

STATE OF IDAHO,
BONNEVILLE COUNTY } SS.

I, BERT. P. MILL, do solemnly swear that I am the publisher (printer) 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 5 day of May 1914; 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.

Bert P. Mill

Subscribed and sworn to before me this 27 day of May 1914
O. W. Malgren Notary Public.

NOTICE FOR PUBLICATION.
Notice of Proof of Application of Water to Beneficial Use.
Notice is hereby given that 2 p. m. on the 1st day of June, 1914, at Idaho Falls, County of Bonneville, State of Idaho, before C. E. Crowley, Notary Public, proof will be submitted of the application to beneficial use of 2-10 cubic feet per second of the waters of Decker Creek, in accordance with the terms and conditions of Permit No. 9635 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 Roy Decker, Ozone, Bonneville County, Idaho.
2. The use to which said water has been applied is Domestic-Culinary.
3. The amount applied to beneficial use is 2-10 cubic feet per second.
4. The place where said water is used is NE 1/4 SW 1/4, Sec. 30, Township 1 N., Range 41 East Boise Meridian.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is private lateral.
6. The right to take the water from such works is based upon Permit No. 9635.
7. The source of supply from which such water is diverted is Decker Creek.
8. The date of the priority which said user is prepared to establish is November 11, 1913.
F. P. KING,
State Engineer.
Pub Times May 5, 12, 19, 26, 1914.

RECEIVED
JUN - 6 1914
OFFICE OF STATE ENGINEER

3" 42 = 8750

County: Bonneville
 Stream: Decker creek
 Amount: 2/10 of 1 cu.ft. per sec.
 Use: domestic
 Priority: September 8, 1913.

STATE OF IDAHO

Water License No. 9635

WHEREAS, On the 8th day of September A. D. 1913
 Roy Decker

of Ozone, County of Bonneville State of Idaho, duly made application
 (No. 14435) to me for a permit to use 2/10 of 1 cubic foot per second of the waters of
 Decker Creek

County of Bonneville, State of Idaho, for domestic purposes, and,

WHEREAS, On the 27th day of September A. D. 1913, Permit No. 9635 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 27th day of March, A. D. 1914, and for the application to ben-
 efitial use of said water on or before the 27th day of March, A. D. 1914, and,

WHEREAS, On the 21st day of April, A. D. 1914
 Roy Decker

the holder of said permit, duly made proof of the completion of adequate works for the diversion of
 2/10 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 9635
 dated April 30, 1914, confirming the completion of works of sufficient capacity for diverting and
 conveying to the place of intended use 2/10 of 1 cubic foot per second of said water,
 with date of priority of September 8, 1913, and

WHEREAS, On the 1st day of June, A. D. 1914
 Roy Decker

the holder of said permit, duly made proof of the application to beneficial use of 2/10 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 Roy Decker

of Ozone, County of Bonneville, State of Idaho, the holder and owner
 of said Permit No. 9635, a perpetual right, dating from September 8, 1913
 to the use of 2/10 of 1 cubic foot per second of the waters of Decker Creek

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 NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 30, T.
 1 N., R. 41 E.B.M.

and conducted to ~~and upon~~ the NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 30, T. 1 N., R. 41 E.B.M.

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 24th day of August
 A. D. nineteen hundred and fourteen.

F. P. King,

(Seal)

State Engineer:
 25 2038

No. 14435.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Roy Decker,

Postoffice address: Ozone

County: Bonneville

State: Idaho.

I. If applicant is a corporation, give

(a) Date and place of incorporation:

(b) The amount of capital stock:

(d) Names and addresses of directors:

(c) The amount paid in:

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 two tenths

cubic feet per second.

3. Source of water supply: Decker Creek.

4. Location of point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, Tp. 1 North, Range 41 E.B.M.

County of Bonneville.

5. To be used for: Domestic, culinary purposes.

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

acres.

(b) In the following legal subdivisions:

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: \$10.00

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

1 feet,

width at water line

1

feet, depth of water

1-3

feet; diameter of pipe

inches; average grade per mile is 3

feet.

Length of conduit is 1-8

miles,

and it crosses the following quarter sections: SW $\frac{1}{4}$ Sec. 30, Tp. 1 North, Range 41 E.B.M.

8. The time required for the completion of the construction of such work is 30 days

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.

Roy Decker,

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9.00 A.M. September 8, 1913.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER.

The number of this permit is 9635.
 Recorded in Book 32 Page 9635 Approved September 27, 1913.
 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 26, 1913, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
 One-fifth of the work above specified to be completed on or before December 27, 1913.
 The whole of said work to be completed on or before March 27, 1914.
 Beneficial use of water appropriated in accordance herewith, to be made on or before March 27, 1914.

Witness my hand this 27th day of September, 1913.

F.P.King,

State Engineer.

Remarks:

This Creek and the point of diversion is on land belonging to applicant.

Proof of Completion of Works made April 21, 1914.

