

Affidavit of Publication

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 14th day of August, 1920, at Blackfoot, county of Bingham, state of Idaho, before Lorenzo R. Thomas, notary public, proof will be submitted of the application to beneficial use of 6.4 cubic feet per second of the waters of Rush creek in accordance with the terms and conditions of permit No. 10594 heretofore issued by the state engineer of the state of Idaho.

The name and postoffice address of the person or corporation holding said permit are John H. Coumerilh, sole heir of Lois L. Coumerilh, deceased, Blackfoot, Idaho.

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

The amount applied to beneficial use is 6.4 cubic feet per second.

The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$ section 19, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ section 20, township 3 south, range 42 east, Boise meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is not named.

The right to take water from such works is based upon permit No. 10594.

The source of supply from which such water is diverted is Rush creek.

The date of the priority which said user is prepared to establish is April 27, 1916.

W. G. SWENDSEN,
Commissioner of Reclamation.
Adv. 91-94-97-100

STATE OF IDAHO, }
COUNTY OF BINGHAM, } ss.

I, BYRD TREGO, do solemnly swear that I am the publisher of THE IDAHO REPUBLICAN, a tri-weekly newspaper of general circulation, published thrice each week at Blackfoot, Bingham county, Idaho; that the notice attached hereto and which is a part of this affidavit, and a part of the proof of publication, was published weekly in said newspaper four consecutive weeks; first publication having been made on the 16th day of July, 1920; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement; said newspaper having been published for more than one year and being a newspaper in the meaning of the law.

Byrd Trego

Subscribed and sworn to before me this

seventeenth day of August

, A. D. 1920.

Leo J. Chapman
Notary Public.

Notary Public for Idaho
Residing at Blackfoot, Idaho
My Commission expires April 6, 1922

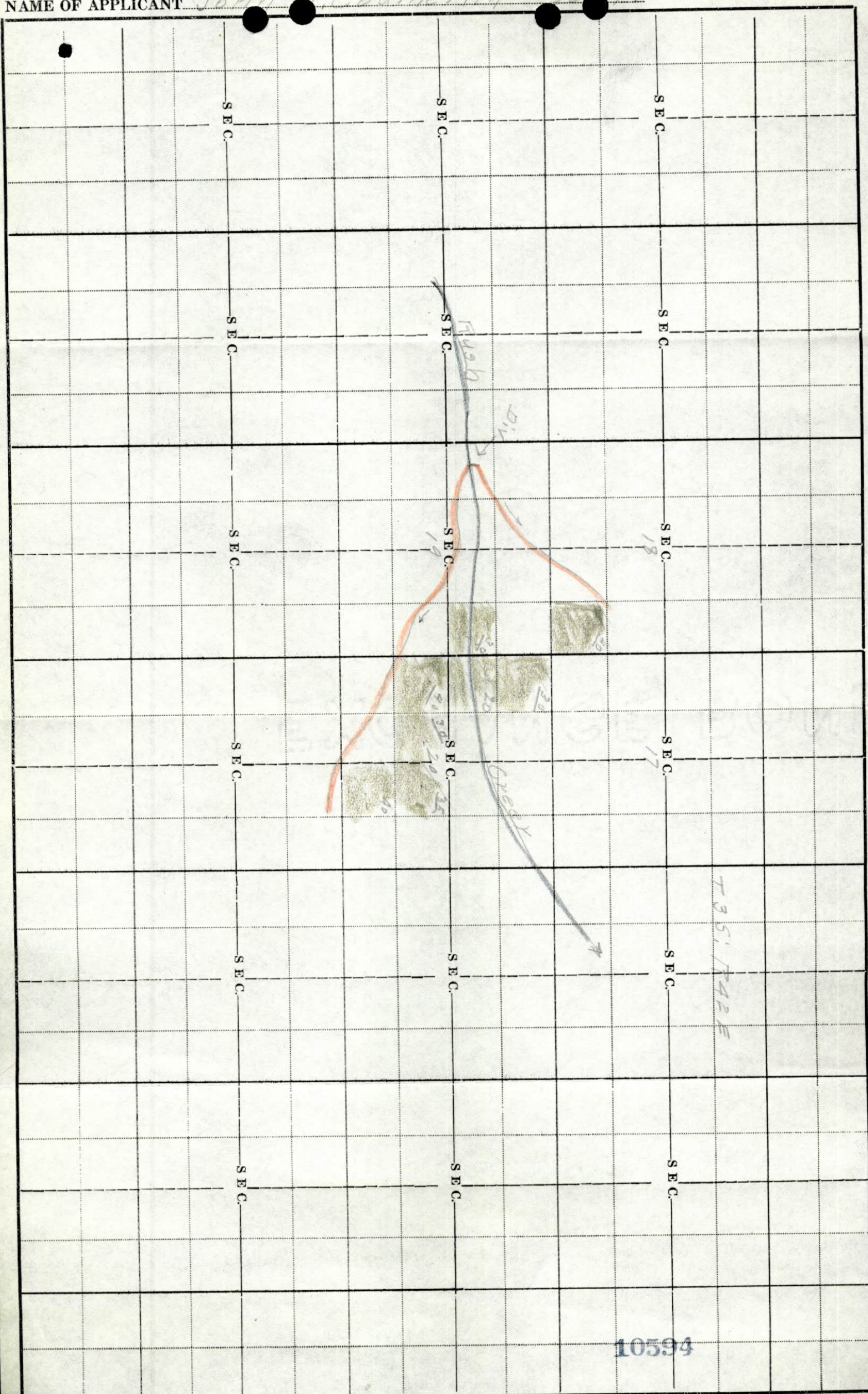
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DEPARTMENT OF RECLAMATION

