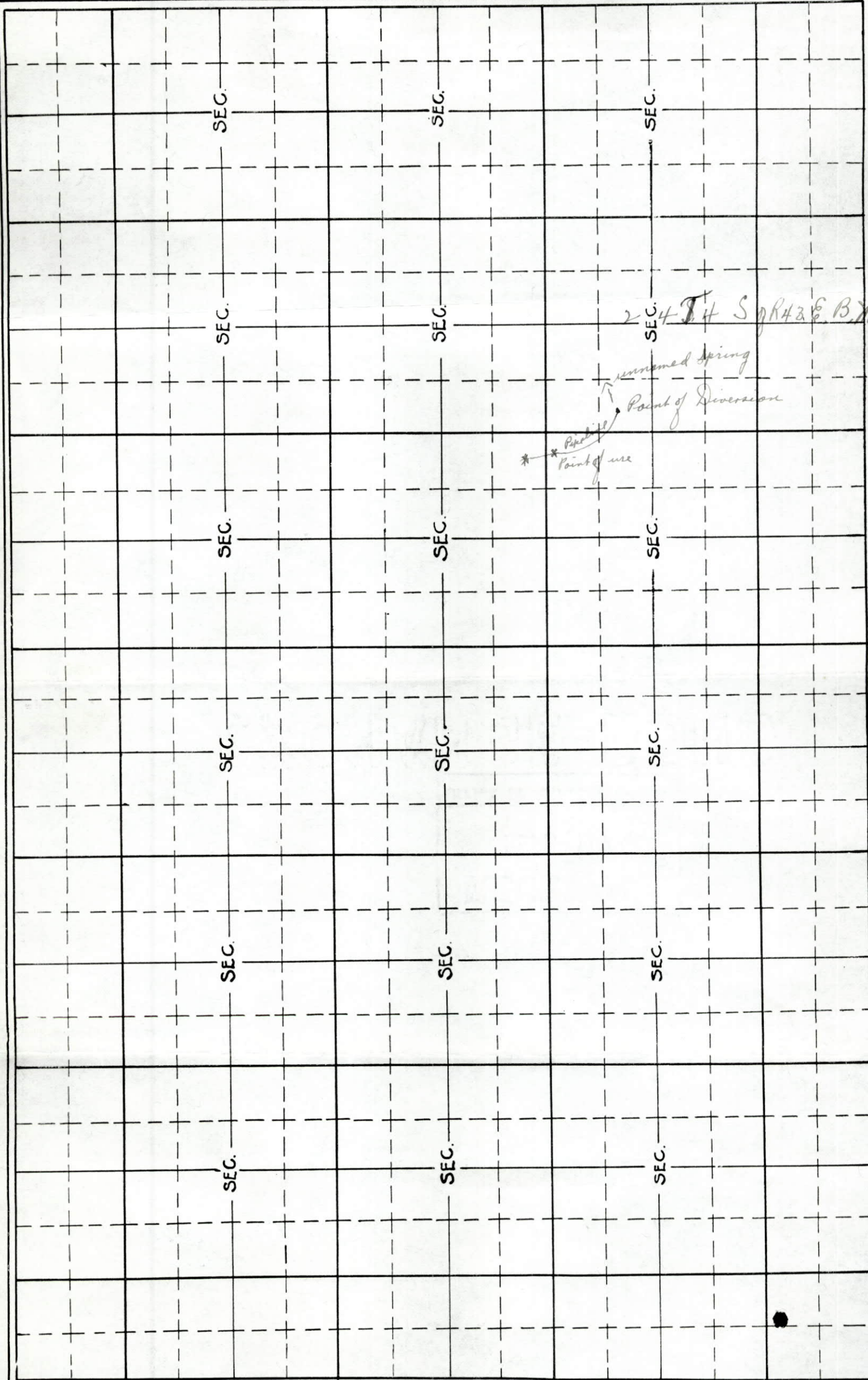


Name of Applicant A. G. Sibbett



STATE OF IDAHO,

County of Bonneville,

ss.

I, W. S. SNYDER, do solemnly swear that I am the business manager of the firm of Dennis & Snyder, publishers and printers of the IDAHO FALLS TIMES, a newspaper of general circulation, published once each week at Idaho Falls, Bonneville County, Idaho; that said newspaper has been so published for more than one year previous to the first publication of the attached notice; 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 four consecutive weeks; that the first publication was made on the 11th day of October, 1917; that said notice was published in the regular and entire issue of every 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.

Last publication Nov 1 -, 1917.

Subscribed and sworn to before me this 1st day of November, 1917.

W. S. Snyder
Oliver Malengren
 Notary Public
 Residing at Idaho Falls, Idaho

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10 o'clock a. m. on the 10th day of November, 1917, at Gray, County of Bonneville, State of Idaho, before George Muir, Jr., notary public, proof will be submitted of the application to beneficial use of 1-200 of 1 cubic foot per second of the waters of an Unnamed Spring, in accordance with the terms and conditions of Permit No. 12835 heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is H. G. Sibbett, (Address) Gray, Bonneville County, Idaho.

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

The amount applied to beneficial use is 1-200 of 1 cubic foot per second.

The place where said water is used is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 26, Twp. 4 S., of R. 43 E., of B. M.

The right to take the water from such works is based upon Permit No. 12835.

The source of supply from which such water is diverted is an Unnamed Spring.

The date of the priority which said user is prepared to establish is February 24, 1917.