~~Certificate of Completion of Works issued April 30, 1914.~~

PERMIT NO. 9635

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Roy Decker of Ozone, County of Bonneville, and State of Idaho, the holder of Permit No. 9635, issued upon Application No. 14435, bearing date of priority of September 8, 1913, authorizing the diversion of 2/10 of one second foot of the waters of Decker Creek, County of Bonneville, State of Idaho, for domestic and culinary 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 2/10 of one second-foot of the waters of Decker Creek; that the point of diversion of said waters is at a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, Tp. 1 N. R. 41 E. B. M.

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

F. P. KING,

State Engineer of the State of Idaho.

License issued for 2/10 second foot

Page 1639

WATER RIGHT NUMBER 25-2038

OWNER LAST NAME - DECKER

ADDRESS LINE 1 -

ADDRESS LINE 3 -

SOURCE - DECKER CREEK

STAGE - LICENSE

TOTAL DIV. VOLUME -

DIVERSION POINT - NESW 30 01N 41E LOT

FROM - TO -

USE - DOMESTIC

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PROOF MADE -

DIVERSION MEANS -

FIRST NAME - ROY

ADDRESS LINE 2 -

CITY - OZONE

TRIBUTARY OF - BULLS FORK

PRIORITY - 09-08-1913

WATER DIST. - 01

272.0 478.0

USE DIV. RATE -

PLACE OF USE - TWN 01N RNG 41E SEC 30

DATE -

ORIG OWNER -

STATE - ID ZIP CODE -

COUNTY - BONNEVILLE

DLE/CAREY ACT -

RIGHT BASIS -

1.0

5.0

1.0

1.0

0.0

0.0

0.0

0.0

1.1

.2000 CFS USE DIV. VOLUME -

AC

TOTAL ACRES

0

VERIFIED LGS

.2000 -CFS

.00 AFA

PERMIT/DENIED -

COND. OF APPROVAL -

PROTESTED -

HEARING -

OLD NO. - 9635

August 31, 1914.

Permit 9635-Decker

Thomas & Anderson, Lawyers,
Blackfoot, Idaho.

Gentlemen:

Am herewith enclosing you water license
issued under above permit, together with receipt
for fees.

Very truly yours,

F. P. KING,

State Engineer.

WL-R6630

By _____

9635

THOMAS & ANDERSEN
ATTORNEYS AND COUNSELLORS AT LAW

TELEPHONE 175

P. O. BOX 336

BLACKFOOT, IDAHO

August 12, 1914

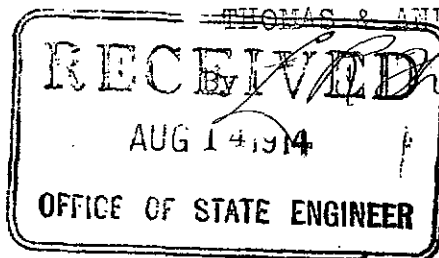
Hon. State Engineer,

Boise, Idaho,

Dear Sir;-

Ernest D. Brown of Ozone, Idaho received your favor of the 17th ult. with reference to making examination in Roy Decker's case, permit No. 9635. Mr. Brown had to leave home and go elsewhere on important business and has not yet returned. His Father, William E. Brown has prepared and hands you herewith the report you asked his son, Ernest D. Brown, to furnish. Mr. W. E. Brown is just as familiar with the case as his son and in fact in lieu of his son made the investigation and now submits the report. He trusts this report will be just as satisfactory to your office as though it had been made by his son Ernest D. The report together with the diagram are enclosed herewith.

Very respectfully,

~~THOMAS & ANDERSEN,~~

T

9635

REPORT OF ENGINEER

1. State name of applicant and number of permit: Roy Decker, 9635
 2. State source of water supply: Decker Creek
 3. Location of point of diversion: NE¹SW²Sec 30 Tp 1 North,
Range #1 East 8m
 4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:
Yes, they are
 5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: one foot
 - (b) Width at water line: one foot
 - (c) Depth of water: About 3 or 4 inches
 - (d) Grade per mile: About, estimated, 3 or 4 feet
 - (e) Capacity of ditch: 20 inches second feet.
 6. State whether or not water has been turned into works of diversion and if so, to what extent:

Yes, used for domestic purposes, constant
flow about 10 or 15 inches.
 7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:

No irrigation
 8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.
- Remarks: This is a nice little ditch with
a good flow of water used for
domestic purposes

STATE OF IDAHO,

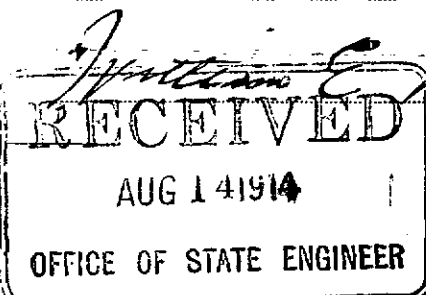
County of Bingham

ss.