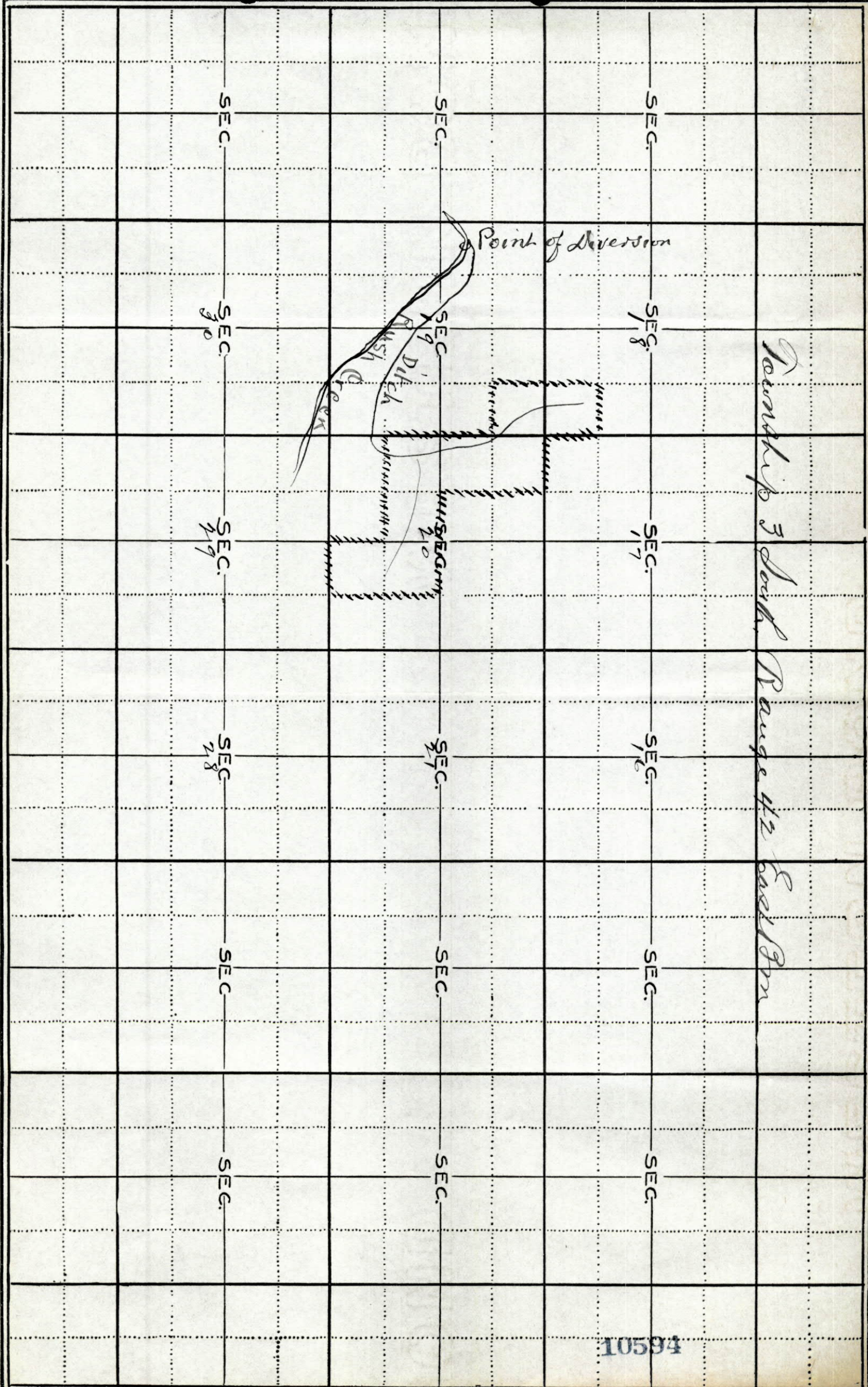
10594

NAME OF APPLICANT *John H. Gaumer, Jr.* # *10594*



10594

Name of Applicant *Nois L. Bomerich, Sprigg, Idaho*



Township 3 South Range 42 East 3rd

10594

State of Idaho
License and Certificate of Water Right

Water License No. 10594
Water District No. 16

Amount 5.3 sec.ft.
Priority 10/13/15

THIS IS TO CERTIFY that **LOIS L. COUMERILE**,
of **Springfield, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **August 27**, 19 **14**; that Permit No. **10594**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of **6.4**
second feet, was issued thereunder on **October 8**, 19 **17**, showing that said works
were completed on the **24th** day of **September**, 19 **17**; and that on the **14th**
day of **August**, 1920,

JOHN H. COUMERILE,

of **Blackfoot**, State of **Idaho**, made proof to the satisfaction of the
~~State Engineer~~ **Commissioner of Reclamation** of Idaho, of a right to the use of the waters of **Rush Creek**,
a tributary of **Willow Creek**, for the purpose of **Irrigation & Domestic Use**,
under Use Permit No. **10594** of the State Engineer, and that said right to the use of said
waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the ~~State~~
Commissioner of Reclamation of Idaho and entered of record in Volume **5** of Licenses, at page **2774**, on the **7th**
day of **February**, 19 **21**;

The right hereby confirmed dates from **October 13**, 19 **15**;

The Point of Diversion is located
in the **SW 1/4 NW 1/4**, Sec. **19**, Tp. **3 S.**, R. **42 E.**, B.M. **Bonneville**,
County of Bingham.

