of Cecil Sibbett will be considered void if he can not furnish this Department with an affidavit for permission to file on the spring, if it is located on private lands, from the owner of said lands or furnish us with a statement that the spring is located on public lands or his own land in which case permit would be valid. Notice to that effect is being mailed to Mr. Sibbett.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

BY: ROY W. THOMPSON
Deputy Commissioner.

RWT:ml.

19177



Gray, Idaho.

Oct. 27-1941

Department of Reclamation
Boise, Idaho.

Dear Sirs-

Your letter of Oct. 23 at
hand. The permit No 19177
applicant Cecil Sibbett is the
spring I wrote to you about.

The water from this spring
has been used on the ranch.
I am operating for the past
35 or 40 years with no
complaints as to the right to
use same. It was used
for several years for a garden.
And is used every winter to
water my livestock. It looks
like water having been used
this number of years ¹⁹¹⁷⁷ would

give the user prior right to
the water.

This is just a small spring
and if Mr. Sibbett takes .025
cubic feet per second there would
not be enough left to do me
any good. I am writing
to the Indian Agency in
Blackfoot and will explain
the effects of said filing to
them.

If you know of any advice
you could give me to establish
right to this water I would
appreciate it.

Yours Truly
Clarence H. Meier
Gray Idaho

19177

Re: 19177

October 23, 1941

Mr. Clarence H. Muir
Gray, Idaho

Dear Mr. Gray:

We are in receipt of your letter of Oct. 20th. relative to a permit filing to appropriate water from a certain spring located close to Eagle Creek.

Cecil Sibbett filed on a spring which may be the spring in question. The status of said permit is as follows: permit number, 19177; applicant, Cecil Sibbett; amount, .025 cubic feet per second; source, an unnamed spring; point of diversion or location of spring, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 4 S., Rge. 43 E., B. M.; use, domestic; kind of works, $\frac{3}{4}$ mile of $\frac{3}{4}$ " to 3" pipe; date of filing, July 8, 1941; completion of works proof due, January 14, 1942; beneficial use proof due, July 14, 1943.

Our records do not disclose that this spring was ever filed on before and no record of Samuel Sibbett ever filing on same.

If permit number 19177 covers the spring in question, and if it is the spring which you claim belongs to the ranch you are operating, your best procedure at the present time is to get out an injunction against installing pipe line into the spring. I do not think this Department could hold a legal hearing on the validity of said permit until beneficial use proof is advertised and due which would be July 14th 1943. I would also suggest that you notify the Indian Agency as to the effects of this filing on their land.

Please feel free to write us again giving us the facts, for at the present time, we are not sure if it is the spring in question or not. Your letter did not give the exact location of the spring in question.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation.

BY: ROY W. THOMPSON
Deputy Commissioner.

RWT:ml.

19177

Gray, Idaho, Oct. 20-41

Commissioner of Reclamation

Boise, Idaho.

Dear Sir:

RECEIVED

OCT 22 1941

Department of Reclamation

I am writing you in request to a spring of water beca^{of Leg. Matter} Sibbett has filed on or intends to file on. This spring is located close to Eagle Creek but I do not know the name of the spring. Mr. Sibbett intends to pipe this water to his residence. This water has been used on the ranch I now operate for the past forty years. It is the only water I have for my livestock in winter. It has also been used for a garden for a number of years. I claim prior right to this water thru use. I do not know if Mr. Samuel Sibbett the original owner of the ranch ever filed on the spring but it has been used continually on the ranch for forty years. Can I stop Mr. Sibbett or Mr. Muir from filing on this water and piping it off? I want to protest his filing if he has filed on same. Also let me know if Mr. Samuel Sibbett ever filed on this spring. This spring is located on Indian land 19177

and the ground surrounding this spring is leased thru the Indian agency at Blackfoot. I wouldn't think they would let any one take this water off because it is the only water obtainable for the 120 acres of land they now have leased to Earl Sibbett. If this water is taken off their lease they can not lease it to any one. Maybe this water belongs to the Indians and can not be filed on. Please let me know in regard to this matter at once.