William E Brown

, being first duly sworn, deposes and says that the statements

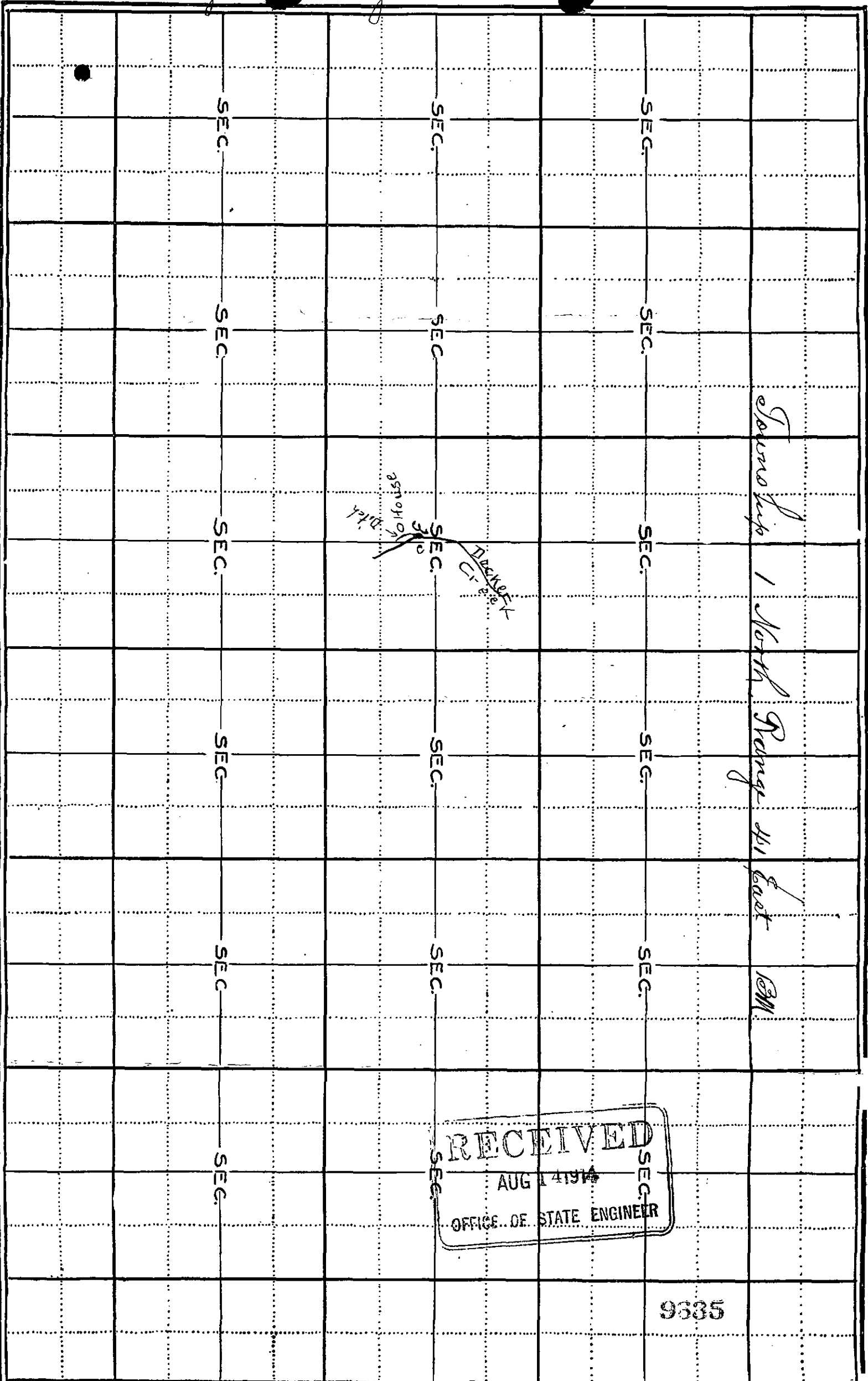
contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 8 day of August 1914My Commission Expires Feb. 25, 1915

Notary Public.

9635

Name of Applicant Roy Decker, Cyrene, Idaho



Journal 1 North Range 41 East 10M

RECEIVED
AUG 14 1914
OFFICE OF STATE ENGINEER

9635

Office of the State Engineer

Boise, Idaho, July 17, 1917

Ernost D. Brown,
Ozone, Idaho.

DEAR SIR:

.....Roy Decker....., residing at Ozone.....
County of, State of Idaho....., has requested that
you make examination required under Permit No. 9635..... 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,

F. P. KING, ~~A. E. ROBINSON~~,
State Engineer.

9635

LORENZO R. THOMAS

STATE AND FEDERAL COURTS

J. H. ANDERSEN

THOMAS & ANDERSEN

ATTORNEYS AND COUNSELORS AT LAW

TELEPHONE 175

P. O. BOX 336

BLACKFOOT, IDAHO

July 15, 1914

RECEIVED

JUL 17 1914

OFFICE OF STATE ENGINEER

Hon. State Engineer,
Boise, Idaho,

Dear Sir:-

Respectfully referring to your favor of the 6th ult. relative to the water license on permit 9635, issued to Roy Decker we have the honor to hand you herewith Mr. Decker's check for \$5.00 for payment of your fees for the issuance of the said license.