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 **5.3** 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	42 E	18 19 20	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	20
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	30
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	35
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
					<u>265</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 Engineer~~ **Commissioner of Reclamation**,
day of **February**, 19 **21**.
affixed at Boise, Idaho, this **7th**

W. G. Swendsen,

~~State Engineer~~
Commissioner of Reclamation.

By: **S. T. Baer,**
Deputy.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 11238
Water District No. 34

Amount 0.6 sec.ft.
Priority 5/17/15

THIS IS TO CERTIFY that JOSEPH L. DAVIS & ANNIE E. DAVIS
of Basalt, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 10, 19 15; that Permit No. 12238
was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6.4
second feet, was issued thereunder on June 15, 19 18, showing that said works
were completed on the 5th day of June, 1918; and that on the 10th
day of June, 19 20,

JOSEPH L. DAVIS,
of Trailton, State of Idaho, made proof to the satisfaction of the
~~Commissioner of Reclamation~~ of Idaho, of a right to the use of the waters of Trail Creek,
a tributary of Blackfoot River, for the purpose of Irrigation & Domestic use,
under Use Permit No. 11238 of the State Engineer, and that said right to the use of said
waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the ~~State~~
~~Commissioner of Reclamation~~ of Idaho and entered of record in Volume 5 of Licenses, at page 2775, on the 8th
day of February, 19 21;

The right hereby confirmed dates from May 17, 19 15;

The Point of Diversion is located
in the NW 1/4 NE 1/4, Sec. 28, Tp. 3 S. R. 39 E., B.M. County of Bingham.

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 0.6 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	39 E	28	NW 1/4 NE 1/4	40	5
			SW 1/4 NE 1/4	40	5
			SE 1/4 NW 1/4	40	20
			NE 1/4 SW 1/4	40	--
			SW 1/4 NW 1/4	40	--
			NW 1/4 SW 1/4	40	--
			SW 1/4 SW 1/4	40	--
			SE 1/4 NE 1/4	40	--
		29			

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 Engineer~~ Commissioner of Reclamation, affixed at Boise, Idaho, this 8th
day of February, 19 21.

W. G. Swendsen,
~~State Engineer~~
Commissioner of Reclamation.
By: S. T. Baer,
Deputy.

(SEAL)

No. 15610

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Lois L. Coumerilh

Postoffice address: Springfield

County: Bingham

State: Idaho

I. If applicant is a corporation, give

(a) Date and place of incorporation:

(b) The amount of capital stock:

(c) The amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. The quantity of water claimed is 6.4 cubic feet per second.

3. Source of water supply: Rush Creek

4. Location of point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19, Twp. 3 South Range 42 E.

County of Bingham

5. To be used for: Irrigation purposes.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 320 acres.
 (b) In the following legal subdivisions: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, W $\frac{1}{2}$ NW $\frac{1}{4}$,
 N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 20, Twp. 3 South, Range 42 East Boise Meridian.

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

[a] At what point:

[b] Amount of power to be generated:

H. P. under ft. head

[c] Is water to be returned to any stream?
return:

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

6. Estimated cost of works: \$300.00

7. Description of works for diversion:

I. Kind of works: Ditch

II. Dimensions of works:

[a] Height of dam feet, length of dam at top feet,

length of dam at bottom feet. Material used in construction:

[b] Capacity of reservoir acre feet. (c) Size of headgate, width feet,

Height feet. (d) Conduit Ditch width at bottom 3 feet,

width at water line 4 feet, depth of water 1 feet, diameter of pipe

inches; average grade per mile is 7 feet. Length of conduit is 1 $\frac{1}{2}$ miles,
 and it crosses the following quarter sections: NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 19, SW $\frac{1}{4}$ Section
 20 Township 3 South, Range 42 East Boise Meridian.

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

9. Time required for the complete application of the water to the proposed use is 1 additional years.

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

Lois L. Coumerilh

Applicant.

By Lorenzo R. Thomas

Agent.

Date of first receipt at office of State Engineer 9.00 A. M. August 27, 1914.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 10594

Recorded in Book 35 Page 10594 Approved September 30, 1914.

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 November 29, 1914 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 March 30, 1916.

The whole of said work to be completed on or before September 30, 1917.

Beneficial use of water appropriated in accordance herewith, to be made on or before September 30, 1918.

Witness my hand this 30th day of September, 1914.

F. P. King,

State Engineer.

Remarks: Point of diversion is on unoccupied, unappropriated, vacant Government land. The ditch stated to be a mile and half long is from the point of diversion to the land to be irrigated.

Proof of completion of works made Sept. 24, 1917.

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

Permit No. 10594.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that John H. Coumerilh (Sole Heir of Lois Coumerilh, deceased), of Springfield, County of Bingham, and State of Idaho, the holder of Permit No. 10594, issued upon Application No. 15610, bearing date of priority of August 27, 1914, authorizing the diversion of 6.4 second feet of the waters of Rush Creek, County of Bingham, 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 6.4 second feet of the waters of Rush Creek; that the point of diversion of said waters is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 3 S., R. 42 E. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 20, T. 3 S., R. 42 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 6.3 second feet
Page 2914

Recorded by
Checked by

WATER RIGHT NUMBER 25-2050

OWNER LAST NAME - COUMERILH

FIRST NAME - LOIS L.

