

Affidavit of Publication

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

I, B. H. Read, Publisher, of THE POST COMPANY, a corporation, publishers of the IDAHO FALLS DAILY POST, a daily newspaper of general circulation, published daily, at Idaho Falls, Bonneville County, Idaho, do solemnly swear that the notice attached hereto, and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper 4 consecutive weeks, first publication having been made on the 24 day of August, 1923, last publication having been made on the 14 day of September, 1923; that said notice was published in the regular and entire issue of each number of the paper during the period and times of publication, and that the notice was published in the newspaper and not in a supplement.

Further, that said newspaper has been so published continuously and uninterruptedly for more than 78 weeks prior to the date herein mentioned.

Official Notices

NOTICE FOR PUBLICATION.

Notice of proof application of water to beneficial use.

Notice is hereby given that at 4 p. m. on the 28th day of September, 1923, at Soda Springs, county of Caribou, state of Idaho, before D. K. McLean, proof will be submitted of the application to beneficial use of 1.5 cubic feet per second of the waters of two unnamed springs and Maple creek in accordance with the terms and conditions of permit No. 15,800, heretofore issued by the department of reclamation of the state of Idaho.

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

permit is Grace I. Powell, Gray, Ida.

The use to which said water has been applied is domestic, culinary and irrigation.

The amount applied to beneficial use is 1.5 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NW $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, section 27; 15 acres of NE $\frac{1}{4}$ SE $\frac{1}{4}$; 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, section 28, township 3 south, range 43 East B. M.

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

The right to take water from such works is based upon permit No. 15,800.

The source of supply from which such water is diverted is two unnamed springs and Maple creek.

The date of the priority which said user is prepared to establish is May 6, 1922.

W. G. SWENDSEN,
Commissioner of Reclamation.
b. 8-24, 31; 9-7, 14.

sworn to before me this 2 day of October, 1923.

E. H. Chandler

Notary Public.

My Commission Expires July 10th, 1924.

15800

Twp 3 S, R 43 E BM

28



27

15800

Name of Applicant

Grace I. Powell, Herman, Idaho.

Ownership of Land. Range 43 East 13m



House
X Barn
Spring
Base Line
Garden

15800

25-2092

State of Idaho

License and Certificate of Water Right

Water License No. 15800
 Water District No. 16

Amount 1.5 sec. ft.
 Priority 5-26-23

THIS IS TO CERTIFY that Grace I. Powell
 of Gray, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated May 26, 1923; that Permit No. 15800
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 1.5 second feet, was issued thereunder on September 5, 1923, showing that said works
 were completed on the 30th day of August, 1923; and that on the 28th
 day of September, 1923,

Grace I. Powell
 of Gray, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of two unnamed springs &
 Maple Creek, a tributary of _____, for the purpose of irrigation and
 domestic use, under Use Permit No. 15800 of the Commissioner of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of
 Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
 Volume 6 of Licenses, at page 3107, on the 7th day of November, 1923;

The right hereby confirmed dates from May 26, 1923;

The Point of Diversion is located
 (1) SE NE 28
 in the (2) SW 1/4 NW 1/4, Sec. 27, Tp. 3 S., R. 43 E., B. M.
 (3) NW SW 27 County of Bonneville.
 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 1.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 S.	43 E.	27	NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	10	10
		28	NE 1/4 SE 1/4	15	15
			SE 1/4 SE 1/4	10	10

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 7th day of November, 1923.

W. G. SWENDSEN.
 Commissioner of Reclamation.

(SEAL)

MICROFILMED

APPLICATION FOR PERMIT 25-2092
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 22458
Permit No. 15800
District No. 16

1. Name of Applicant: Grace I. Powell,
Postoffice address: Herman, 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: 1.5 cubic feet per second.
3. Source of water supply: Two springs & Maple Creek which is a tributary of
4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 28 , T. 3 S. , R. 43 E. , B. M., County of Bonneville.
27
27
5. Water is to be used for: culinary, domestic and irrigation purposes.
6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.
7. Estimated cost of works: \$ 500.00
8. Kind of works: Pipe lines and ditches.
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 two feet; width at water line three feet; depth of water one
feet; dimensions of flume
Diameter of pipe 1 and 1 $\frac{1}{2}$ inches; length of conduit half miles.
Pipe lines 250 and 500 feet
Average grade per mile 15 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 no additional years.
14. The land to be irrigated is described in the following tabulation: See Remarks.