In harmony with the suggestion contained in your said letter, we suggest the name of Ernest D. Brown of Ozone, Idaho, as a suitable person to measure the ditches, give their capacity and estimate the quantity of water used in this case.

Very respectfully,

9635

THOMAS & ANDERSEN.

By *Thomas*

T

June 6, 1914.

Permit 9635-Roy Decker

Thomas & Anderson, Lawyers,
Blackfoot, Idaho.

Gentlemen:

We are just in receipt of your letter enclosing depositions and affidavit of publication for proof of beneficial use of water under above permit. The fees due amount to \$5.00.

The holder should also send us the name of some one to make a report on the construction of works and use of the water. This will not necessarily require the services of a licensed engineer but some one who can measure the ditches, etc. and give capacities and the amount of water used. Upon receipt of the name of some one to do this work, the necessary blanks and instructions will be mailed him.

Very truly yours,

F. P. KING,

State Engineer.

By _____

9635

THOMAS & ANDERSEN

ATTORNEYS AND COUNSELORS AT LAW

TELEPHONE 175

P. O. BOX 336

BLACKFOOT, IDAHO

June 4, 1914.

Hon. State Engineer,
Boise, Idaho.

Dear Sir:

We hand you herewith the proof of
Application of water to beneficial use on Permit
No. 9635, issued to Roy Decker of Ozone, Idaho.

We trust you will find this proof satis-
factory and upon receipt of advises from you as
to the fee due in this case, we will be glad to
remit same promptly.

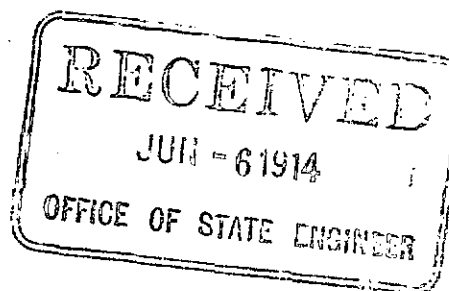
Very respectfully,

THOMAS & ANDERSEN

T/B

BY *L R Thomas*

(Enc)



9635

STATE OF IDAHO,
BONNEVILLE COUNTY } SS.

I, BERT. P. MILL, do solemnly swear that I am the publisher (printer) 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 5 day of May 1914; 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.

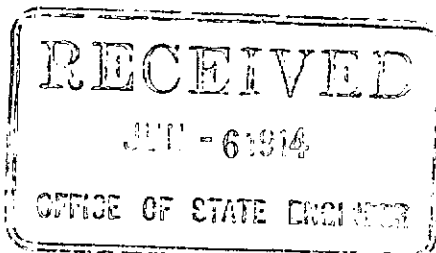
Bert P. Mill

Subscribed and sworn to before me this 27 day of May 1914

O. W. Malmgren Notary Public.

NOTICE FOR PUBLICATION.
Notice of Proof of Application of Water to Beneficial Use.
Notice is hereby given that 2 p. m. on the 1st day of June, 1914, at Idaho Falls, County of Bonneville, State of Idaho, before C. E. Crowley, Notary Public, proof will be submitted of the application to beneficial use of 2-10 cubic feet per second of the waters of Decker Creek, in accordance with the terms and conditions of Permit No. 9635 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 Roy Decker, Ozone, Bonneville County, Idaho.
2. The use to which said water has been applied is Domestic-Culinary.
3. The amount applied to beneficial use is 2-10 cubic feet per second.
4. The place where said water is used is NE 1/4 SW 1/4, Sec. 30, Township 1 N., Range 41 East Boise Meridian.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is private lateral.
6. The right to take the water from such works is based upon Permit No. 9635.
7. The source of supply from which such water is diverted is Decker Creek.
8. The date of the priority which said user is prepared to establish is November 11, 1913.

F. P. KING,
State Engineer.
Pub Times May 5, 12, 19, 26, 1914.



3" 42 = 3750

PROOF OF PUBLICATION

From

THE IDAHO FALLS TIMES

Published at Idaho Falls,

Bonneville County, Idaho.

NAME OF NOTICE

.....

.....

.....

.....

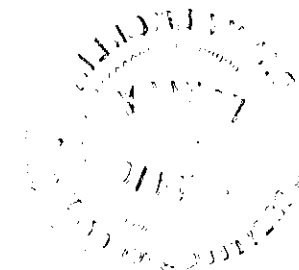
DELIVER TO

.....

.....

.....

.....



Permit No. 9635

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Roy Decker; 35 years ; Ozone, Idaho; Farmer; Ozone, 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. nil.

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

Ans. 9635, September 27, 1913; September 8, 1913.

