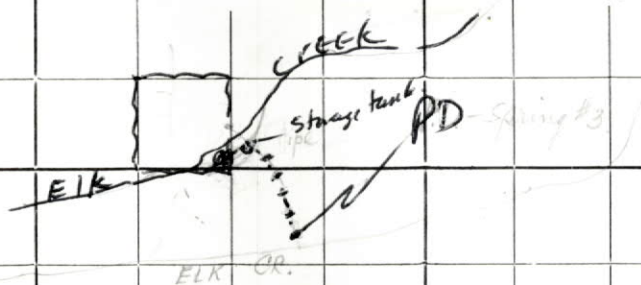


R-46E.

R-46E.

T.
|
S.

18



23

24

19

U.S. HWY. No. 26
TO CALIFORNIA DAM

Domestic

Allow ~~0.4~~^{.04} etc or 2 inches.

Proof of Publication

RECEIVED
SEP 8 1961

State of Idaho, }
County of Bonneville } ss.

Department of Reclamation

I, Edwin F. McDermott, first being duly sworn, deposes and says: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for four consecutive weeks, first publication having been made on the 28th day of June, 1961, last publication having been made on the 19th day of July, 1961, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 20th day of July, 1961

Karensdale
Notary Public

My commission expires April 5, 1963

B10, 1M, 2-57

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

NOTICE IS HEREBY GIVEN that at 10:00 A.M. on the 7th day of August, 1961, at Swan Valley, Idaho, County of Bonneville, State of Idaho, before Grace Trougher, Notary Public, proof will be submitted of the application to beneficial use of 0.04 cubic feet per second of the waters of Elk Creek Spring No. 3, in accordance with the terms and conditions of Permit No. 26244 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: United States of America, Forest Service, Ogden, Utah.

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

The amount applied to beneficial use is 0.04 cubic feet per second.

The place where said water is used: Give full and accurate Legal Description.

SE 1/4 SW 1/4 Section 18, Township 1 South Range 46, 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 pipeline.

The right to take water from such works is based upon Permit No. 26244.

The source of supply from which such water is diverted is Elk Creek Spring No. 3.

Point of Diversion (legal description): S. 58° 08' E. 1473.7 feet distant from the N 1/4 corner of Section 19, T. 1 S., R. 46 E.B.M., and is in the NW 1/4 NE 1/4 of Section 19, T. 1 S., R. 46 E.B.M., County of Bonneville.

The date of priority which said user is prepared to establish is Feb. 3, 1956.

GEORGE N. CARTER
State Reclamation Engineer

Published: June 28, July 5, 12, 19, 26, 1961

26244

NAME OF APPLICANT United States of America-Forest Service

Form No. 0

R.46 E.

N

18

Point of Use

Pipe

S.52°08'E

Source of Water Supply and Point of diversion

T.1 S.

19

~14782

R.46 E.

26244

Permit Map No. 26244

As Approved

MARK R. KULP

State Registration Engineer

MAR 8

1956

State of Idaho
License and Certificate of Water Right

Water License No. 26244

Amount 0.04 c.f.s.

Water District No. _____

Priority February 3, 1956

THIS IS TO CERTIFY that UNITED STATES OF AMERICA, FOREST SERVICE
of Ogden, Utah, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 3, 19 56; that Permit No. 26244
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.04 second feet, was issued thereunder on March 7, 19 61, showing that said works
were completed on the 27th day of January, 19 61; and that on the 7th
day of August, 19 61,

UNITED STATES OF AMERICA, FOREST SERVICE

of Ogden, State of Utah, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Elk Creek Spring
No. 3, a tributary of Big Elk Creek, for the purpose of domestic use
, under Use Permit No. 26244 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7699, on the 4 day of September, 19 63;

The right hereby confirmed dates from February 3, 19 56;

The Point of Diversion is located

in the NW 1/4 NE 1/4, Sec. 19, Tp. 1 S., R. 46 E., B. M. County Bonneville

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.04 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	46 E.	18	SE 1/4 SW 1/4 FOR	DOMESTIC USE	

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
4th day of September, 19 63.

CARL E. TAPPAN

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

23-2059

APPLICATION No. 34088
PERMIT No. 26244
DISTRICT No.

1. Name of Applicant: UNITED STATES OF AMERICA - FOREST SERVICE

Postoffice address: Ogden

County: Weber

State: Utah

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(c) Bonds to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: 0.04 cubic feet per second.