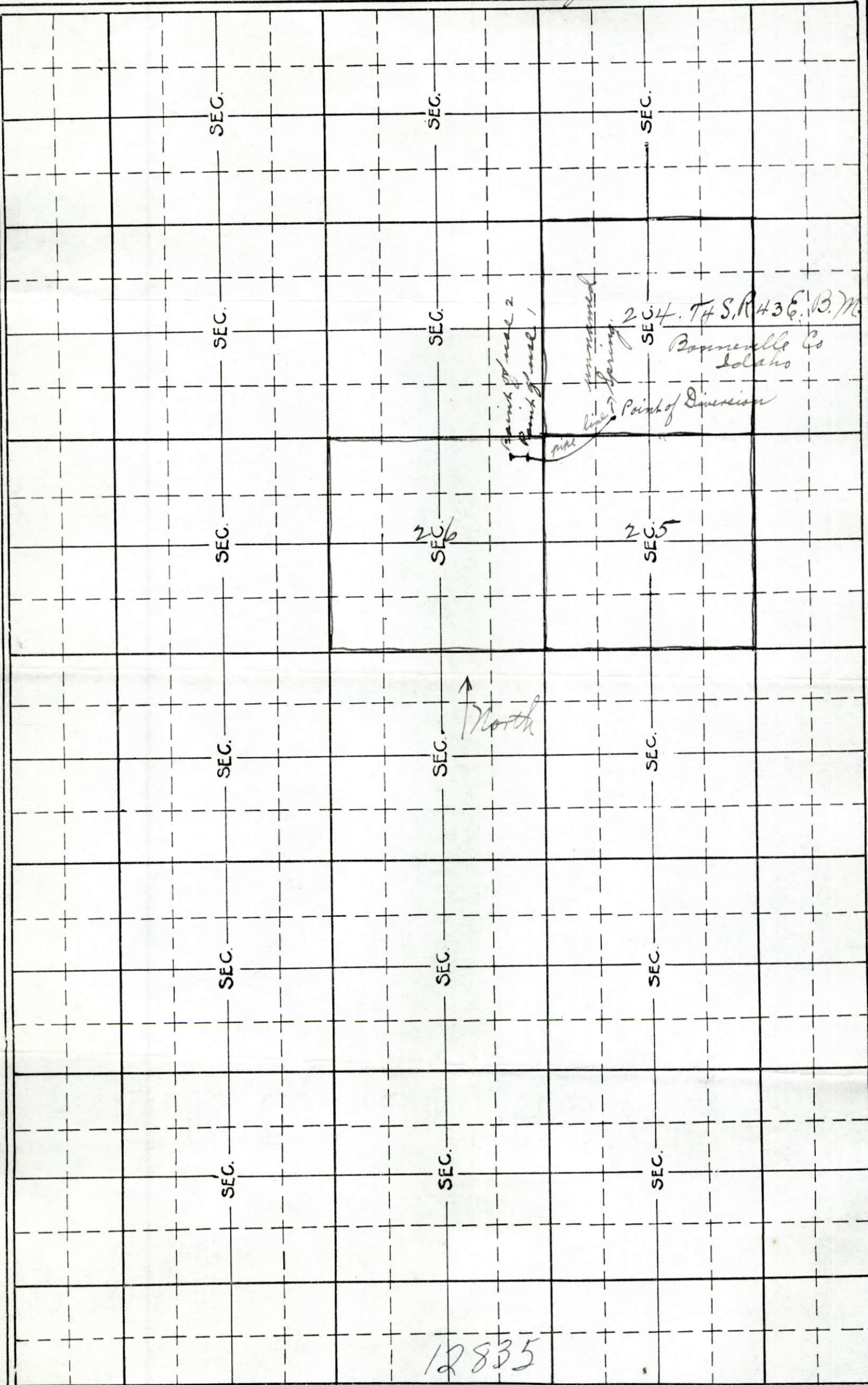
J. H. SMITH
 State Engineer.

Pub. Times Oct. 11-18-25; Nov. 1.

RECEIVED
 OCT 21 1917
 STATE OF IDAHO

12835

Name of Applicant H. G. Sibbett & Wilb. Call



12835

County: Bonneville.
Stream: A spring.
Amount: 1/200 of 1 sec. ft.
Use: Domestic.
Priority: 3-1-17.
District No. 16.

STATE OF IDAHO

Water License No. 12835.
Water District No. 16.

WHEREAS, On the 1st day of March, A. D. 1917, H. G. Sibbett and W. W. Call,

of Gray, County of Bonneville, State of Idaho, duly made application (No. 18392) to me for a permit to use 1/200 of 1 cubic foot per second of the waters of a spring, in Water District No. 16, County of Bonneville, State of Idaho, for domestic purposes, and,

WHEREAS, On the 6th day of March, A. D. 1917, Permit No. 12835 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 6th day of September, A. D. 1917, and for the application to beneficial use of said water on or before the 6th day of September, A. D. 1917, and,

WHEREAS, On the 5th day of September, A. D. 1917, H. G. Sibbett and W. W. Call,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1/200 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 12835 dated October 8, 1917, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1/200 of 1 cubic foot per second of said water, with date of priority of March 1, 1917, and

WHEREAS, On the 10th day of November, A. D. 1917, H. G. Sibbett and W. W. Call,

the holder of said permit, duly made proof of the application to beneficial use of 1/200 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to H. G. Sibbett and W. W. Call,

of Gray, County of Bonneville, State of Idaho, the holder and owner of said Permit No. 12835, a perpetual right, dating from March 1, 1917 to the use of 1/200 of 1 cubic foot per second of the waters of a spring,

in the County of Bonneville and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 4 S., R. 43 E., B. M.,

and conducted to ~~and upon~~ the home of applicants,

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

WITNESS My hand and the seal of my office at Boise, Idaho, this 29th day of December, A. D. nineteen hundred and seventeen.

(Seal)

J. H. SMITH,
State Engineer.

Application No. 18392
Permit No. 12835

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

District No. 16.

1. Name of applicant: H.G. Sibbett & W.W. Call,

Postoffice address:

Gray

County: Bonneville

State: Idaho.

- I. If applicant is a corporation, give
- Date and place of incorporation:
 - The amount of capital stock:
 - The amount paid in:
 - Names and addresses of directors:

- II. The financial resources of the applicant are:
- Cash on hand:
 - Treasury stock:
 - Bonds to be issued:
 - Other resources:

2. The quantity of water claimed is One two hundredths cubic feet per second.

3. Source of water supply: Unnamed spring.

4. Location of point of diversion: SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24, T. 4^S, R. 43 E.M.

County of Bonneville.