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

Ans. Decker Creek, two tenths cubic foot per second , NE $\frac{1}{4}$ SW $\frac{1}{4}$

Sec. 30, Tp. 1 North, Range 41 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. Ditch - four tenths cubic feet - other ditch or works.

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. Domestic and culinary purposes. NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, Tp. 1 North, Range 41 E.B.M.

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

Ans. The water is diverted by means of a ditch from a spring in close proximity to applicant's house, and is used for domestic and culinary purposes, and watering animals.

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

Ans. Two tenths cubic foot.

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.

9635

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

Ans. For about one year last past, domestic and culinary purposes including the watering of stock - Two tenths cubic foot or full capacity of the spring.

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

Ans. None

(Sign) Roy Decker

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, at my office in Idaho Falls, County of Bonneville, State of Idaho, on this 1st day of June

A. D. 1914.

Roy Decker
Notary Public.

Permit No. _____
Proof of Application of Water to Beneficial Use
DEPOSITION OF HOLDER
Amount of Water 2/10 second feet
Source Decker Creek
County Bonneville
Purpose Domestic & Culinary
Place of use NE 1/4 Sec. 30.
Tp 1 North, Rg. 41 E.B.M.
Date of Priority Sept. 7, 1913.

Received and filed

THE TRIBUNE & POCATELLO, IDAHO

9635

Permit No. 9635

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

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

Ans. Ira O. Decker; 32 years; Ozone, Idaho; Farmer; Ozone, Idaho.

Ques. 2. Are you acquainted with Roy Decker, the holder of Permit No. 9635? How long have you known him and where does he reside?

Ans. Yes; 25 years; Ozone, Idaho.

Ques. 3. Have you read or heard read said Permit No. 9635, and are you familiar with its provisions and conditions?

Ans. Yes. Yes.

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

Ans. Decker Creek; NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, Tp. 1 North, Range 41 E.B.M.; Ditch 1 foot wide.

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. 1/2 cubic foot; two tenths cubic foot.

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.

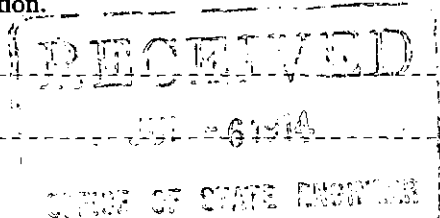
Ans. For domestic and culinary purposes; near house belonging to applicant on the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, Tp. 1 North, Range 41 E.B.M.

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

Ans. It has been diverted from the creek in a ditch 1 foot wide to a point near applicant's home where the water is used for domestic and culinary purposes to the extent of two tenths cubic foot per second.

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. nil.



9635

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. During the last year I have seen the water conveyed in the
ditch to the extent of about two tenths of a cubic foot to a
point near applicant's house where the water has been used for
domestic and culinary purposes.

(Sign

Ira O. Decker.

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 Idaho Falls, County of Bonneville,

State of Idaho, on this 1st day of June A. D. 1914.

G. E. Crowley
Notary Public.

My Commission Expires Feby 24th, 1916.

9635

Permit No. 9635

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

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

Ans. Albert J. Rockwood; 33 years; Ozone, Idaho, Farmer, Ozone, Idaho.

Ques. 2. Are you acquainted with Roy Decker, the holder of Permit No. 9635? How long have you known him and where does he reside?

Ans. Yes; Three Years; Ozone, Idaho.

Ques. 3. Have you read or heard read said Permit No. 9635, and are you familiar with its provisions and conditions?

Ans. Yes. Yes.

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

Ans. Decker Creek; NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, Tp. 1 North, Range 41 E.B.M.;
Ditch 1 foot wide.

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. 1/2 cubic foot; two tenths cubic foot.

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. For domestic and culinary purposes; near house belonging to applicant on the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, Tp. 1 North, Range 41 E.B.M.

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

Ans. It has been diverted from the creek in a ditch 1 foot wide to a point near applicant's home where the water is used for domestic and culinary purposes to the extent of two tenths cubic foot per second.

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. nil.

RECEIVED

JUN - 6 1914

OFFICE OF STATE ENGINEER

9635

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. During the last year I have seen the water conveyed in the
ditch to the extent of about two tenths of a cubic foot to a
point near applicant's house where the water has been used for
domestic and culinary purposes.

(Sign Albert J. Rockwood

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 Idaho Falls, County of Bonneville, State of Idaho, on this 1st day of June A. D. 1914.

B. E. Crowley
Notary Public.

My Commission Expires Feby. 24th, 1916.

Boise, Idaho, May 7, 1914.

Permit No. 9635-Roy Decker.

Mr. Lorenzo R. Thomas, Lawyer,
Blackfoot, Idaho.

Sir:--

I enclose you herewith Certificate
of Completion of Works issued under the
above numbered Permit.

Very truly yours,

F. P. KING,

State Engineer.

By _____

Enc. C.
B/L

9635

STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

Roy Decker
c/o C. E. Crowley,
Idaho Falls, Idaho

BOISE, IDAHO, May 5, 1914.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. 9635.