ORIG OWNER -

VERIFIED LGS

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BLACKFOOT

STATE - ID ZIP CODE -

SOURCE - RUSH CREEK

TRIBUTARY OF - WILLOW CREEK

STAGE - LICENSE

STATUS -

PRIORITY - 10-13-1915

COUNTY - BONNEVILLE

TOTAL DIV. RATE -

5.3000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. - 01

DLE/CAREY ACT -

RIGHT BASIS - C

DIVERSION POINT - SWNW 19 03S 42E LOT 00 REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

SNNW 19 03S 42E LOT REDIV -

272.0 478.0 1.0 7.0 3.0 0.0 0.0 0.0 0.0 0.9

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

5.3000 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 42E SEC 18

TRACT SESE LOT

AC 40

USE - IRRIGATION

PLACE OF USE - TWN 03S RNG 42E SEC 19

TRACT SENW LOT

AC 30

USE - IRRIGATION

PLACE OF USE - TWN 03S RNG 42E SEC 20

TRACT NWNW LOT

AC 30

TRACT SWNW LOT

AC 20

TRACT NWSW LOT

AC 30

TRACT NESW LOT

AC 40

TRACT NWSE LOT

AC 35

TRACT SWSE LOT

AC 40

DATE -

TOTAL ACRES

265

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 10594

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

February 21, 1921.

Permit 10594. - John H. Coumerilh.

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

Gentlemen:-

Enclosing herewith wat r license issued under the
above numb red permit, with receipt for fees paid.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

WL-R6493

By _____

10594

Affidavit of Publication

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 14th day of August, 1920, at Blackfoot, county of Bingham, state of Idaho, before Lorenzo R. Thomas, notary public, proof will be submitted of the application to beneficial use of 6.4 cubic feet per second of the waters of Rush creek in accordance with the terms and conditions of permit No. 10594 heretofore issued by the state engineer of the state of Idaho.

The name and postoffice address of the person or corporation holding said permit are John H. Coumerilh, sole heir of Lois L. Coumerilh, deceased, Blackfoot, Idaho.

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

The amount applied to beneficial use is 6.4 cubic feet per second.

The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$ section 19, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ section 20, township 3 south, range 42 east, Boise meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is not named.

The right to take water from such works is based upon permit No. 10594.

The source of supply from which such water is diverted is Rush creek.

The date of the priority which said user is prepared to establish is April 27, 1916.

W. G. SWENDSEN,
Commissioner of Reclamation.
Adv. 91-94-97-100

STATE OF IDAHO, }
COUNTY OF BINGHAM, } ss.

I, BYRD TREGO, do solemnly swear that I am the publisher of THE IDAHO REPUBLICAN, a tri-weekly newspaper of general circulation, published thrice each week at Blackfoot, Bingham county, Idaho; that the notice attached hereto and which is a part of this affidavit, and a part of the proof of publication, was published weekly in said newspaper four consecutive weeks; first publication having been made on the 16th day of July, 1920; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement; said newspaper having been published for more than one year and being a newspaper in the meaning of the law.

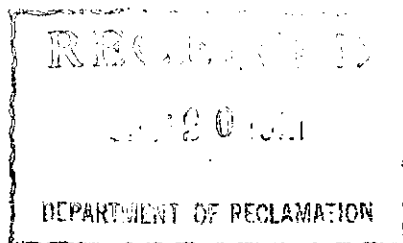
Byrd Trego

Subscribed and sworn to before me this

seventeenth day of August

, A. D. 1920.

Leo J. Chapman
Notary Public.



10594

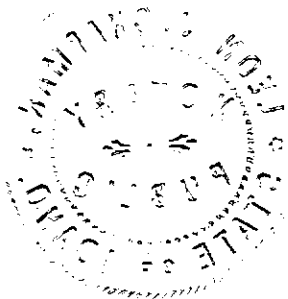
Affidavit of Publication

BY

THE IDAHO REPUBLICAN
BLACKFOOT, IDAHO

Made this.....day of.....19.....

VS.



PERMIT No. 10594**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. John H. Coumerilh husband and sole heir of Lois L. Coumerilh
deceased; 44 years; Blackfoot, Idaho; stock raiser; Blackfoot, 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. Private

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

Ans. 10594; September 30, 1914;

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

Ans. Rush Creek; SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, Tp. 3 S., R. 42 East, B.M.

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

Ans. Ditch 4 feet wide at bottom, 6 feet wide at water line; 18" to
2' deep; 640 inches; private ditch.

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

Ans. Irrigation purposes; 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18; 35 acres in
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19; 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 30 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 35 acres in
NW $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 7 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ of
Sec. 20. 40 acres cultivated to grain; balance of the irrigated land
was harrowed, disked and seeded to timothy and broom grass; hay and
pasture.

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

Ans. Irrigation purposes only.

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

Ans. One inch per acre.

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

Ans. The applicant was my wife; she died 3 years ago last November.
I am her heir at law.

10594

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

Ans. For 5 years last past; by distributing the water over the
land; one inch per acre on 180 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 rights claimed thereunder.

Ans. I have irrigated about 5 acres of the land on the W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec.
from a small reservoir supplied from two small springs; each year
for five years, using about one inch per acre.
The springs are on this land and the water has not been appropriat-
ed - I have just used it.

(Sign) John H. Comerick

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

Bingham

State of Idaho, on this 14th day of August

A. D. 1920

George R. Thumme

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

10594

NOTARY PUBLIC
STATE OF IDAHO
BLACKFOOT

Permit No. 10594

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Robert A. Parsons; 37 years of age; Blackfoot, Idaho;
farmer and stock raiser; Blackfoot, Idaho

Ques. 2. Are you acquainted with John H. Coumerilh, husband of Lois L. Coumerilh, deceased who is her heir at law, the holder of Permit No. 10594? How long have you known him and where does he reside?