5. To be used for: Domestic purposes in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26, Tp. 4 S., Rg. 43 E.

- I. Irrigation and domestic use:
- Amount of land to be irrigated: acres.
 - In the following legal subdivisions:

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

(a) At what point:

- Amount of power to be generated:
- Is water to be returned to any stream?
point of return:

H. P. under ft. head
(d) If so, name stream and locate

6. Estimated cost of works \$600.00

7. Description of works for diversion:

I. Kind of works: Cement box & pipe.

II. Dimensions of works:

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

(b) Capacity of reservoir acres feet. (c) Size of headgate, width feet,
Height feet. (d) Conduit width at bottom feet,
width at water line feet, depth of water feet; diameter of pipe

2" reduced to 3/4"; average grade per mile is 120 feet. Length of conduit is about 3/8 miles,
and it crosses the following quarter sections:

8. The time required for the completion of the construction of such work is now completed, years.

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

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

H.G. Sibbett,

Applicant.

Wiley Call

~~Wiley Call~~

Date of first receipt at office of State Engineer 9:00 A.M. March 1, 1917.

Returned to applicant for correction March 8, 1917.

Corrected application received March 29, 1917.

APPROVAL OF STATE ENGINEER

The number of this permit is 12835

Recorded in Book 44 Page 12835 Approved March 6, 1917

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 May 5, 1917 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 June 6, 1917

The whole of said work to be completed on or before September 6, 1917

Beneficial use of water appropriated in accordance herewith, to be made on or before September 6, 1917.

Witness my hand this 6th day of March, 1917.

J.H. Smith.

State Engineer.

Remarks:

14. The land to be irrigated is described in the following tabulation:

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals.
4 S.	43 E.	26	X	point of use.			

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

The water of this unnamed spring has been used on my place for the past 25 years and I have given Wiley Call an interest in the pipe line for House use only.

Proof of completion of works made Sept. 5, 1917.

Certificate of completion of works issued Oct. 8th, 1917.

Permit No. 12835.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that H. G. Sibbett & W. W. Call, of Gray, County of Bonneville, and State of Idaho, the holders of Permit No. 12835, issued upon Application No. 18392, bearing date of priority of March 1, 1917, authorizing the diversion of 1/200 second feet of the waters of an unnamed spring, County of Bonneville, State of Idaho, for Domestic purposes, have 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 1/200 second feet of the waters of an unnamed spring; that the point of diversion of said waters is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 4 S., R. 43 E. B. M., and that the place where water is used for domestic purposes is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 25, T. 4 S., R. 43 E. B. M.

Witness my hand this 8th day of October, A. D. 1917.

J. H. Smith,

State Engineer of the State of Idaho.

License issued for $\frac{1}{200}$ of 1 second feet.

Page 2232

WATER RIGHT NUMBER 25-2075

VERIFIED LGS

OWNER LAST NAME - SIBBETT FIRST NAME - H. G. ORIG OWNER -
OWNER LAST NAME - CALL FIRST NAME - W. W. ORIG OWNER -
ADDRESS LINE 1 - ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - GRAY STATE - ID ZIP CODE -
SOURCE - SPRING TRIBUTARY OF - SINKS
STAGE - LICENSE STATUS - PRIORITY - 03-01-1917 COUNTY - BONNEVILLE TCTAL DIV. RATE - .0100 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - 01 DLE/CAREY ACT - RIGHT BASIS - C
DIVERSION POINT - SESW 24 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
SESW 24 04S 43E LOT REDIV - 272.0 478.0 1.0 7.0 22.3 0.0 0.0 0.0 0.0 0.0 4.8
FROM - TO - USE - DOMESTIC USE DIV. RATE - .0100 CFS USE DIV. VOLUME - .00 AFA
USE - DOMESTIC PLACE OF USE - TWN 04S RNG 43E SEC 25 TRACT NWNW LCT AC
USE - DOMESTIC PLACE OF USE - TWN 04S RNG 43E SEC 26 TRACT NENE LOT AC
DECREE NAME - DATE - TOTAL ACRES 0
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 12835
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

201 03/03/85

January 25, 1918.

Re: Permit 12835.

Mr. H. G. Sibbett,
Gray, Idaho.

Dear Sir:

Enclosing herewith Water License, issued
under above permit .

Very truly yours,

J. H. SMITH,
State Engineer.

By

Enc: WL

MB

12835

REPORT OF ENGINEER

1. State name of applicant and number of permit: *H. G. Silbetti #12835*
2. State source of water supply: *Unnamed Spring*
3. Location of point of diversion: *S.E. 1/4 of the S.W. 1/4 Sec. 14 T. 4 R. 43 E. B. M.*
4. ~~State whether or not the works of diversion are fully completed and in accordance with terms of permit.~~
5. Describe works as they exist, giving dimensions and capacities of same: *The box is made of lumber and is 2 ft. X 2 ft. X 4 ft. deep. There is a pipe line of Galv. iron pipe 2 in. at the box, reduced to 3/4 in. at the residence.*
6. State whether or not water has been turned into works of diversion: *Water has been turned in now for nearly four years.*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): *The water is used at the house for culinary purposes and near the barn there is a large log trough for watering stock.*
8. Submit map on enclosed plat, showing location and details of above description.

Remarks:

This examination was made on the *10th* day of *November*, 19*17*.

(Signed)

George Muir, Jr.

Examiner.

OVER

12835

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

STATE OF IDAHO

County of Bonneville } ss.

H. F. Sibbett

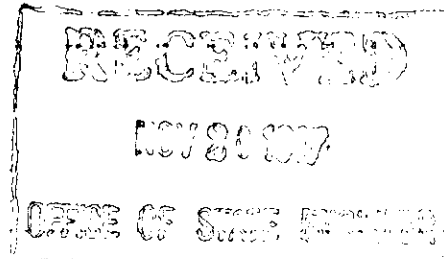
being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 16th day of November 1917