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

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

Grace I. Powell Applicant.

By Lorenzo R. Thomas. Agent.

Date of first receipt at Department of Reclamation. 9:00 A. M. May 26, 1923.

Returned to applicant for correction.

Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 15800

Recorded in Book 56 Page 15800 Approved June 9, 1923.

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

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

Work to begin on or before August 8, 1923, 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 December 9, 1923.

The whole of said work to be completed on or before June 9, 1924.

Beneficial use of water appropriated in accordance herewith, to be made on or before June 9, 1924.

Witness my hand this 9th day of June, 1923.

W. G. SWENDSEN.
Commissioner of Reclamation.

Remarks:

14 Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 S.	43 E.	27 28									40 10				15 10				50 25
			Total Number of Acres to be Irrigated																75

			Spring No. 1, located in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, appropriation 5 inches, diverted at spring and conveyed to the house located in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, through a pipe 1 $\frac{1}{2}$ inches at point of diversion and later reduced before reaching the house to one inch.																
			A spring No. 2, location, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, appropriation 5 inches, diverted at the spring and run to a barn in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28 through a pipe 1 $\frac{1}{2}$ inches at point of diversion and reduced to one inch at outlet.																
			Maple Creek, appropriation 5 inches, diverted at the north line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, and also further down the creek in the same legal sub-division.																
			The pipe lines are laid, the ditches are built and the water has been used for culinary, domestic and irrigation purposes for some time. The lands described above are all located in Township 3 South of Range 43 East, B.M.																

			Proof of Completion of Works made August 30, 1923.																
			Certificate of Completion of Works issued September 5, 1923.																

Permit No. 15800

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Grace I. Powell of Gray, County of Caribou, and State of Idaho, the holder of Permit No. 15800, issued upon Application No. 22458, bearing date of priority of May 26, 1923, authorizing the diversion of 1.5 second feet of the waters of two springs and Maple Creek, County of Bonneville, State of Idaho, for irrigation and 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 1.5 second feet of the waters of two springs and Maple Creek; that the points of diversion of said waters are: No. 1 - SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28; No. 2 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, No. 3 - NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27, Twp. 3 South, Range 43 East, B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28, T. 3 S., R. 43 E., Boise Meridian.

Witness my hand this 5th day of September, A. D. 1923.

W. G. SWENDSEN,
Commissioner of Reclamation

By: Geo. N. Carter,
Assistant.

License issued for 1.5 second feet*Page 3107*

WATER RIGHT NUMBER 25-2092

OWNER LAST NAME - POWELL

FIRST NAME - GRACE I.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - GRAY

STATE - ID ZIP CODE -

SOURCE - UNNAMED SPRINGS

TRIBUTARY OF - SINKS

SOURCE - MAPLE CREEK

TRIBUTARY OF - SINKS

STAGE - LICENSE

STATUS -

PRIORITY - 05-26-1923 COUNTY - BONNEVILLE TOTAL DIV. RATE - 1.5000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. - 01

DLE/CAREY ACT -

RIGHT BASIS - C

DIVERSION POINT - SENE 28 03S 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

SWNW 27 03S 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

NWSW 27 03S 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 28 03S 43E LOT REDIV - 272.0 478.0 1.0 7.0 17.8 0.0 0.0 0.0 0.0 0.0 3.0

SWNW 27 03S 43E LOT REDIV - 272.0 478.0 1.0 7.0 17.8 0.0 0.0 0.0 0.0 0.0 3.0

NWSW 27 03S 43E LOT REDIV - 272.0 478.0 1.0 7.0 17.8 0.0 0.0 0.0 0.0 0.0 2.9

FROM - TO - USE - IRRIGATION

USE DIV. RATE - 1.5000 CFS USE DIV. VOLUME - .00 AFA

FROM - TO - USE - DOMESTIC

USE DIV. RATE - .0000 CFS USE DIV. VOLUME - .00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 03S RNG 43E SEC 27 TRACT NWSW LOT AC 40 TRACT SWSW LOT AC 10