Ans. Yes, 15 years; Blackfoot, Idaho. I also knew Mrs Lois L. Coumerilh during her life time.

Ques. 3. Have you read or heard read said Permit No. 10594, 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. Rush Creek; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Tp. 3 S., R. 42 E., B. M.
Ditch, 3 ft. wide at bottom, 4 ft. at water line and 1 ft. deep.

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

Ans. 6.4 second feet; 350 inches.

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

Ans. Irrigation purposes; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, W $\frac{1}{2}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, Tp. 3 S., R. 42 E.

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

Ans. Irrigation purposes only.

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

Ans. 40 acres of agricultural land, which has been tilled and seeded to and produced grain, the balance of the tract has been disced and seeded to timothy and brome grass and has produced hay and pasture; one inch per acre.

10594

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.

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. During the past two irrigation seasons; by seeing the land covered with water; practically the whole tract; one inch or more per acre.

(Sign)

Robert Parsons

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Blackfoot, County of Bingham, State of Idaho, on this 14th day of August A. D. 19 20.

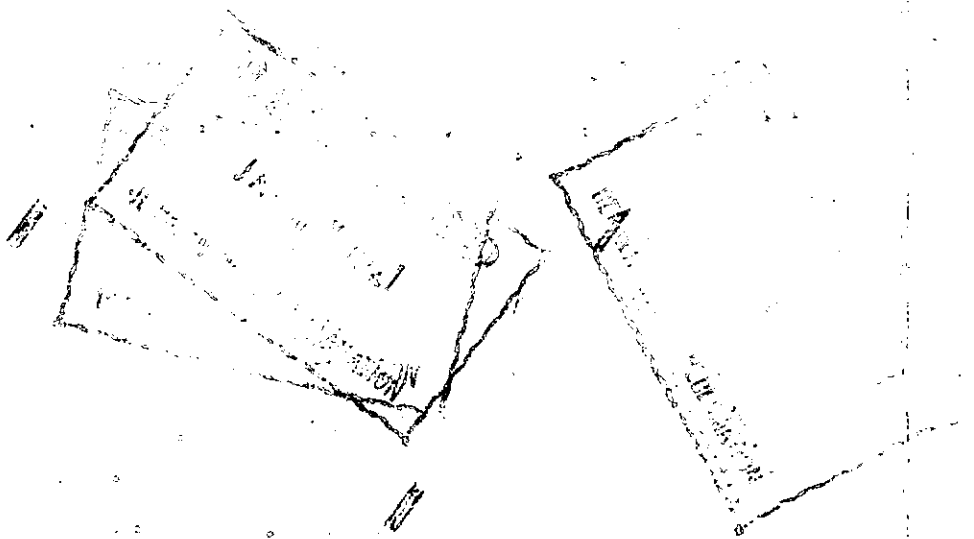
Ernest R. Thomas

Notary Public.

Residing at Blackfoot, Idaho

My commission expires May 26th, 1923.

10594



Permit No. 10594

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Richard T. Reid; 27 years; Blackfoot, Idaho;
farmer; Blackfoot, Idaho.

Ques. 2. Are you acquainted with John H. Coumerilh, husband and heir at law of Lois L. Coumerilh, deceased, holder of Permit No. 10594? How long have you known him and where does he reside?

Ans. Yes; 12 years; I became acquainted with Lois L. Coumerilh 12 years ago and knew her thereafter until she died 3 years ago last November; Blackfoot, Idaho.

Ques. 3. Have you read or heard read said Permit No. 10594, 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. Rush Creek; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Tp. 3 S., R. 42 E., B. M.
Ditch, 3 ft. wide at bottom, 4 ft. at water line and 1 ft. deep.

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

Ans. 6.4 second feet; 350 inches.

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

Ans. Irrigation purposes; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, NE $\frac{1}{4}$ NB $\frac{1}{4}$, Sec. 19, W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, Tp. 3 S., R. 42 E.

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

Ans. Irrigation purposes only.

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

Ans. 40 acres of agricultural land, which has been tilled and seeded to and produced grain, the balance of the tract has been disced and seeded to timothy and brome grass and has produced hay and pasture; one inch per acre.

10594

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.

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. During the past two irrigation seasons; by seeing the land covered with water; about 200 acres; one inch or more per acre.

(Sign)

Richard J. Reed

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Blackfoot, County of Bingham, State of Idaho, on this 14th day of August A. D. 19 20.

Lorenzo R. Thomas

Notary Public.

Residing at Blackfoot, Idaho

My commission expires May 26, 1923.

10594



REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 16

1. State name of applicant and number of permit: John H. Coumerilh- Permit 10594
2. State source of water supply: Rush Creek
3. Location of point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, T. 3 S., R. 42 E., B.M.

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

E. dam, 1'H. 6'L. No H.G.

Ditch, 3'B. 1'D. cap. 4 S.F.

5. State whether or not water has been turned into works of diversion: Yes.

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18; SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19; W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 20, 3S-42 E.

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18, 40 A. cult. SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, 30 A. cult.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, 30 A. cult. SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, 20 A. cult.

NW $\frac{1}{4}$ SE $\frac{1}{4}$, 35 A. SW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 A.

NW $\frac{1}{4}$ SW $\frac{1}{4}$, 30 A. NE $\frac{1}{4}$ SW $\frac{1}{4}$, 40 A.