H. E. Heath

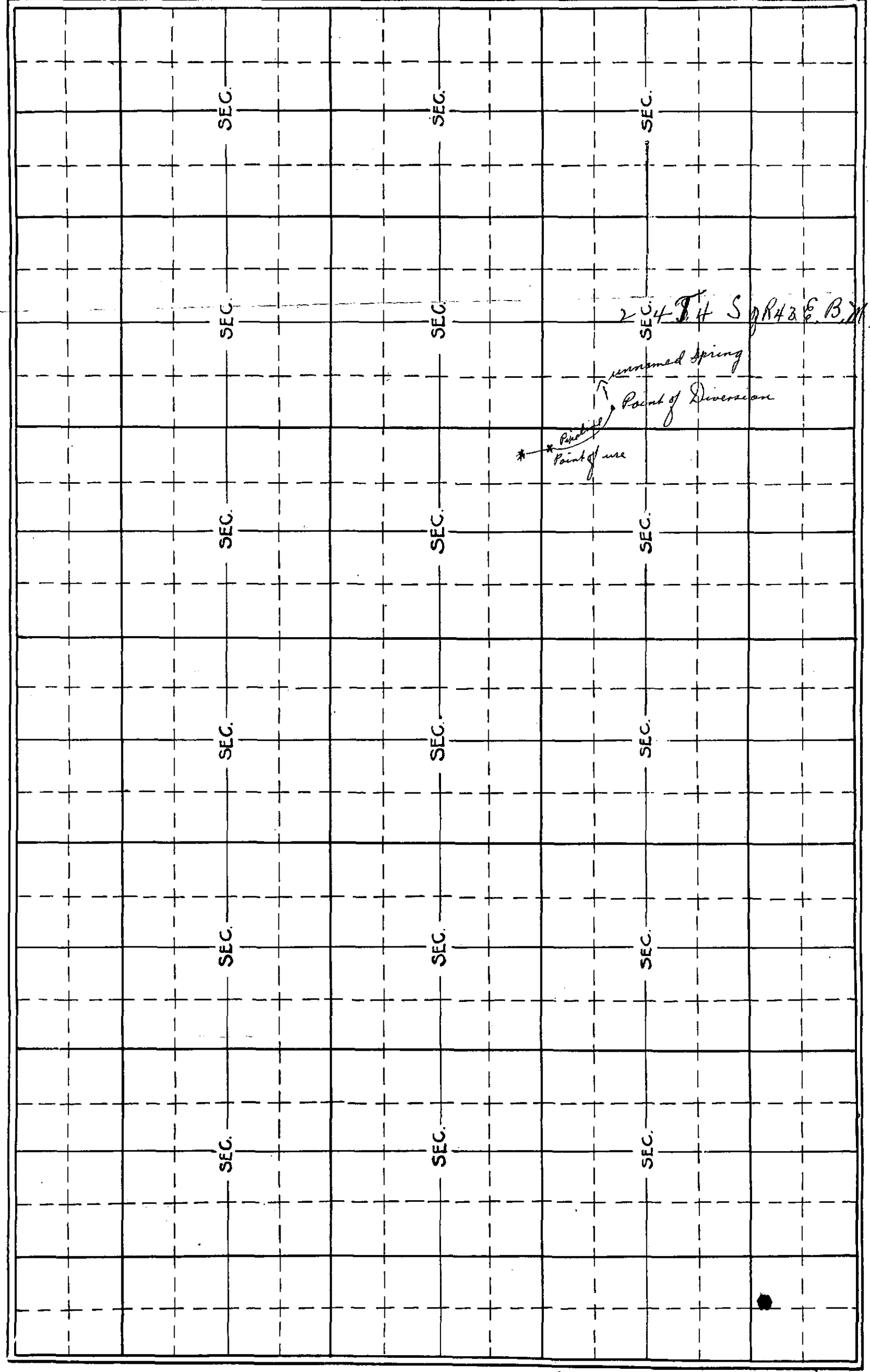
Notary Public.

My Commission Expires Oct 10 = 1921



12835

Name of Applicant *A.G. Silbetti*



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

12835

November 19, 1917.

Re: Permit No. 12835.

R. E. G. Sibbett,
Gray, Idaho.

Dear Sir:

Am in receipt of depositions and affidavit of publication, together with your receipt from the publisher and check for fees in the sum of \$2.00.

In regard to the fees would state that where the expense of the explanation is paid by the holder of the permit, no additional fees are charged at this office for final proof. The check is therefore returned to you. Am also returning you the receipt from the publisher as the same is not required to be filed here, the affidavit of publication is all that is required for filing. As soon as the report of Mr. Fair is received, the matter of issuing your license will be taken up.

Very truly yours,

J. R. SMITH,

State Engineer

By

CS/EB

Enc: C1 88
invoice: 3032.

12835

PROOF OF PUBLICATION

STATE OF IDAHO,

County of Bonneville,

ss.

I, W. S. SNYDER, do solemnly swear that I am the business manager of the firm of Dennis & Snyder, publishers and printers of the IDAHO FALLS TIMES, a newspaper of general circulation, published once each week at Idaho Falls, Bonneville County, Idaho; that said newspaper has been so published for more than one year previous to the first publication of the attached notice; 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 four consecutive weeks; that the first publication was made on the 11th day of October, 1917; that said notice was published in the regular and entire issue of every 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.

Last publication Nov. 1 -, 1917

Subscribed and sworn to before me this

1st

day of

November, 1917

W. S. Snyder
Residing at Idaho Falls, Idaho
Notary Public

NOTICE OF PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10 o'clock a. m. on the 10th day of November, 1917, at Gray, County of Bonneville, State of Idaho, before George Muir, Jr., notary public, proof will be submitted of the application to beneficial use of 1-200 of 1 cubic foot per second of the waters of an Unnamed Spring, in accordance with the terms and conditions of Permit No. 12835 heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is H. G. Sibbett, (Address) Gray, Bonneville County, Idaho.

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

The amount applied to beneficial use is 1-200 of 1 cubic foot per second.

The place where said water is used is NE 1/4 of NE 1/4 of Sec. 26, Twp. 4 S., of R. 43 E., of B. M.

The right to take the water from such works is based upon Permit No. 12835.

The source of supply from which such water is diverted is an Unnamed Spring.

The date of the priority which said user is prepared to establish is February 24, 1917.

J. H. SMITH,
State Engineer.

Pub. Times Oct. 11-18-25; Nov. 1.