USE - IRRIGATION

PLACE OF USE - TWN 03S RNG 43E SEC 28 TRACT NESE LOT AC 15 TRACT SESE LOT AC 10

DECREE NAME -

DATE - TOTAL ACRES 75

REMARKS - SOURCES ARE UNNAMED SPRINGS & MAPLE CK. TRIB TO SINKS.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 15800

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

201 03/11/27



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

1 August, 1977

Mr. Bob McVern
U.S. Fish and Wildlife Service
Box 3737
Portland, Oregon 97208

Dear Mr. McVern,

Jim Johnson, water distribution supervisor, asked me to research the recorded rights in Sections 20, 21, 27 and 28, T3S, R43E, in Caribou County, and mail you anything that was pertinent.

There are no ground water filings in any of these sections, and the copy of #25-2092, licensed to Grace I. Powell, is the only surface water filing I could find. I was not able to track down any decreed rights in this area.

You may remit the \$1.00 copying fee to the department at your convenience.

Sincerely,

Kay Weaver
(Ms.) Kay Weaver
Records Supervisor

Encl.

November 10, 1923.

Re: Permit No. 15800

Mrs. Grace I. Powell,
Gray, Idaho.

Dear Madam:

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

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

Encls.

By Chief Clerk.

15800

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

October 27, 1923.

Re; Permit No. 15800.

Mrs. Grace I. Powell,
Gray, Idaho.

Dear Madam:-

Inasmuch as personal checks cannot be accepted in payment of fees due the department, the check received today for fees for proof under the above permit is herewith returned to you. Fees should be sent either by money order or cash. If you are not near a money order postoffice, bills may be sent and the letter registered.

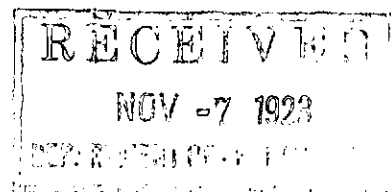
Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By Ch. Brown
Chief Clerk.

Ch\$8

Enclosed find P.O. order
for \$8.00

Grace I. Powell
Gray
Idaho



15800

October 27, 1923.

Re: Permit No. 15800.

Mrs. Grace I. Powell,
Gray, Idaho.

Dear Madam:-

Inasmuch as personal checks cannot be accepted in payment of fees due the department, the check received today for fees for proof under the above permit is herewith returned to you. Fees should be sent either by money order or cash. If you are not near a money order postoffice, bills may be sent and the letter registered.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

Ch:3

15800

Gray, Idaho.
Oct. 21-1923

Commissioner of Reclamation.
Boise, Idaho.

Dear Sir, -

Please find enclosed check for \$8⁰⁰/₁₀₀ payment
in full for license in the matter of proof of
beneficial use of water.

Yours truly -

Grace C. Powell.
Gray,
Idaho.

15800

October 8, 1923.

Re: Permit No. 15800.

Mrs. Grace I. Powell,
Gray, Idaho.

Dear Madam:-

All papers in the matter of proof of beneficial use of water under the above permit are now on file and are in proper form and acceptable. Upon receipt of fees in the sum of \$8.00, license will be issued you.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

15800

L. R. THOMAS

J. H. ANDERSEN

THOMAS & ANDERSEN
ATTORNEYS AT LAW
BLACKFOOT, IDAHO

October 4, 1923

Hon. W. G. Swendsen
Commissioner of Reclamation
Boise, Idaho

Dear Sir:

We hand you herewith the proof of
application of water to beneficial
use of Grace I. Powell of Gray, Idaho
on permit #15800, together with the
affidavit of publication of notice
of said proof.

Very respectfully

THOMAS & ANDERSEN

By



LRT:MR
encl-2.

15800

Affidavit of Publication

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

I, B. H. Read, Publisher, of THE POST COMPANY, a corporation, publishers of the IDAHO FALLS DAILY POST, a daily newspaper of general circulation, published daily, at Idaho Falls, Bonneville County, Idaho, do solemnly swear that the notice attached hereto, and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper 4 consecutive weeks, first publication having been made on the 24 day of August, 1923, last publication having been made on the 14 day of September, 1923; that said notice was published in the regular and entire issue of each number of the paper during the period and times of publication, and that the notice was published in the newspaper and not in a supplement.