3. Source of water supply: Elk Creek Spring #3 which is a tributary of Big Elk Creek

4. Location of point of diversion: S 52° 08' E 1473.7 feet distant from the N $\frac{1}{4}$

corner of Section 19, T. 1 S, R. 46 E, B. M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 19, T. 1 S, R. 46 E, B. M., County of Bonneville

5. Water is to be used for Domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B. M., in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, T. 1 S, R. 46 E, B. M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section, T. , R. , B. M., in the
of Section, T. , R. , B. M.

7. Estimated cost of works: \$ 5000

8. Kind of works: Concrete headbox, iron pipe, concrete storage tank

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe 1 $\frac{1}{2}$ inches; length of conduit 0.4 miles.

Average grade per mile 425 feet.

12. The time required for the completion of such work is Three (3) years.

13. The time required for the complete application of the water to the proposed use is Two (2) additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

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

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

United States of America, Forest Service *Applicant.*

By SAM K. GREENWOOD Agent.
Acting Assistant Regional Forester

Date of first receipt at Department of Reclamation: 9:00 A.M. February 3, 1956

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26244
Recorded in Book 93 Page 26244 Approved Mar. 8, 1956
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and
hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before May 8, 1956 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 September 8, 1957
The whole of said work to be completed on or before March 8, 1959
Beneficial use of water appropriated in accordance herewith, to be made on or before March 8, 1961

WITNESS My hand this 8th day of March, 1956

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, _____ ROBERT E. SMYLIE _____, Governor of the State of Idaho,
and _____ JAS. H. YOUNG _____, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this _____ 8th _____
day of _____ March _____, 19 56.

STATE OF IDAHO

(SEAL) _____ By ROBERT E. SMYLIE
 _____ By JAS. H. YOUNG Governor.
 _____ Secretary of State.

REMARKS: Spring is located on national forest land within the Targhee National Forest. Water to be used for domestic purposes by an organization camp operated on national forest land under special use permit

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
			APPROVAL OF STATE RECLAMATION ENGINEER I, Geo. N. Carter, State Reclamation 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. 26244 to March 8, 1961 Witness my hand this 13th day of March, 1959. Approved and Recorded: March 13, 1959				
							s/ GEO. N. CARTER State Reclamation Engineer

Permit No. 26244
 CERTIFICATE OF COMPLETION OF WORKS

ALL WHOM IT MAY CONCERN:

This is to certify that U. S. OF AMERICA- FOREST SERVICE of Ogden, County of Weber, and State of Utah, the holder of Permit No. 26244, issued upon Application No. 34088, bearing date of priority of February 3, 1956, authorizing the diversion of 0.04 second feet of waters of Elk Creek Spring #3, County of Bonneville, State of Idaho, for domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.04 second feet of the waters of Elk Creek Spring No. 3, tributary to Big Elk Creek; that the point of diversion of said waters is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 1 S., R. 46 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

Domestic use in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 1 S., R. 46 E., B. M.

Witness my hand this 7th day of March, A. D., 1961

s/ GEO. N. CARTER
 State Reclamation Engineer

Proof of Completion of Works Made: January 27, 1961.

LICENSE ISSUED FOR 0.04 SEC. FT.
page 7699

WATER RIGHT NUMBER 23-2059

OWNER LAST NAME - U.S. DEPT. OF AGRI.

ADDRESS LINE 1 - FOREST SERVICE

ADDRESS LINE 3 - 324 25TH ST.

SOURCE - ELK CREEK SPRING

STAGE - LICENSE

STATUS -

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

DIVERSION POINT - NWNE 19 01S 46E LOT 00 REDIV -

FROM - TO -

USE - DOMESTIC

USE - DOMESTIC

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

FIRST NAME - ORIG OWNER -

ADDRESS LINE 2 - FEDERAL BLDG.

CITY - OGDEN -

STATE - UT ZIP CODE - 84401 -

TRIBUTARY OF - BIG ELK CREEK

PRIORITY - 02-03-1956 COUNTY - BONNEVILLE

TOTAL DIV. RATE -

.0400 -CFS

WATER DIST. - 01 DLE/CAREY ACT -

RIGHT BASIS -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - TO -

USE - DOMESTIC

USE - DOMESTIC

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

PLACE OF USE - TWN 01S RNG 46E SEC 18 TRACT SESW LOT

AC

DATE -

TOTAL ACRES

0

PROTESTED -

HEARING -

OLD NO. - 26244

VERIFIED JDC

Sept. 4, 1963

Re: Permit No. 25666; 25659;
26244

Regional Forester
Forest Service Bldg.
Ogden, Utah

Dear Sir:

Enclosed are the Licenses and Certificates of Water Rights issued on the above numbered permits, all in Bonneville County.