12835

PROOF OF PUBLICATION

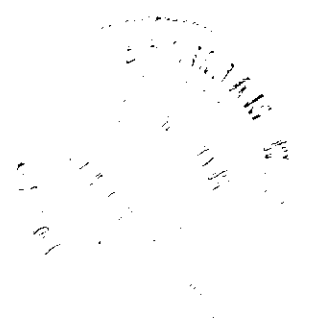
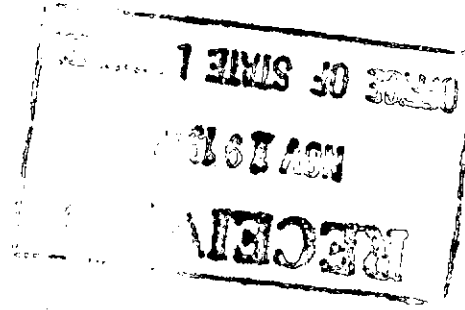
From

THE IDAHO FALLS TIMES

Published at Idaho Falls
Bonneville County, Idaho.

NAME OF NOTICE

DELIVER TO



PERMIT No. _____

4-88
J. C.**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. *N. G. Libbett* 45 yrs. *Gray Stock raises,*
Gray P.O. Idaho

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

Ans. _____

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

Ans. *#12835* *Mar. 6th 1917.* *Date of Priority Mar. 1st 1917.*

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

Ans. *The source of supply is an unnamed spring located in*
S.E. 1/4 of the SW 1/4 of Sec. 24 T. 4 R. 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. *The box at the spring is a lumber box, the pipe is 2 in*
at the spring and is reduced to 3/4 in at the house. The
pipe is Galv iron. It is capable of carrying 1/20 feet of
water to point of use.

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 at domestic purposes. House*
for domestic purposes & stock a wooden trough

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

Ans. _____

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

Ans. *1/20 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. _____

12835

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

Ans. *I have used the water thru the pipe line now for four years. The pipe is at its capacity in the spring & now at in the fall the 3/4 in pipe is about half full*

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. _____

(Sign)

W. G. Sibbett

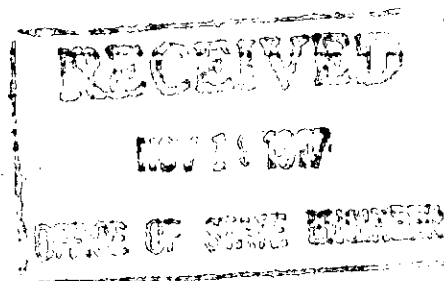
I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in _____, County of _____

Boonville State of Idaho, on this *10th* day of *November*

A. D. 19____

George Muir Jr.
Justice of Peace

12835



Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans.

*Geo. H. Muir 52 yrs old, Gray, Stock raiser
Gray, P.O. Idaho*

Ques. 2. Are you acquainted with *H. G. Sibbett*, the

holder of Permit No. *12835*? How long have you known him and where does he reside?

Ans.

*Yes. I have known him 30 yrs. He resides at
Gray, Idaho*

Ques. 3. Have you read or heard read said Permit No. *12835*, and are you familiar with its provisions and conditions?

Ans.

Yes and am familiar with its provisions

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.

*Unrained Spring. The water is boxed at the spring
& conveyed in galv. pipe to residence of H. G. Sibbett
The pipe is two in at spring & 3/4 in at the house*

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.

*100 feet of water per second. I have seen pipe carrying
nearly its 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.

*Water is used for domestic purposes at H. G. Sibbett
residence*

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

Ans.

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

Ans.

12835

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

Ans. No.

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

Ans. The water has been used for about 4 yrs now
I have seen it often. The water is all used for
domestic purposes & watering stock.

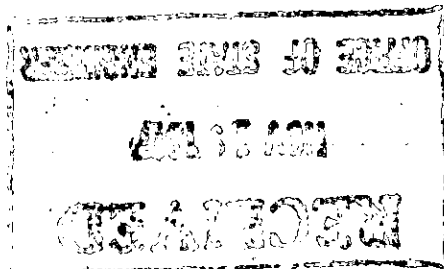
(Sign) Geo H. Muir

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 Gray, County of Bonneville, State of Idaho, on this 10th day of November A. D. 1917

My commission expires _____

George Muir Jr.
Justice of Peace
Notary Public.

12835



Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. *James Libbett Sr age 65 yrs Gray, P.O. Ida
Stock raiser*

Ques. 2. Are you acquainted with *H. G. Libbett*, the

holder of Permit No *12835*? How long have you known him and where does he reside?

Ans. *I have know him all his life. He
resides at Gray*

Ques. 3. Have you read or heard read said Permit No. *12835?* *yes*, and are you familiar with its provisions and conditions? *yes*

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. *Unnamed spring. The place of diversion is
at the spring. The works consist of board box
at spring and galv pipe about 2 in at the
spring*

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 pipe will conduct 500 ft of water for sec. I have seen
the pipe carrying its 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. *Domestic purposes only, at H.G. Libbetts Residence*

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

Ans. _____

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

Ans. _____

12835

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

Ans. No.

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

Ans. I have witnessed the application to beneficial use of water since four years now, and up to the present time. The pipe is full to capacity in the spring

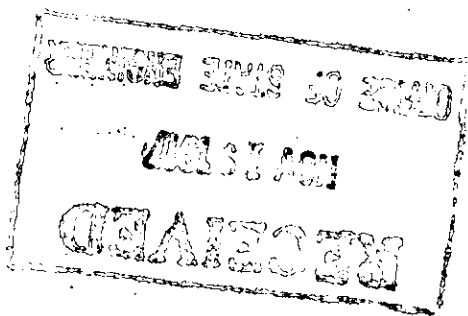
(Sign) James Sibbett

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 Gray, County of Bonneville, State of Idaho, on this 10th day of November A. D. 19

George Muir Jr.
Justice of Peace. Notary Public.

~~My commission expires~~

12835



Office of the State Engineer

Butte, Idaho, Nov. 7, 1917.

Mr. Geo. Muir, Jr.,
Gray, Idaho.

DEAR SIR:

Mr. H. G. Sibbett, _____, residing at Gray

County of _____, State of Idaho, has requested that
you make examination required under Permit No. 12835. Will you
therefore, arrange with the holder of said Permit to make such examination as will
enable you to answer the questions on the enclosed blank? Also, make a sketch on
the enclosed blank plat showing source of supply, point of diversion, route of ditch
and place of use. You should, also, arrange with the holder of said Permit for the
payment of your fee for your services, and such proper expenses as you will incur in
making this examination and report.