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 June 1st -14, 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 Idaho Falls, before C.W.Crowley, notary public.
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,

F. P. KING,

State Engineer.

9635

(P. O.)

Ho Falls, Idaho

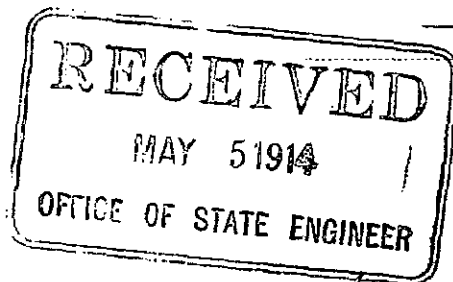
(Date)

5-2-1914

State Engineer, Boise.

Dear Sir:

I have your letter of *5-1-1914* enclosing Notice of Proof of Beneficial Use of Water under Permit No. *9635* which will be published as you request, beginning with our issue of *May 5, 1914*



Trines Pub. Co.

Beet P. Mill

mgr

9635

May 1, 1934.

Permit 9635 - Roy Decker

Thomas & Anderson,
Blackfoot, Idaho.

Gentlemen:

Am just in receipt of notices for proof
of beneficial use of water under above permit.
I have set June 1st as the date for proof and the
notice for publication has today been mailed to
the Idaho Falls Times.

Very truly yours,

F. P. KING,

State Engineer.

By _____

9635

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 29, 1914

(P. O.) Blackfoot, Idaho

To the State Engineer,

Boise, Idaho.

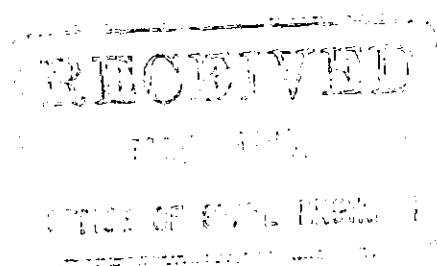
Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Times, of Idaho Falls, Idaho, published in the county in which the works are situated. Please insert date for proof in said notice.

Ray Secker
W. Thomas Andersen

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)
I hereby certify that the facts set forth in the attached notice are true.

Engineer.



NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 2 P. m. on the 1st day of June, 1914,
 at Idaho Falls, County of Bonneville, State of Idaho,
 before C. E. Crowley, Notary Public, proof will be submitted
 of the application to beneficial use of 2/10 cubic feet per second of the waters of
Decker Creek, in accordance with the terms and conditions of Permit No. 9635
 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.....

Roy Decker, Ozone, Bonneville County, Idaho

2. The use to which said water has been applied is Domestic - Culinary

3. The amount applied to beneficial use is 2/10 cubic ft. per second

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)

NE 1/4 SW 1/4, Sec. 30, Tp. 1 N, Range 41 East 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 lateral

6. The right to take the water from such works is based upon Permit No. 9635

7. The source of supply from which such water is diverted is Decker Creek

8. The date of the priority which said user is prepared to establish is Nov. 11,
~~Sept. 27,~~ 1913

April 27, 1914.

Permit 9635- Roy Decker

Lorenzo A. Thomas, Lawyer,
Blackfoot, Idaho.

Sir:

We are today in receipt of your letter enclosing affidavit of holder for proof of completion of works under above permit, together with application for extension of time for said proof. In reply would say that, in view of the fact that the works are already completed and the affidavit of proof filed, no extension is required for this proof. The certificate of completion will be issued upon the affidavit filed.

In view of the fact that the notice of proof of beneficial use of water is required to be advertised four weeks, the date of priority will have to be brought down but this will not affect the holder's right as no subsequent filing has been made for the waters of the stream. The notices for proof of beneficial use should, therefore, be filled out and returned to this office as soon as possible and the proof completed.

Am herewith enclosing receipt for fee for proof of completion, together with fresh blanks upon which to file notice of final proof.

Very truly yours,

F. P. KING,

State Engineer.

R6406-3NU

By _____

9635

Permit No. 9635

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bingham

ss.

Roy Decker

, 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. 9635 and that his postoffice address is Ozone, Idaho
State of Idaho

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 27th, 1914

Third: That the use for which said water is intended is domestic, culinary

Fourth: That on the date above mentioned, the works constructed under said permit were (or ~~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 1 feet, width at water line 1 feet, depth of water 1/3 feet; diameter of pipe inches; average grade per mile is 3 feet. Length of conduit is 1/8 miles.

Fifth, That said works are capable of conducting to the place of intended use 2/10 second feet of water.

Sixth. That water appropriated under said permit is available for no acres of land described as follows: Water used for domestic purposes.

Seventh. Remarks: That the requirements of the permit have been fully complied with and the water is now used for the purpose for which appropriated.

Roy Decker
Sign here.

Subscribed and sworn to before me this 21 day of April, 1914

My commission expires Feb. 25, 1915

Verne R. Thomas
Notary Public.