Also, enclosed is departmental receipt No. 31773, in the amount of \$15.00 covering feed.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. 3 licenses
1 receipt

26244

August 13, 1963

RE: Permit Nos. 25659, 26244, 25666

Floyd Iverson
Regional Forester
Forest Service Building
Ogden, Utah

2510 (5600)

Dear Mr. Iverson:

Enclosed is the signed voucher in the amount of \$15.00 for the statutory fees for the Licenses and Certificates of Water Right on the above numbered permits.

As soon as payment is received the licenses will be issued.

Very truly yours,

G. L. H. HANNEY
Acting State Reclamation Engineer
By

(Mrs.) Anna P. Rule
Chief Clerk

WHR:er

Enc. voucher

26244

July 29, 1963

RE: Permit No. 26244

Floyd Iverson
Regional Forester
Forest Service Building
Ogden, Utah

Dear Mr. Iverson:

Our field engineer's report on his inspection of proof of application of water to beneficial use under the terms of Permit No. 26244 shows the storage tank and pipe line are capable of conveying 2 minor's inches, or .04 c.f.s. of water for domestic use.

Upon receipt of the statutory fee of \$5.00 we will issue the License and Certificate of Water Right, confirming the right, with priority of February 3, 1956, to the use of .04 second foot of surface water, with the point of diversion in the NE 1/4, Sec. 19 from Elk Creek Spring No. 3 for domestic use in the SE 1/4, Sec. 18, T. 1 N., R. 46 E., S. 1.

Very truly yours,

CARL H. ZALMAN
Acting State Reclamation Engineer
By

(Mrs.) Edna F. Hale
Chief Clerk

EPR:rr

26244

R-46E.

R-46E.

S.

18

creek
stage tank
PD-Spring Hg.
ELK CR.

24

19

23

U.S. Hwy. No. 26
to old road
B.M.

Domestic

Allow ^{.04} offset or 2 inches.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 26244

REPORT ON PROOF OF Beneficial Use

U. S. Forest Service
Verl C. Waite, Forest Engineer
St. Anthony, Idaho

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUL 25 1963

Department of Reclamation

Wendell Fisher U. S. Forest Service
David L. Allen Targhee National Forest
Robert L. Allen St. Anthony, Idaho

Permit No. 26241
7-10-63

Examination for Beneficial Use

County Bonneville

Sec. 19 T. 1 S. R. 46 E

Quantity: 0.04 c.f.s.

Source: Elk Cr. Spring No. 2

P.D.: NW, NE, Sec. 19, T. 1 S. - R. 46 E BN

Use: Domestic

Filed: Feb. 3, 1956

Due: March 6, 1963

Extension: 3-8-61 (C/W)

Completion of Works: 3-7-61

Other Rights: none shown

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 26244

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant U. S. Forest Service, Ogden, Utah

2. Source of water supply: Elk Creek Spring #3

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19

T. 1 S R. 46 E. B. M. County of Bonneville

4. Describe works as they exist, giving dimensions and capacities of same: 2'x3' G.I.P. Culvert Catch basin in source of water supply, 1 1/2" x 1/2 mile G.I.P. to a 2000 gallon Concrete storage tank, 1 1/2" x 600' G.I.P. to 2-1" stand pipe hydrants and 1- 1 1/2" fire hydrant. 4 shower heads, 5 flush toilets, 5 wash basins plus Kitchen taps. 36 lb pressure upper hydrant 46# at Kitchen and 60# at bath house.

5. Water is used for: domestic purpose

6. State whether or not water has been turned into works of diversion: yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Place of Use: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 1 S., R. 46 E., B. M.

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

8. What large stream would the water here appropriated finally reach?

Elk Creek.
Snake River
Palasadas R.Rs.

Remarks: Richard Weeks, Forestry Aid, along

This spring is used by a YMCA Summer Camp. a nice new development. Large lodge with Kitchen and several cottages. plus bath house.

This examination was made on the 10th day of July, 1963

(Signed)

Layne Johnson

Examiner.

26244

Tie to #1 - S $22^{\circ}-45'$ -W - 437' from
Cr #1 to S $\frac{1}{4}$ cor. Sec. 18 - 18 - 4613.