Please advise me promptly of receipt of this communication, and whether or not
you will be able to make the examination and report as required.

Very truly yours,

J. H. SMITH, ~~ALEX. ROBINSON~~,

State Engineer.

12835

Idaho
Nov 6-1917

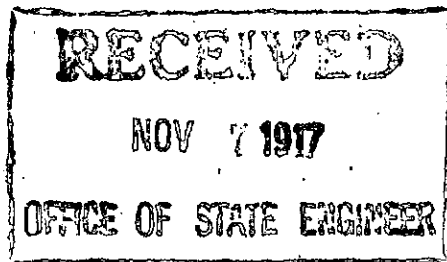
J. H. Smith
Boise Idaho

Dear Sir

I name Georg Knorr Jr,
to make examination
of works so you can
send report-forms

Very truly yours

H. G. Sibbett



12835

October 23, 1917.

Re Permit 12835.

Mr. H. G. Sibbett,
Gray, Idaho.

Dear Sir:--

Before your proof can be accepted, it will be necessary that an examination be made to this office concerning same. This examination need not be made by an engineer but must be by some one familiar with the measurement of water and capacity of works, etc. If you can send the name of some one near you to do this work for you, the report forms will be furnished from this office.

Very truly yours,

J. H. SMITH,

State Engineer.

By_____

12835

October 23, 1917.

Re: Permit No. 12835.

Mr. H. G. Sibbett,
Gray, Idaho.

Dear Sir:

Enclosing herewith Certificate of Completion of works, issued under above permit, with receipt for fee.

Very truly yours,

J. H. SMITH,

State Engineer.

By

CB/MB

Enc: CCW
R-1093.

12835

STATE OF IDAHO
ENGINEERING DEPARTMENT

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Mr. H. G. Sibbett,
c/o George Muir Jr., N. P.,
Gray, Idaho.
DEAR SIR:

BOISE, IDAHO,

October 22, 1917.

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

12835.

DEPOSITION OF PERMIT HOLDER,

DEPOSITIONS OF TWO WITNESSES.

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

1. On ~~November 10, 1917~~ the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at

Gray, before George Muir, Jr., N. P.

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

Yours truly,

J. H. Smith,

State Engineer.

12835

(P. O.)

(Date)

Idaho Falls, Ida.

10/8/17

State Engineer, Boise.

Dear Sir:

I have your letter of *10/07/17* enclosing Notice of Proof
of Beneficial Use of Water under Permit No. *12835* which will be pub-
lished as you request, beginning with our issue of *Oct 11*

J. W. [Signature]
Idaho Falls, Idaho
12835

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 ^{o'clock} a. m. on the 10th day of November, 1917,
 at Gray., County of Bonneville, State of Idaho,
 before George Muir Jr. notary public of the Peace, proof will be submitted
 of the application to beneficial use of 1/200 ^{of 1} cubic ~~feet~~ per second of the
 waters of an Unnamed Spring, in accordance with the terms and conditions of
 Permit No. ¹²⁸³⁵ ~~12835~~ heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are
H.G. Sibbett, (Address) Gray, Bonneville Co., Idaho.
2. The use to which said water has been applied is Domestic use
3. The amount applied to beneficial use is 1/200 ^{of 1} cubic ~~feet~~ per second
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) Home of Mr. H.G. Sibbett located on N.E. 1/4 of N.E. 1/4 of Sec 26
T4 S of R43 E of B.M./
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is
6. The right to take the water from such works is based upon Permit No. 12835
7. The source of supply from which such water is diverted is an unnamed Spring
8. The date of the priority which said user is prepared to establish is October 8th 1917

J. H. Smith, Jr.

State Engineer.

12835

Permit No. I2835

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Bonneville } SS.H.G. Sibbett

, 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. I2835 and that his postoffice address is Gray,
State of IdahoSecond: That the name of the stream from which said water is to be diverted is
Unnamed SpringThird: That the point of diversion of said water is S.E. 1/4 of the S.W. 1/4 of
Section 24 T4 R43 east of Boise Meridian.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Sept. 6th 1917Fifth: That the use for which said water is intended is Domestic purposesSixth: That on the date above mentioned, the works constructed under said permit were (~~or~~ fully) fully completed and consisted of the following:I. Kind of works: Cement box pipe

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

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.(c) Size of headgate: Width feet, height feet.(d) Conduit pipe width at bottom feet, width at water

(State whether ditch, flume or pipe)

line feet, depth of water feet; diameter of pipe 2 in reduced to 3/4"
average grade per mile is 120 feet. Length of conduit is 3/8 miles.Seventh: That said works are capable of conducting to the place of intended use
1/200 second feet of water.Eighth: That water appropriated under said permit is available for acres of land described as follows: The place where water is used for domestic purposes is NW 1/4 of NW 1/4 of Sec 25 T4 S of R 43 E of B. M.Ninth: Remarks: That Wiley Call is a joint owner with myself in this permit.H. G. Sibbett
(Sign here)Subscribed and sworn to before me this 5th day of September, 1917.George Muir Jr.
Notary Public.
Justice of PeaceMy commission expires

12835

September 21, 1917.

Re: Permit No. 12835

Mr. H. G. Sibbett,
Gray, Idaho.

Dear Sir:

In checking your affidavit for proof of completion of works, I notice that you have not included the name of W. W. Call. The affidavit is therefore returned for completion in this respect.

Under the head of remarks you should insert the statement that W. W. Call is a joint owner with yourself in this permit.

Check for fees is returned with the affidavit.

Very truly yours,

J. H. Smith,

State Engineer.

By

CL/MB

Enc: AH

CK-52.

12835

September 12, 1917.

Re: Permit No. 12835.

Mr. H. G. Sibbett,
Gray, Idaho.

Dear Sir:

Am returning herewith your affidavit
for proof of completion of works, together
with check for fees, for your signature.
You should also give the place of use for
domestic purposes.

The notices for final proof were
satisfactory and a copy will be sent to the
Idaho Falls Times at Idaho Falls for
publication prior to November 10th, the
date set for publication.

Very truly yours,

J. H. Smith,

State Engineer.