Further, that said newspaper has been so published continuously and uninterruptedly for more than 78 weeks prior to the date first herein mentioned.

Official Notices

NOTICE FOR PUBLICATION.

Notice of proof application of water to beneficial use.

Notice is hereby given that at 4 p. m. on the 28th day of September, 1923, at Soda Springs, county of Caribou, state of Idaho, before D. K. McLean, proof will be submitted of the application to beneficial use of 1.5 cubic feet per second of the waters of two unnamed springs and Maple creek in accordance with the terms and conditions of permit No. 15,800, heretofore issued by the department of reclamation of the state of Idaho.

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

permit is Grace I. Powell, Gray, Ida.

The use to which said water has been applied is domestic, culinary and irrigation.

The amount applied to beneficial use is 1.5 cubic feet per second.

The place where said water is used if for irrigation, give full and accurate description of the lands irrigated) NW 1/4 SW 1/4, 10 acres in SW 1/4 NW 1/4, section 27; 15 acres in NE 1/4 SE 1/4, 10 acres in SE 1/4 SE 1/4, section 28, township 3 south, range 43 and B. M.

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

The right to take water from such works is based upon permit No. 15,800.

The source of supply from which such water is diverted is two unnamed springs and Maple creek.

The date of the priority which said user is prepared to establish is May 3, 1922.

W. G. SWENDSEN,
Commissioner of Reclamation.

B. H. Read

sworn to before me this 2 day of October, 1923.

E. H. Grenderhull

Notary Public.

15800

My Commission Expires July 15th, 1924.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 15800

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Grace I. Powell; 37 years; Gray, Idaho; Housekeeper; 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 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. 15800; date June 9, 1923; June 9, 1923.

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

Ans. Two unnamed springs and Maple Creek; Spring No. 1 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28; Springs No. 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and Maple Creek, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, all in Tp. 3 South of Range 43 E.B.M.

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

Ans. Pipe lines from the Springs 1 $\frac{1}{2}$ and 1 inch in diameter and ditches from Maple Creek which are two feet wide in bottom, width at water line 3 feet, and depth of water, 1 foot. The pipe lines will convey 1 cubic foot per second and the ditches 1.5 cu. ft. per second; the pipe lines and ditches are private and unnamed.

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

Ans. Culinary, domestic and irrigation purposes. The water from the springs conveyed in the pipe line is used for culinary domestic and irrigation purposes on the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28. The water from Maple Creek is used for irrigation purposes on the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28, and W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 27 in Township 3 South of Range 43 East. 15 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 10 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, 40 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27 have actually been irrigated with said water. With the exception of a small part of the land that is cultivated for garden and otherwise the land is meadow land, production of hay.

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

Ans. All for irrigation purposes except the water from the pipe lines which is used for domestic and culinary purposes.

15800

Ques. 8. What is the minimum amount of water required for the purpose 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. Permit was issued to me.

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

Ans. This land has been irrigated for several years; since Permit issued in 1923; by spreading the water over the land; one inch per acre and 75 acres.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and right claimed thereunder.

Ans. No other water diverted or used.

(Sign) Grace J. Powell.

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 28th day of September A. D. 1923

Notary Public

Residing at Soda Springs, Idaho

15800

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 15800

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. George J. Skinner; 41 years; Soda Springs, Idaho;
farmer; Soda Springs, Idaho.

Ques. 2. Are you acquainted with Grace I. Powell, the
holder of Permit No. 15800? How long have you known him and where does he reside?

Ans. Yes; 14 years years; Gray, Idaho

Ques. 3. Have you read or heard read said Permit No. 15800, 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. Two unnamed springs and Maple Creek; Springs No. 1 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28; Springs No. 2 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Maple Creek NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, all in Tp. 3 South of Range 43 E.B.M.; The water from springs No. 1 and 2 is conveyed in pipes 1 $\frac{1}{2}$ and later 1 inch in diameter, the ditches from Maple Creek are 3 feet wide and 18 inches 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. Pipe lines 5 in. each, ditch 75 in. is the capacity in my judgment. I have seen them full of water.