9635

Permit No. _____

Application For Extension of Time For Completion of Works

Roy Decker, of Ozoro, Idaho

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

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 9635

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by March 27th, 1914

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

One ditch, one foot wide at the bottom and also at the water line,
an eighth of a mile long, crossing the Southwest Quarter of Section
30 Township 1 North, Range 41 East Boise Meridian, which in every
respect complies with the requirement made in said permit

costing \$ 15.00

THAT he is unable to complete the remainder of the work within the required time, for the follow-
ing reasons, to-wit:

That the work is all done but applicant made a mistake in the date
upon which he was required to submit proof and for that reason he
desires an extension of time within which to make the necessary proofs
in this case.

WHEREFORE, He asks that the State Engineer extend the time for the completion of construc-
tion work under said permit, to June 25th, 1914

And further, deponent saith not

- Subscribed and sworn to before me this 21st day of April, 1914

Roy Decker
George R. Thomas
Notary Public.

My commission expires Feb. 25, 1915

Date of receipt at office of State Engineer _____

APPROVAL OF STATE ENGINEER.

I, F. P. King, State Engineer of the State of Idaho, hereby extend the time for the completion of
construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. _____,
to _____, 191_____

Witness my hand this _____ day of _____, 191_____

State Engineer.

(over)

Effective April 10, 1911.

STATE ENGINEER'S OFFICE.

*Rules and Regulations for Extension of Time for
Construction of Work Under Permit.*

House Bill No. 123 approved March 9th, 1911, provides that, where the State Engineer has limited time for completion of construction of necessary works under a permit to appropriate the public waters, to less than five years, he may, for good cause shown, extend such time as he may deem necessary.

To obtain such extension of time, the permit holder should fill out and file with the State Engineer two copies of the affidavit found upon the reverse side of this sheet.

(over)



THOMAS & ANDERSEN

ATTORNEYS AND COUNSELORS AT LAW

TELEPHONE 175

P. O. BOX 336

BLACKFOOT, IDAHO

April 24, 1914

Hon. State Engineer,

Boise, Idaho,

Dear Sir:-

We have the honor to hand you herewith the application of Roy Decker for extension of time within which to submit proof of beneficial use of water on permit No. 9635. We find that technically these extensions of time are granted upon the failure of the applicant to complete the work within the required time. In this instance the work was completed but Mr. Decker had forgotten the time when the proof should have been made. We trust the application for extension can be allowed properly, under the circumstances obtaining in this case and that Mr. Decker will retain his original date of priority.

We also enclose Mr. Decker's affidavit of proof of completion of works, together with our check for \$5.00 in payment of your fees in this case.

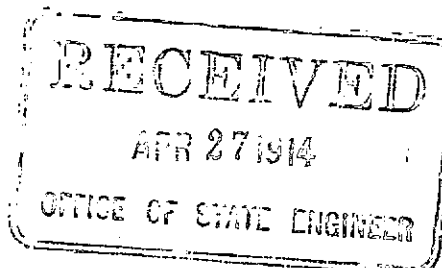
Very respectfully,

THOMAS & ANDERSEN,

By

L. R. Thomas

A.



9635

April 6, 1914.

Permit 9635 - Roy Decker

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

Gentlemen:

Replying to your letter of the 3rd inst. relative to above permit would say that the holder should make application for extension of time within which to make proof of completion of works. The time for proof of beneficial use of water will be extended accordingly. The application should be made in duplicate upon the enclosed forms.

I am also enclosing the required blanks for making the proofs. The affidavit of holder and fee of \$5.00 is all that is required for proof of completion of works. The notice for proof of beneficial use of water will be required to be advertised four weeks prior to the date of proof.

Very truly yours,

F. P. KING,

State Engineer.

2F4-F5-4-F11-2F10

By _____

9635

THOMAS & ANDERSEN

ATTORNEYS AND COUNSELORS AT LAW

TELEPHONE 175

P. O. BOX 336

BLACKFOOT, IDAHO

April 3d, 1914

Hon. State Engineer,

Boise, Idaho,

Dear Sir:-

RECEIVED

APR 6 1914

OFFICE OF STATE ENGINEER

Respectfully referring to permit No. 9635, issued to Roy Decker for the use of two-tenths of one cubic foot per second of the waters of Decker Creek, upon which proof of beneficial use of water was to have been made on or about March 27th, 1914, you are advised that Mr. Decker had forgotten the date upon which this proof should have been submitted and we would like to know whether or not we can proceed with the advertisement at this time and still make the proof of completion of work and beneficial use of water now, as soon as the same can be arranged for and still retain our right with the date of priority as provided for in the said permit. If we should first make an application for extension of time within which to submit these proofs, we will be glad to do that but in any event we want to make the proofs at the earliest possible moment and retain if possible, the original rights.

The delay is not due to failure to comply with the requirements of the permit at the dates fixed therefor, but the failure to make the proofs is entirely an oversight. We will be glad to receive your advice with reference to this matter and will take pleasure in complying with any requirements you may make.