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

8. How many parties conduct water in this system? Two.

9. Give names and amount of each right: John H. Coumerilh, 2 S.F.

Joseph Coumerilh, 2 S.F.

10. What large stream would the water here appropriated finally reach? Snake River.

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: From land to Rush Creek, to Willow Creek, to Snake River.

Remarks:

This examination was made on the 10 th day of July 19 20.

(Signed) L. R. Annett.

10594 Examiner.

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

STATE OF IDAHO,

ss.

County of _____

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

Subscribed and sworn to before me this _____ day of _____ 19____

My commission expires _____

Notary Public.

DIST. 16

John H. Coumerrilh

Blackfoot

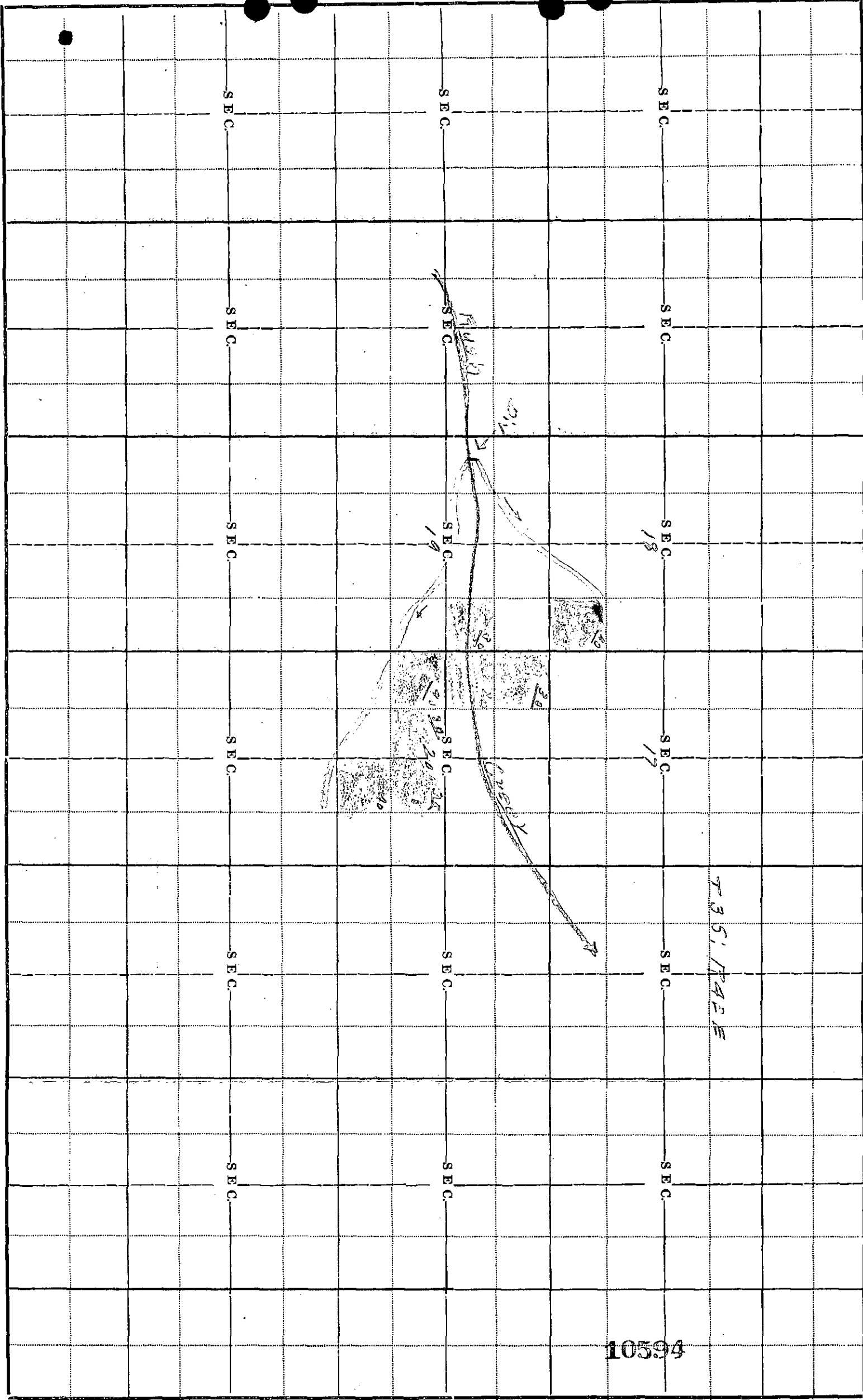
10594

10594-425

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

NAME OF APPLICANT John H. Courmerly #10594



10594

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

July 17, 1930.

Re Permit 10594- John H. Comerini.

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

Gentlemen:—

Relative to proof under the above permit would say that
August 13th will allow for the required publication of the notice.
Deposition blanks are herewith enclosed, one for holder and one each
for two witnesses.

Very truly yours,

W. G. SUTHERLAND,

Commissioner of Reclamation.

By _____.

DEU

10594

L. R. THOMAS

J. H. ANDERSEN

THOMAS & ANDERSEN
ATTORNEYS AT LAW
BLACKFOOT, IDAHO

July 15th, 1920.

Department of Reclamation,
Boise, Idaho.