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. The water is used for culinary, domestic and irrigation purposes on the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28 and W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 27, Tp. 3 S. R. 43 E. Excepting the garden it is meadow land; the reclamation and cultivation of the land; and the production of good crops of timothy and other hay. The NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 10 acres of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27, and 15 acres of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 10 acres of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28, Tp. 3 S., R. 43 E have been irrigated.

15800

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

Ans. Irrigation except the water piped is used for culinary and domestic purposes.

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 meadow land; about one inch per acre.

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; No; No.

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

Ans. For several years including the summer of 1922; by covering the land or distributing the water over the land; one inch per acre.

(Sign)

George H. Hines

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 28th day of September, A. D. 1923

R. M. Lee
Residing at Soda Springs, Idaho Notary Public.

My commission expires Sept. 18. 1927

15800

RECORDED
SEP 28 1923

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 15800

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. Minnie L. Binnard; 44 years; housekeeper; Residence
and P. O. Address, Soda Springs, Idaho

Ques. 2. Are you acquainted with Grace I. Powell, the
holder of Permit No. 15800? How long have you known him and where does he reside?

Ans. Yes; 20 years; Gray, Idaho

Ques. 3. Have you read or heard read said Permit No. 15800, 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. Maple Creek and two springs: Maple Creek, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, spring #1 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, spring # 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, all in Tp. 3 S. of Range 43 E.B.M. The ditches from Maple Creek are 3 feet wide and 18 inches deep and the water from springs # 1 and 2 is conveyed in pipes $1\frac{1}{2}$ and later 1 inch in diameter.

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. The capacity of the pipe lines is 5 in. each and the ditch from 75 to 100 in. I have seen them filled to capacity.

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. The water is used for culinary, domestic and irrigation purposes on the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28 and W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 27, Tp. 3 S., R. 43 E.
All of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 10 acres of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27 and 15 acres of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 10 acres of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28, Tp. 3 S., R. 43 East have been irrigated; meadow land except the garden; the improvements made as a result of the use of the water is the reclamation of the land and the production of good crops of timothy and other hay.

15800

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

Ans. All the water is used for irrigation except that which is piped and in addition to irrigation this is used for culinary and domestic purposes.

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 meadow land; one inch per acre.

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; No; No.

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

Ans. Several years last past including 1922 and 1923; the water was spread over the land; at least one inch per acre and in all about 75 acres were irrigated. This land was irrigated before the Permit was issued as it is under the permit.

(Sign) *Minnie L. Barnard*

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 28th day of September, A. D. 1923.

D. M. Lamm
Residing at Soda Springs, Idaho, Notary Public.

My commission expires September 18, 1927

15800

RECORDED
SEP 28 1923
CARIBOU CO. IDAHO

September 25, 1923.

Re: Permit No. 15800.

Mrs. Grace I. Powell,
Gray, Idaho.

Dear Madam:-

On September 14th, you should have made proof of beneficial use of water under the above numbered permit, before Mr. D. K. McLean, at Soda Springs, but, as yet, the depositions of yourself and witnesses have not been received here. Please advise us as to whether or not this proof was taken.

The report of our examining engineer was received today and is a satisfactory report.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By
Chief Clerk.

15800

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

Permit No. 15800This proof is for Beneficial UseIn Water District No. 16

1. Name of applicant: Grace I. Powell - Permit No. 15800
2. Source of water supply: Two unnamed springs and Maple Creek
3. Location of point of diversion: Is in the Spg. No. 1 - SE 1/4 SW 1/4
Spg. No. 2 - SW 1/4 NW 1/4
Maple Creek of Section 28
27
27
T. 3 S. R. 43 E.B.M. County of Bonneville

4. Describe works as they exist, giving dimensions and capacities of same:

*Springs No. 1 & 2 are piped down thru 1 inch pipe for several hundred ft. into troughs and used for domestic & garden use.
Maple C. which is really a small spring is taken out thru small ditch, capacity est 1250 ft. or to meadow*

5. Water is used for: Domestic & Irrigation

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): NW 1/4 SW 1/4, SW 1/4 SW 1/4, Sec. 27; NE 1/4 SE 1/4, SE 1/4 SE 1/4, Sec. 28, Twp. 3 S., R. 43, E.B.M.