S - $5^{\circ}-05'$ W - 253'

S $47^{\circ}-45'$ E. - 313'

N $35^{\circ}-20'$ W - 496'

N $65^{\circ}-30'$ E - 335'

N $19^{\circ}-10'$ W - 380'

S $56^{\circ}-50'$ W - 806' to #1

XXXXXXXXXX

July 8, 1963

Re: Permit No. 26244

Targhee National Forest
St. Anthony, Idaho

Dear Sir:

This is a follow up of the notice from the Department of Reclamation office that an inspection would be made on your water filing as soon as possible.

I will plan to inspect your permit on or about the week of July 10, 1963.

Please arrange to be on the premises so that you can accompany me over the work.

Very truly yours,
Carl E. Tappan, Acting
~~Geo. N. Carter~~
State Reclamation Engineer
By

Field Engineer

LHJ:mr

26244

September 11, 1961

Re: Permit No. 26244
Elk Creek Spring #3
2510 (5600)

Floyd Iverson, Regional Forester
Forest Service Bldg.
Ogden, Utah

Dear Mr. Iverson:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Post Register, all submitted in proof of completion of works and beneficial use on Permit No.

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

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

26244

September 8, 1961

RE: Permit No. 26244
Elk Creek Spring No. 3

2510 (5600)

Floyd Iverson, Regional Forester
Forest Service Building
Ogden, Utah

Dear Mr. Iverson:

We received the affidavit of publication which completes our file in regard to proof of beneficial use of the water. The receipt attached is being returned for your file.

Your payment direct to the paper, as you have in this case, is very satisfactory to this office.

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

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr
Enc. receipt

26244

September 8, 1961

RE: Permit No. 26244
Elk Creek Spring No. 3

2510 (5600)

Floyd Iverson, Regional Forester
Forest Service Building
Ogden, Utah

Dear Mr. Iverson:

We received the affidavit of publication which completes our file in regard to proof of beneficial use of the water. The receipt attached is being returned for your file.

Your payment direct to the paper, as you have in this case, is very satisfactory to this office.

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

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

Enc. receipt

P.S. We have been informed by the Boise Forest Office that the above letter was delivered to that office. We are therefore sending you this copy for your files if you need it.

26244

no proofs

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION

RECEIVED
SEP 8 1961

Department of Reclamation

ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO

2510 (5600)



FOREST SERVICE BUILDING
OGDEN, UTAH

September 5, 1961

Mr. George N. Carter
State Reclamation Engineer
Boise, Idaho

Dear Mr. Carter:

Attached is the affidavit of publication from the Post Register and the paid receipt.

Please advise as to procedure for making payment for the publication of any future notices. Do you desire that we pay the newspaper direct, or, should we send the prepared vouchers to your department and have you handle the payment?

In this case (Permit No. 26244), we have paid the paper direct.

Very truly yours,

FLOYD IVERSON
Regional Forester

By *DJ Rasmussen*

Attachments

26244

Proof of Publication

RECEIVED
SEP 8 1961

State of Idaho, }
County of Bonneville } ss.

Department of Reclamation

I, Edwin F. McDermott, first being duly sworn, deposes and says: That I am the
Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville

County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for four consecutive weeks, first publication having been made on the 28th day of June, 1961, last publication having been made on the 19th day of July, 1961, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 20th day of July, 1961

Karelda
Notary Public

My commission expires April 5, 1963

B10, 1M, 2-57

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

NOTICE IS HEREBY GIVEN that at 10:00 A.M. on the 7th day of August, 1961, at Swan Valley, Idaho, County of Bonneville, State of Idaho, before Grace Trougher, Notary Public, proof will be submitted of the application to beneficial use of 0.04 cubic feet per second of the waters of Elk Creek Spring No. 3, in accordance with the terms and conditions of Permit No. 26244, heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: United States of America, Forest Service, Ogden, Utah.

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

The amount applied to beneficial use is 0.04 cubic feet per second.

The place where said water is used: Give full and accurate legal description.

SE 1/4 SW 1/4 Section 18, Township 1 South Range 46, 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 pipeline.

The right to take water from such works is based upon Permit No. 26244.

The source of supply from which such water is diverted is Elk Creek Spring No. 3.

Point of Diversion (legal description): S. 53° 08' E. 1473.7 feet distant from the N 1/4 corner of Section 19, T. 1 S., R. 46 E.B.M., and is in the NW 1/4 NE 1/4 of Section 19, T. 1 S., R. 46 E.B.M., County of Bonneville.

The date of priority which said user is prepared to establish is Feb. 3, 1956.

GEORGE N. CARTER
State Reclamation Engineer
Published: June 28, July 5, 12, 19, 1961.