By _____

Enc: Aff.
Ch. 52-55.

CB/MB

12835

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

H. G. Sibbett & W. W. Call,
Gray, Idaho.

Boise, Idaho, July 19 1917

Dear Sir:—

Under the terms of your permit No. 12835, you are required to complete your diversion works on or before Sept. 6 1917. 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,

J. H. SMITH,

State Engineer.

12835

State of Idaho
ENGINEERING DEPARTMENT

BOISE

H. G. Sibbett & W. W. Call,
Gray, Idaho.

July 19 1917

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. ~~12835~~, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

J. H. Smith

State Engineer

12835

May
Sixteen
1917.

Re: Permit No. 12835.
Sibbett & Call.

Mr. Geo. Fair, Jr.,

Gray, Idaho.

Dear Sir:

We have your letter of the 14th, in regard to the fillings made by H.C. Sibbett and Lylio T. Call on springs.

Permit No. 12743 was issued upon an application filed in the name of Call and Sibbett by Mr. Call. This application claims 1/200 sec. ft. from a spring located upon Government land in NE 1/4 section 25 - 4 S. - 45 E. The water to be used for domestic or stock on NE 1/4 Sec. 26. In as much as the spring is described to be upon Government land, there was no necessity for Mr. Call to secure permission from Mr. Sibbett to make the filling, even if Mr. Sibbett had not been named as one of the applicants.

In our opinion the relative positions of the two names at the heading of the application would have nothing whatever to do with the right to the use of water. The permit as it stands conveys equal authority to Mr. Sibbett and Mr. Call to appropriate - from the source described - any unappropriated waters.

Permit No. 12835, which claims 1/200 sec. ft. from a spring in NE 1/4 section 24 - 4 S. - 45 E. for domestic use on NE 1/4 section 26, conveys practically the same authority with respect to a spring located as above described. In regard to "the last instructions", to which you refer, I presume this is a notice that work of completion of work should be made on or before July 26th, 1917. The reason that

12835

Sheet #2 - Geo. Muir, Jr.

a similar notice with respect to Permit #12835 has not been sent out is that proof of completion of work under the latter permit is not due until September 6th, 1917. The notice in regard to this proof will be mailed in due time but the proof should be made in accordance with the conditions stated in the permit - whether such notice is received or not.

In conclusion - we would say that there has been a very considerable amount of correspondence with both Mr. Libbott and Mr. Hall in regard to these filings and for the convenience of all concerned, we would urge that Mr. Libbott and Mr. Hall compare notes and come to an understanding. We feel sure that if this is done, each will find that his rights have not been in any manner harmed by the other; and, that which ever permit correctly describes the location of the spring - can be used as a basis of the water right.

Very truly yours,

J. H. Smith,
State Engineer.

By

K-bb.

12835

Gray, Idaho

May 14, 1917.

Mr. J. H. Smith, State Engineer,
Boise, Idaho.

Dear Sir, -

I am writing this at the request of Mr. H. G. Sibbett who just recently took out permit no 12835 to appropriate the Public Waters of the State of Idaho. There seems to be some difficulty in getting matters straightened out between Mr. Sibbett and Mr. Wiley Call, who also it seems, has taken out a permit to appropriate the same water from the same spring.

A history of the case from the beginning might help to clear matters up. Mr. H. G. Sibbett and Mr. Wiley Call are neighbors, their places joining and their homes being quite close together. The spring upon which they both have filed lies north east from the home of Mr. Sibbett. The waters of this spring have always run upon the place now owned by Mr. Sibbett and have been used by him ever since he owned the place. From the standpoint of use Mr Call has no right whatever to this water.

About three or four years ago Mr. Sibbett, as a neighbor, allowed Mr Call to go in with him and they built a pipe line from the spring to their homes for the purposes of securing water for the house and to water a few stock, there being no water except wells at either home. Last fall Mr. Call left Gray for Southern Utah with the intention of selling his place. Apparently he found that he would sell it easier if he had a water right for house use, so without informing Mr. Sibbett of his actions he applies to your office for a permit under the caption WYLLIE CALL AND H. G. Sibbett, making himself come first and though he were the owner of the water. When his application was O K'd by your office it was sent to Mr. Sibbett for his acceptance. Mr. Sibbett who is the rightful owner of this water because it has always been used upon his place, wondered when he received this application why Mr. Call would be filing upon the water at all, when he knew that he had no right to the water, and when he also knew that Mr. Sibbett had, as a neighbor, let him in on the pipe line for home use. Mr. Sibbett also noticed that on the permit he, Mr. Call had made himself come first on the permit, thus placing himself ahead of Mr. Sibbett as the owner of the water. Upon considering these things Mr. Sibbett suspicioned that there must be something wrong somewhere. He, therefore rejected the application made out by Mr. Call, and applied for a permit himself, under the caption H. G. SIBBETT AND WILEY CALL, thus giving Mr. H. G. Sibbett, the rightful owner of the water his proper place on the permit. At t

At the same time Mr. Sibbett asked your office to cancel the permit issued to Wiley Call and H. G. Sibbett, which permit was numbered 12746. Mr Sibbett's application for a permit was accepted and he took out permit no 12835, for the use of the same water, which by the way is located in Sec. 24 and not Sec. 25 as Mr. Call had on his permit.

It seems from the last instructions which Mr. Sibbett received from your office that Mr. Call's permit was not canceled, as the instructions bear his permit no 12746 and also the caption WILEY CALL AND H G SIBBETT.

Again Mr. Sibbett is not receiving the instructions which should under the permit #12835 which he took out. Why is this ?

I am a Justice of the Peace for Gray and a neighbor of both parties and I am familiar with the circumstances, Mr. Sibbett informs me that he will decline to make out any papers until his name appears, as it should appear, first on the permit.

Please let me know how things stand in your office regarding this matter,

Very truly yours,

George Mann Jr. 12835

P. 12746 - claims $\frac{1}{2}$ acre for Spr on Govt land
in NE $\frac{1}{4}$ Sec 26 - 45-43E.
for dom use in NE $\frac{1}{4}$ Sec 26-45-43E
O/e due 7/20/17

P. 12835 claims $\frac{1}{2}$ acre Spr in SE $\frac{1}{4}$ Sec 26
45-43E for dom use in NE $\frac{1}{4}$ Sec 26.
O/e due 9/6/17

12835

P. 12746
9/22/17

March
Twentieth
1917.