Thanking you for past favors and your friendly

9635

#2,

suggestions in this matter, we remain,

Yours very truly,

THOMAS & ANDERSEN,

By *LR Thomas*

T

State of Idaho
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Roy Becker,
Ozone, Ida.
Dear Sir:

Boise, Idaho, Dec. 1, 1913

Under the terms of your permit No. 9635, you are required to complete your diversion works on or before ~~March 27, 1914~~. 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,
F. P. KING,
State Engineer

9635

State of Idaho

ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

Dec. 1, 1913.

Mr. Roy Decker,
Ozone, Idaho.
Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. 9635 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,

F. P. KING,
State Engineer.

9635

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON,
STATE ENGINEER

Permit No. 9635, Decker,
Tho as & Anderson,
Blackfoot, Idaho.

BOISE, IDAHO,

Oct. 8, 1913.

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.

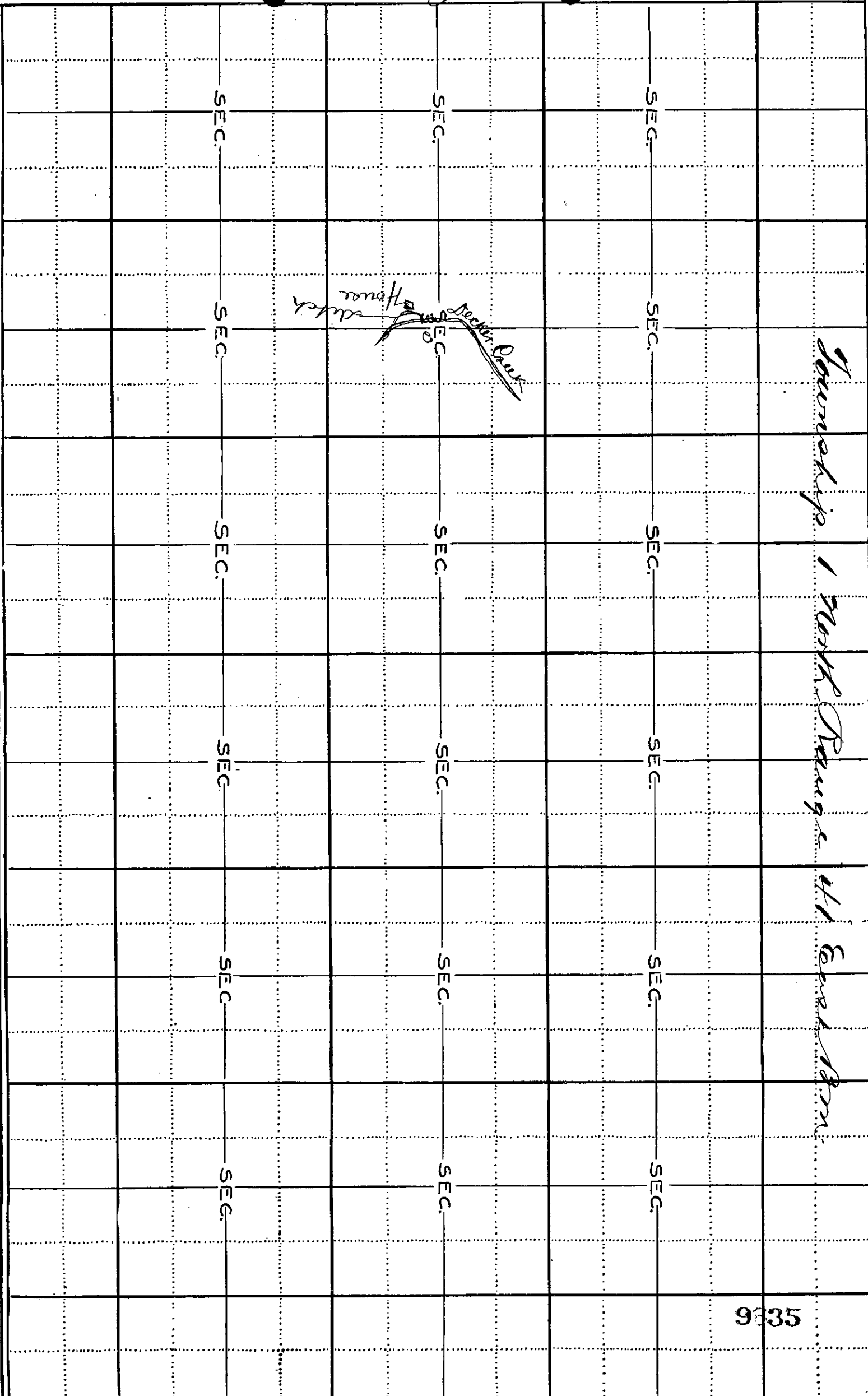
~~A. E. ROBINSON,~~

F. P. KING,

State Engineer.

9635

Name of Applicant Roy Sever, Ozone, Idaho



9335