Gentlemen:--

Respectfully referring to your favor of the 12th inst. in re permit 10594, you are advised that we inserted in your enclosed notice for publication, August 14th as the date for final proof and handed the said notice to the Idaho Republican for publication. The first notice will appear July 16 and the last August 13th. As we understand the requirements, this is sufficient time; if not, please advise us. We will have the parties re-appear on the dates set for the proof and change the dates in the jurats after re-swearing the parties, so that the proof will in fact be taken on the new date. Q K

Very respectfully,

THOMAS & ANDERSEN,

By L. R. Thomas

LRT/ANP

10594

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 14th day of Aug., 1920,
at Blackfoot, County of Bingham, State of Idaho,
before Lorenzo R. Thomas, Notary Public, proof will be submitted
of the application to beneficial use of 6.4 cubic feet per second of the
waters of Rush Creek in accordance with the terms and conditions of
Permit No. 10594 heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....
John H. Coumerilh, sole heir of Lois L. Coumerilh, deceased, Blackfoot, Idaho.

The use to which said water has been applied is irrigation and domestic purposes

The amount applied to beneficial use is 6.4 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands
irrigated) SE $\frac{1}{4}$ Sec. 18, NE $\frac{1}{4}$ Sec. 19, W $\frac{1}{2}$ Sec. 20, T $\frac{1}{2}$ S., R. 42 E., B. M.

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

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

The source of supply from which such water is diverted is

The date of the priority which said user is prepared to establish is April 27, 1916

10594

W. G. Swendsen,
Commissioner of Reclamation.
State Engineer.

July 12, 1920.

Re: Permit 10594.

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

Gentlemen:

Replying to your letter of the 9th instant, would say that our records do not show the coupon from the Idaho Republican acknowledging receipt of the notice for publication under the above numbered permit. This notice was mailed to the paper on May 3rd, but may have been lost before reaching that office. In view of the fact that notice was not published, it will be necessary to set another date for making the proof, and have a new notice published accordingly. I am therefore mailing to you a copy of the notice on file and will ask you to set the date for making proof as soon as convenient to the holder and advise us of such date, also send the notice to the paper for publication. The depositions held by you should be brought down to the new date upon which proof is to be taken.

Yours very truly,

W. G. Swendsen,
Commissioner of Reclamation,

By: _____

CMB:HW

10594

THOMAS & ANDERSEN
ATTORNEYS AT LAW
BLACKFOOT, IDAHO

July 9th, 1920.

Department of Reclamation,
Boise, Idaho.

Gentlemen:--

Respectfully referring to your favor of May 3rd, 1920 in regard permit 10594, Coumerilh, in which you say that the said proof had been set for May 31st and that you had on that day mailed notice for publication to the Idaho Republican, you are advised that on May 31st, this proof was submitted. Afterwards we sent to the Republican office for the affidavit of publication and they did not find that the notice had ever been published or that it had been received from you. We did not write you relative to the matter at the time because the Republican promised to look the matter up again.. We have not yet received the affidavit of publication or been advised that the notice was published. Can you give us any light upon this matter? Perhaps the notice was inadvertently sent to some other newspaper. If it was not sent by your office anywhere, what course should be followed now in order to perfect the proof at the time stated?

Very truly yours,

THOMAS & ANDERSEN,

By

L. R. Thomas

LRT/ANP

10594

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

BOISE, IDAHO, **May 18, 1920.**

John H. Gomerilk,
c/o L. R. Thomas,
Blackfoot, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under Permit No. **10594.**

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

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

1. On **May 31st, 1920,**, 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 **Blackfoot, before L.R. Thomas, notary public.**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice. When these have been received, together with report of examining engineer, you will be further advised as to fees due before issuing license.

Yours truly,

V. G. SWENSON,

State Engineer.

10594

May 3, 1920.

Re Examinations on Proofs.

Mr. L. R. Amott,
Idaho Falls, Idaho.

Dear Sir:--

An enclosing examination papers for proof of use - 10594
on Rush creek, just received.

In giving the land under cultivation please give the amount in each forty acre tract. I notice in some of the reports handed in that, where the land has been described by eighties instead of forties, the total amount in the eighty is given and not in each forty. Either the report or the map should show definitely the amount under cultivation in each forty. This is necessary before we can issue the license.

Very truly yours,

W. C. SWANSON,

Commissioner of Reclamation.

Enc.

By _____

10594

May 3, 1920.

Re Permit 10594. Connerilh.

Thomas A. Anderson, Attorneys,
Blackfoot, Idaho.

Gentlemen:—

Replying to yours of the 1st would say that
May 31st has been set as the date for making proof under
the above permit and notice has today been mailed to the
Idaho Republican, per your request.

Very truly yours,

U. C. SWENSON,

Commissioner of Reclamation.

By _____

10594

L. R. THOMAS

J. H. ANDERSEN

THOMAS & ANDERSEN
ATTORNEYS AT LAW
BLACKFOOT, IDAHO

May 1st, 1920.

Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:--

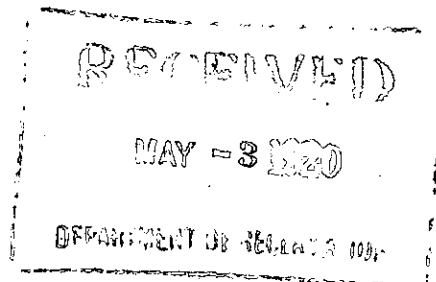
We hand you herewith notice of proof of application of water to beneficial use of John H. Coumerilh, sole heir of Lois L. Coumerilh and request that the notice be published in the Idaho Republican at Blackfoot. We would like the date for the proof, fixed as early as possible. You may instruct the newspaper to bill Mr. Coumerilh direct, who will pay upon receipt of same.