Re: Permit No. 12835-

Mr. H.G. Gibbett,
Gray, Idaho.

Dear Sir:

Replying to your letter of the 16th,
in regard to the matter of signature on
application for permit #12746, we would advise
that Wiley Call signed the application for you
as your agent. We should like to have the sig-
nature on permit #12835 made as soon as possible,
and the permit forwarded to us to complete our
record.

Very truly yours,

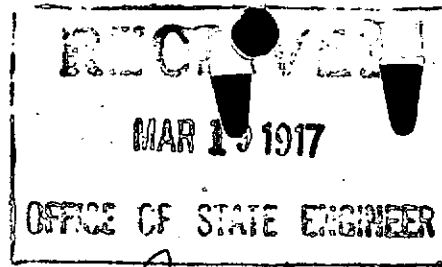
J.M. Smith,
State Engineer,

By

H bb.

12835

[Handwritten signature]
[Handwritten signature]



Gray Idaho
Mar 16-17

J. D. Smith
State Engineer
Boise, Ida

Dear Sir
you have ask for Mr Call
to sign the last Papers
you sent. kindly tell me
how it is that my name
wasnt asked for on the
first Papers you sent -
if they were signed I
never gave Mr Call nor
no one else the right to sign
my name.

12835

if I understand the Law
right no man has got
a right to sign another
man's name unless
he says so
did you file the Papers
Mr Ball had made out
Mr Ball isn't here at
Present. & I don't know where
he is I understand he
has sold his Ranch here
wishing an early reply from
you

Yours Truly

12835

J. G. Sibbett

In Jan 127 46, Wiley Corp
Ogd for Fibers.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

permit No - 12835-
Mr. H.G. Sibbett,
Gray, Idaho.

Boise, Idaho,

March 6, 1917.

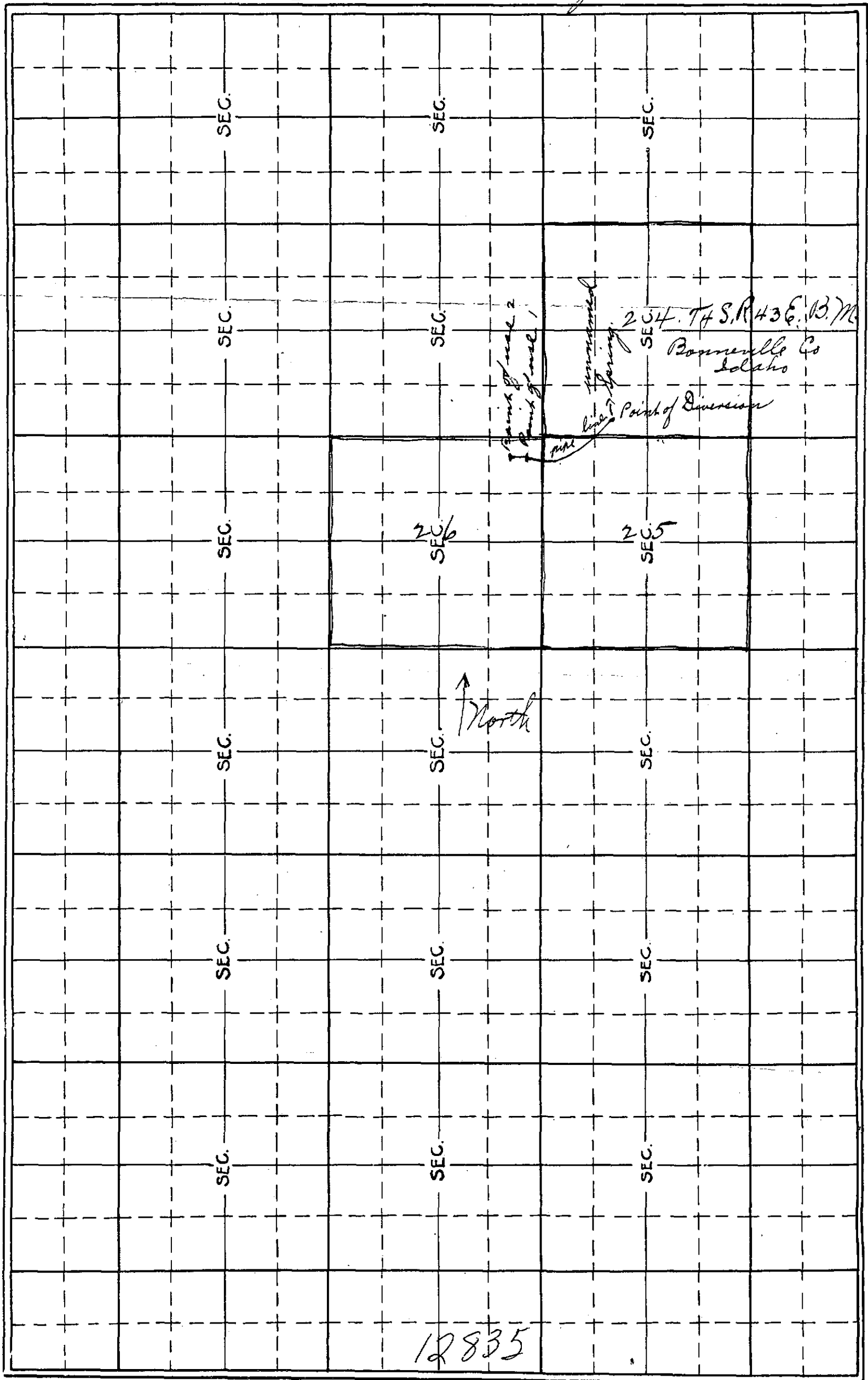
Dear Sir:

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

J. H. SMITH,
State Engineer.

12835

Name of Applicant *H. G. Sibbett & W. L. Call*



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

March 8, 1917.

18592 -

Mr. H.G. Sibbett,
Gray, Idaho.

The above application is O.K. except that Mr. Call has not signed it. Please have it signed and return to us so we can correct our record.