Est 100 acres of meadow

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

8. What large stream would the water here appropriated finally reach? Croco Lake, possibly
- Remarks: All small springs, license should be issued for all the water as no one else could claim it.

This examination was made on the 21 day of September 1923

(Signed)

R. E. Stetson

Examiner.

15800

Permit No. **15800**

Examination for **BEN. USE WATER**

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.
-

Twp 3 S, R 43 E BM

28

Shoring A. 1
Shoring A. 2
Meadow

27

15800

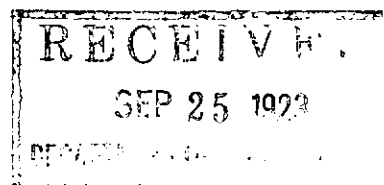
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 15800

REPORT ON PROOF OF BENEFICIAL USE WATER

3



State of Idaho

ENGINEERING DEPARTMENT

BOISE

INSTRUCTIONS

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
PROOF OF COMPLETION OF WORKS
~~XXXXXXXX~~
AND
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

September 18, 1923.

Grace I. Powell,

c/o Mr. D. K. McLean,
Soda Springs, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works and beneficial use of water under Permit No. 15800.

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 September 14, 1923, the date set for proof, the enclosed forms (^{one} for permit holder and ~~one~~ each for two disinterested witnesses) should be filled out and sworn to, at Soda Springs before D. K. McLean, 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.
~~XXXXXXXXXXXX~~
State Engineer.

15800

September 6, 1923.

Re: Permit No. 15800
Grace I. Powell

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

Dear Sirs:

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

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

By

Chief Clerk.

15800

August 30, 1923.

Re: Permit #15800.-Grace I. Powell.

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

Gentlemen:-

We are today in receipt of your letter of the 28th inst., enclosing affidavit of holder for proof of completion of works under the above permit, with fee of \$5.00. This proof is in proper form and acceptable. The certificate will be issued in regular order and mailed you within the next ten days or two weeks.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By
Chief Clerk.

15800

L. R. THOMAS

J. H. ANDERSEN

THOMAS & ANDERSEN
ATTORNEYS AT LAW
BLACKFOOT, IDAHO

August 28, 1923

Hon. W. G. Swendsen
Commissioner of Reclamation
Boise, Idaho

Dear Sir:

We hand you herewith proof of completion of works of Grace I. Powell on permit No. 15800, together with Caribou County Abstract Company's check in favor of Grace I. Powell and endorsed by her, for \$5.00 in payment of your fee in this case.

Very respectfully

THOMAS & ANDERSEN

By *L. R. Thomas*

LRT:MR
encl-2.

Permit No. 15800.....

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Caribou.....

ss.

Grace I. Powell....., 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. 15800..., and that his postoffice address is ... Gray
State of ... Idaho.....

Second: That the name of the stream from which said water is to be diverted is....
Two unnamed Springs and Maple Creek.....

Third: That the point of diversion of said water is No. 1. SE-NE-1, Sec. 28....
No. 2. SW-NE-1, No. 3. NW-SW-1, Sec. 27, Tp. 3 South, Range 43 East.....

Fourth: That under the terms and conditions of said permit, construction there-
under was required to be completed by... June 9,..... 19.24. /irrigation

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

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: ... pipe lines and ditches.....
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam. None.. 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.. None... acre feet.

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

(d) Conduit pipe lines width at bottom.... 2..... feet, width at water
(State whether ditch, flume or pipe.)

line... 3.... feet, depth of water.... 1.... feet; diameter of pipe 1 and 1 1/2
inches, average grade per mile is... 15.. feet. Length of conduit is half
miles.

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

Eighth: That water appropriated under said permit is available for.... 75.... acres
of land described as follows: NW-SW-1, 10 acres in SW-SW-1, Section 27, 15
acres in NE-SE-1, 10 acres in SE-SE-1, Section 28, Township 3 South
Range 43 East of the Boise Meridian.....

Ninth: Remarks: That.....