Very respectfully,

THOMAS & ANDERSEN,

By L. R. Thomas

LRT/ANP



10594

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 2 P. m. on the 31st day of May, 1920;
at Blackfoot, County of Bingham, State of Idaho,
before Lorenzo R. Thomas, Notary Public, proof will be submitted
of the application to beneficial use of 6.4 cubic feet per second of the
waters of Rush Creek in accordance with the terms and conditions of
Permit No. 10594 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are
John E. Coumerilh, sole heir of Lois L. Coumerilh, deceased, Blackfoot, Idaho.
2. The use to which said water has been applied is irrigation and domestic purposes.
3. The amount applied to beneficial use is 6.4 cubic feet per second.
4. The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 20, Tp. 3 S., R. 42 E. B. M.
5. The name of the canal or ditch or other works by which said water is conducted to such place
of use is private
6. The right to take water from such works is based upon Permit No. 10594
7. The source of supply from which such water is diverted is Rush Creek.
8. The date of the priority which said user is prepared to establish is April 27, 1916 - 1916

W. G. Swendsen,
Commissioner of Reclamation.

State Engineer.

10594

SW NW - 19 - 3S - 42 E

DW-16

March 24, 1920.

Re Permits 10594-10614.- Connerilh.

Mr. L. R. Thomas,
Attorney at Law,
Blackfoot, Idaho.

Dear Sir:--

In reply to yours of the 22nd inst. relative to the above permit would say that the depositions in the matter of proof of use of water under permit 10614, held by John H. Connerilh, were filed but license has not been issued for the reason that the required examination was not made by this office. The proof is still pending.

Proof of beneficial use has not been made under Permit 10594. This right was filed by Louis L. Connerilh but the proof of completion of works was made by John Connerilh, as heir to the holder, and the certificate was issued in his name. Notice of ~~this~~ ~~beneficial~~ use of water was mailed to John H. Connerilh, at Springfield, Idaho, June 26, 1918, but nothing has been done toward making the proof.

We intend having an engineer in the field soon to make the examinations now pending and will attend to Mr. Connerilh's proof.

An enclosing herewith blank notices in case he desires to proceed with proof under Permit 10594.

Very truly yours,

W. G. JENNISON,

Commissioner of Reclamation.

By _____

2210

10594

105-94

L. R. THOMAS

J. H. ANDERSEN

THOMAS & ANDERSEN
ATTORNEYS AT LAW
BLACKFOOT, IDAHO

March 22, 1920.

Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:--

We believe license has issued to John H. Coumerilh on permit 10614, but if so, Mr. Coumerilh has misplaced his said license and he needs it for proof of his water right in connection with the final proof on his Desert Land Entry. If the license has issued, please send us a certified copy, together with your bill and oblige

Yours truly,

THOMAS & ANDERSEN,

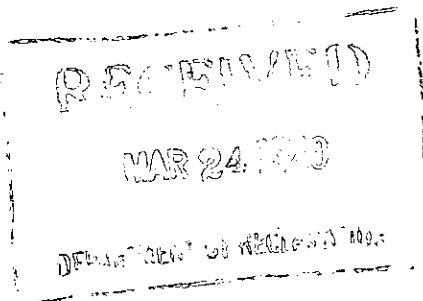
By L R Thomas

LRT/ANF

P. S. We believe the license is also issued to Lois L. Coumerilh. We are sorry we can not give you the number of her permit, but it was issued we think at the same time Mr. Coumerilh's permit issued. We would also like a certified copy of her license.

LRT

10594



State of Idaho

ENGINEERING DEPARTMENT

John H. Koumerilh,
Springfield, Ida.

BOISE

JUN 26 1918

Dear Sir:

I enclose ~~10594~~ with blank notice of proof of Application of Water to Beneficial Use under your Permit No.-----, 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,

FRED A. WILKIE

State Engineer

10594

October 23, 1917.

Re: Permit No. 10594.

Mr. John H. Coumerilh,
Springfield, 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-1083.

10594

Permit No. 10594

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Bingham } SS.

John H. Coumerilh, 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. 10594 and that his postoffice address is Springfield Idaho
State of Idaho

Second: That the name of the stream from which said water is to be diverted is

Rush Creek

Third: That the point of diversion of said water is
SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, Tp. 3 South, Range 42 East, B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by September 30th 1917

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

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: Ditch
(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 ditch width at bottom 3 feet, width at water

(State whether ditch, flume or pipe)

line 4 feet, depth of water 1 feet; diameter of pipe inches; average grade per mile is 7 feet. Length of conduit is 1 $\frac{1}{2}$ miles.

Seventh: That said works are capable of conducting to the place of intended use 6.4 second feet of water.

Eighth: That water appropriated under said permit is available for 320 acres of land described as follows: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, W $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 20 Tp. 3 South, Range 42 East, B.M.

Ninth: Remarks: That

Sole Heir of Lois L. Coumerilh, deceased.

Subscribed and sworn to before me this 24th day of September, 1917.

My commission expires May 26, 1919

Residing at Blackfoot, Idaho

10594

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Lois L. Coumerilh,
Springfield, Idaho.

Boise, Idaho, July 19, 1917.

Dear Sir:—

Under the terms of your permit No. 10594, you are required to complete your diversion works on or before Sept. 30, 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.

10594

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

Permit No. 10594-Coumerilh

BOISE, IDAHO, Sept. 30, 1914.

Thomas E. Anderson,
Blackfoot, Ida.
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.*

F. P. KING,
State Engineer.

10594

Name of Applicant *Nois L. Lomerich, Springville, Idaho*