Yours Truly
Clarence H. Muir
Gray, Idaho

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 19177

July 16, 1941

Boise, Idaho,

Dear Sir:

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

~~fourth~~

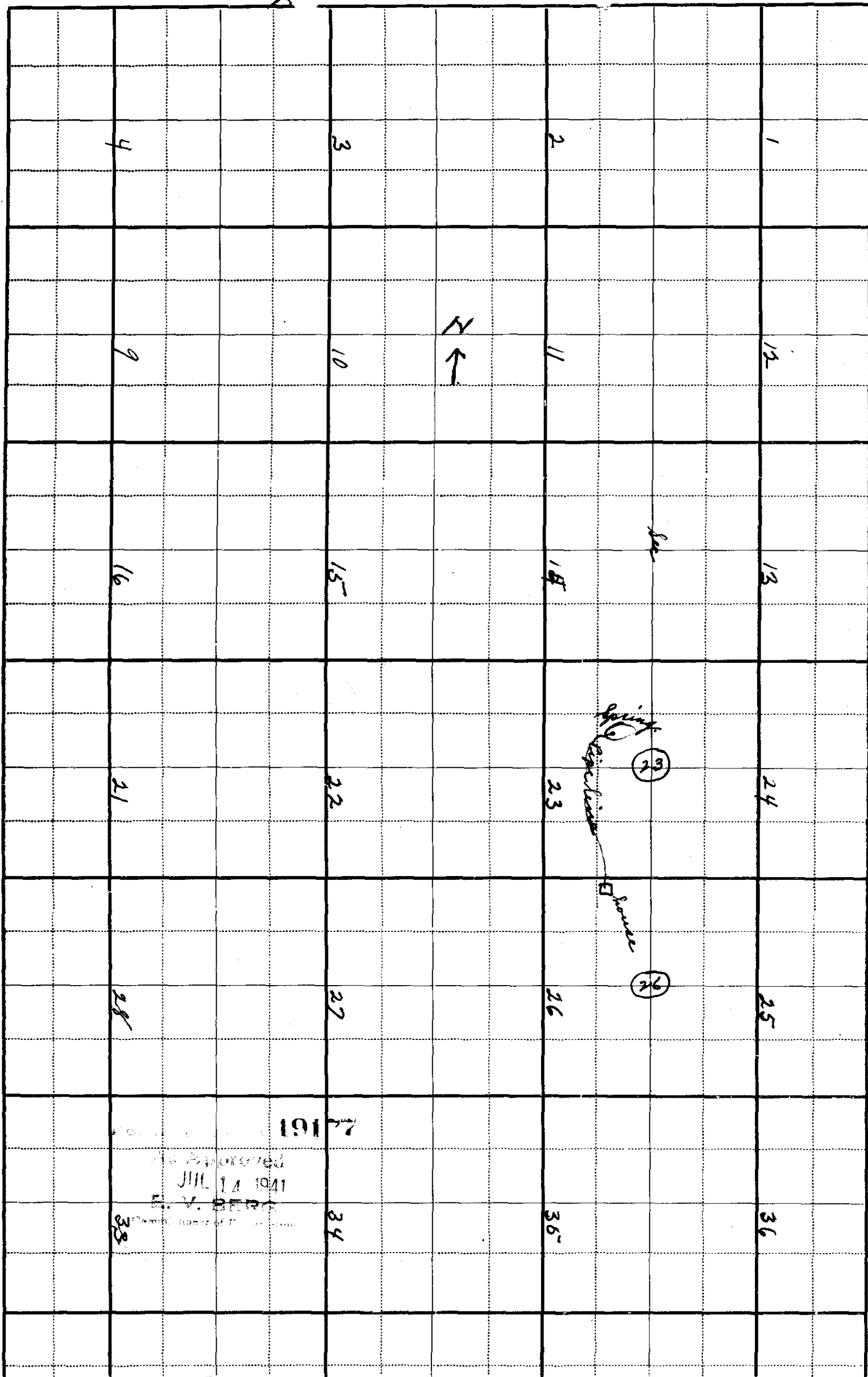
Cecil Sibbett
Gray, Idaho

R#17888, \$5.00.

E. V. BERG.

Commissioner of Reclamation.

19177



Ida. Morning Star
LEGAL NOTICES

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

Notice is hereby given that at 2:00 p. m. on the 14th day of July, 1945, at Soda Springs, county of Caribou, state of Idaho, before S. E. Matthews, a notary public, proof will be submitted of the application to beneficial use of 0.025 cubic feet per second of the waters of unnamed springs in accordance with the terms and conditions of permit No. 19177 heretofore issued by the state reclamation engineer of the state of Idaho.

The name and postoffice address of the person holding said permit is Cecil Sibbett, Gray, county of Bonneville, state of Idaho.

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

The amount applied to beneficial use is 0.025 cubic feet per second.

The place where said water is used is at the residence of Cecil Sibbett in the NE¼ NE¼ of section 26, township 4 south, range 43 east, B. M., in Bonneville county, state of Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is "The Private Pipe Line of Cecil Sibbett."

The right to take water from such works is based upon permit No. 19177.

The source of supply from which such water is diverted is unnamed springs in section 23, township 4 S., R. 43 east, B. M., Bonneville county, Idaho.

The date of priority which said user is prepared to establish is July 8, 1941.

MARK R. KULP,

State Reclamation Engineer.

Pub. June 8-15-22-29, 1945.