Grace I. Powell
(Sign here)

Subscribed and sworn to before me this..... day of.. August....., 19..23

My commission expires Aug. 7, 1924

Notary Public.
Residing at Soda Springs, Idaho.

August 22, 1923.

Re: Permit No. 15800- Grace I. Powell.

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

Gentlemen:-

Referring to your letter of the 20th inst., in which were enclosed notices for proof of beneficial use of water under the above permit, would say that, inasmuch as the lands are in Bonneville county, it will be necessary to publish notice of the proof in said county. A copy of the notice will, therefore, be mailed to the Idaho Falls Post, instead of the Soda Springs Chieftain.

Affidavit form for proof of completion of works will be mailed with the deposition blanks for proof of use of water, in order that the two proofs may be made on the same date.

September 28 has been set as the date for proof, as is also for proof under permit 15669, for Eugene P. Houtz. This date falls on a Friday.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By
Chief Clerk.

15800

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DATE.....
August 22, 1923.

Publisher, The Post,
Idaho Falls, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to
.....~~September 28, 1923~~....., the date set for proof, the expense of the publication to be paid
by the applicant,.....**Grace I. Powell, of Gray, Idaho,**....., to whom you should
furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

15800

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 20, 1923

(P. O.) Gray, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

Grace J. Powell

(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.

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 4:00 a. m. on the 28th day of September, 1923,
at Soda Springs, County of Caribou, State of Idaho,
before D. K. McLean, proof will be submitted
of the application to beneficial use of 1.5 cubic feet per second of the
waters of Two unnamed Springs and Maple Creek. in accordance with the terms and conditions of
Permit No. 15800 heretofore issued by the Department of Reclamation
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....
Grace I. Powell, Gray, Idaho

The use to which said water has been applied is domestic, culinary and irrigation.

The amount applied to beneficial use is 1.5 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) NW $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, 15 acres of
NE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, Township 3 South, Range
43 East B. M.

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

The right to take water from such works is based upon Permit No. 15800

The source of supply from which such water is diverted is two unnamed springs and
Maple Creek

The date of the priority which said user is prepared to establish is May 26, 1922
May 26, 1922.

W. G. Swendsen,
Commissioner of Reclamation.

15800

*From B. W. - same date -
Fence - 28 - 5" in - SW - 201
SW 2nd - 27 - 5" -
Maple Cr - 5" - NW SW - 27 - 35 - 43 E
- 16 - 35 - 43 E*

L. R. THOMAS

J. H. ANDERSEN

THOMAS & ANDERSEN
ATTORNEYS AT LAW
BLACKFOOT, IDAHO

August 20, 1923

Hon. W. G. Swendsen
Commissioner of Reclamation
Boise, Idaho

Dear Sir:

We hand you herewith notice of proof
of beneficial use of water of Grace
I. Powell on her permit No. 15800.

Please arrange for the submission of
the proof on the same day you fix
for the proof of Eugene P. Houtz
and oblige

Yours truly

THOMAS & ANDERSEN

By *Thomas*

LRT:MR
encl-3.

15800

Aug 11, 1923

Re: Permits No. 15669 - R319
Permit No. 15800

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

Dear Sirs:

In accordance with your request of August 9th we enclosing herewith blanks for proof of completion of works and proof of beneficial use of water under the above numbered permits.

Inasmuch as the amount of water claimed under both of these permits does not exceed 6.4 second feet of water, it will not be necessary to publish the proof of completion of works. The affidavit of Holder (Form 6) is all that is required under each permit. The fee for this proof is \$5.00.

The notice for publication should be filled out giving the date, place, name of notary public and paper in which proof of beneficial use of water is to be published, and return same to this office. We will then mail the same to the paper designated for the required four weeks publication. Depositions for the holder and two witnesses will be mailed the Notary Public in time for the proof to be made. After the proof has been made and the report of our examining engineer made, you will be further notified before issuing license as to fees due.

Very truly yours,

W. C. SWENDSEN,
Commissioner of Reclamation

By

Chief Clerk.

15800

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Re: Permit No. 15800

Grane I. Powell.

Messrs. Thomas & Andersen,
Blackfoot, Idaho.

Boise, Idaho,

June 12, 1923.

Dear Sir:

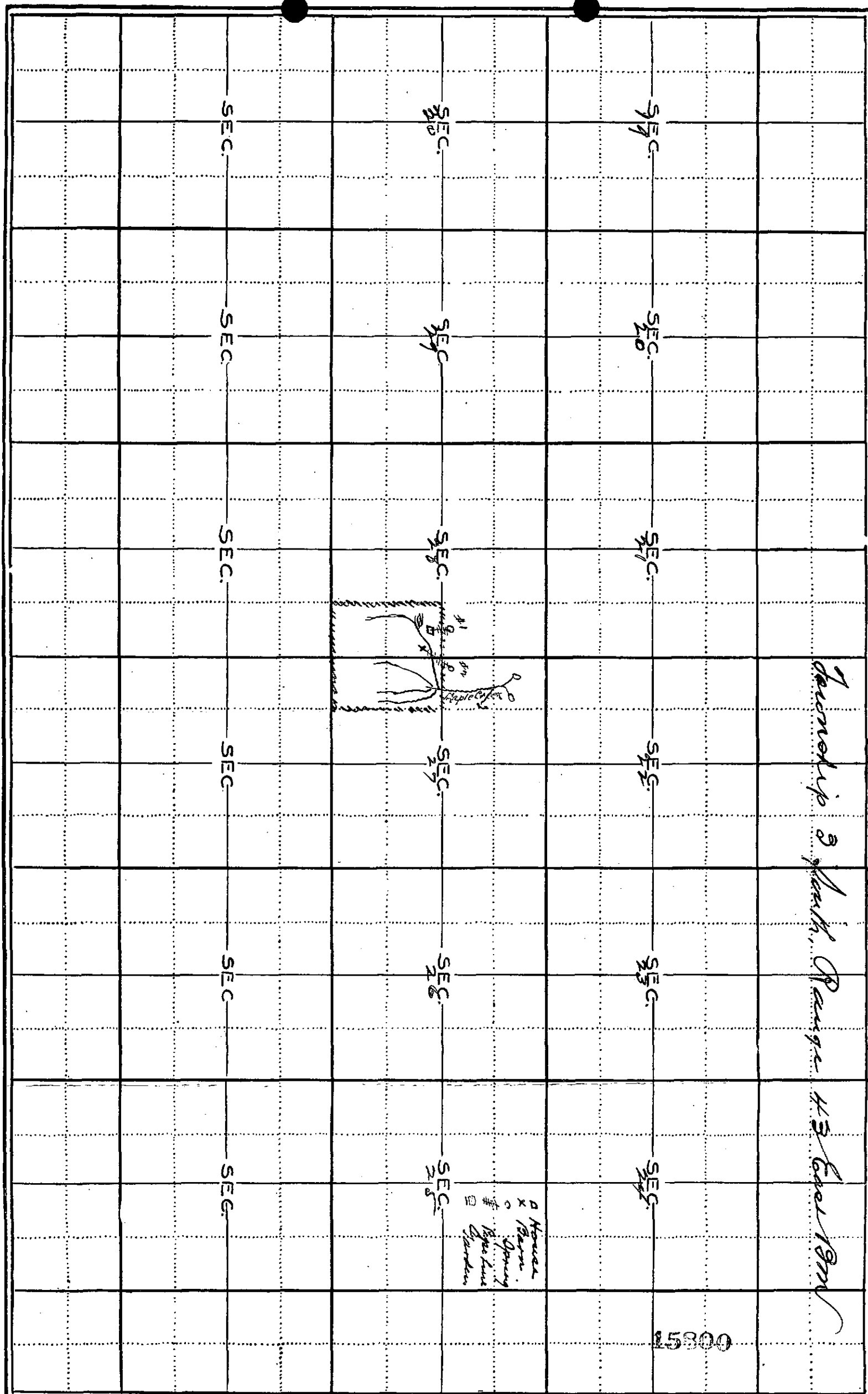
I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of State Engineer on the third page.

W. G. SWENDSEN.
Commissioner of Reclamation.

15800

Name of Applicant

Grace S. Powell, Herman, Idaho.



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

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