26244

August 30, 1961

Re: Permit No. 26244
#2510 (5600)

Regional Forester
Forest Service Building
Ogden, Utah

Attn: H. M. Huckeby

Dear Mr. Huckeby:

We received the depositions of beneficial use
of water from Elk Creek Spring No. 3 which are adequate.

Kindly send us the affidavit of publication from
the paper to complete the file.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

26244

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION



ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO
2510 (5600)

RECEIVED
AUG 30 1961

Department of Reclamation

FOREST SERVICE BUILDING
OGDEN, UTAH

August 28, 1961

no affidavit

Mr. George N. Carter
State Reclamation Engineer
Boise, Idaho

Dear Mr. Carter

Attached are the completed depositions for Proof of Application of Water to Beneficial Use for Elk Creek Spring No. 3 on the Targhee National Forest, Idaho.

The depositions were executed at the time and date set and before the Notary Public, as advertised in the publication notice.

Please advise if any further information is required in making the proof of appropriation.

Very truly yours,

H. M. HUCKEY
Chief, Division of Engineering

By 

Attachments

26244

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 26244

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Verl C. Waite, St. Anthony, Idaho, Forest Engineer, St. Anthony, Idaho

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

Ans. United States of America Forest Service, Ogden, Utah. (Forest Officer)

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

Ans. 26244 - February 3, 1956 Mar. 8 - 56

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

Ans. Elk Creek Spring No. 3 - S. 52°-08' E. 1473.7 feet from N₁ cor. of
Sec. 19, T 15, R 46 E.

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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Concrete headbox, galvanized iron pipe, concrete storage tank, and water faucets.

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

Ans. Water is to be used for domestic purposes in an organizational camp on
National Forest Land.

26244

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

Ans. Water is for domestic use and flows by gravity from spring to the faucets, through a pipeline.

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

Ans. 0.04 c.f.s. (18 gallons per min.)

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. Original owner.

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

Ans. The spring has been developed and flows into a concrete headbox and is distributed throughout the organizational area by a pipeline and faucets. A flow of 18 gallons per minute is used.

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)

[Signature]

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 Swan Valley, County of Bonneville

State of Idaho, on this 7th day of August, A. D. 1961.

[Signature: Grace Traughber]

My commission expires

Oct. 21, 1964

26244

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

AUG 30 1961

Department of Reclamation

PERMIT NO. 26244**Proof of Application of Water to Beneficial Use****Deposition of Witness**

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. James E. Jacobsgaard, 19 years of age, Swan Valley, Idaho, Fire Control Aid,
Swan Valley, Idaho

Ques. 2. Are you acquainted with U.S. Forest Service, the holder of Permit No. 26244 ✓? How long have you known him and where does he reside?

Ans. _____

Ques. 3. Have you read or heard read said Permit No. 26244 ✓, 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. Elk Creek Spring No. 3. ✓
Spring - Diversion works consists of concrete headbox, galvanized pipe and
faucetts in organizational camp

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

Ans. 0.04 c.f.s. (18 gallons per min.)

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

Ans. Water is used in an organizational camp on National Forest Land for domestic
use. Improvements consist of an organization camp which is dependent on this spring
as a source of safe domestic water.

26244

RT

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

Ans. Water is used for domestic purposes only in organizational camp.

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. No irrigation.

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. 0.04 c.f.s. (18 gallon per min.)

(Signed)

James C. Jacobsgaard

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 Swan Valley

County of Bonneville, State of Idaho, on this 7th day of Aug.

A. D. 1961

Grace Traugher

Notary Public.

My commission expires Oct. 21, 1964



26244

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 26244

Proof of Application of Water to Beneficial Use
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Gary D. Williams, Age 21, Palisades, Idaho, Fire Control Aid,
Box 594, Palisades, Idaho

Ques. 2. Are you acquainted with U.S. Forest Service, the
holder of Permit No. 26244? How long have you known him and where does he reside?

Ans. _____

Ques. 3. Have you read or heard read said Permit No. 26244, 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. Elk Creek Spring No. 3.
Spring - Diversion works consists of concrete headbox, galvanized pipe and
faucetts in organizational camp.

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

Ans. 0.04 c.f.s. (18 gallons per min.)

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each
sub-division 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 improvement which have
been made as a direct result of said use.

Ans. Water is used in an organizational camp on National Forest Land for domestic
use. Improvements consist of an organization camp which is dependent on this spring
as a source of safe domestic water.

26244

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

Ans. Water is used for domestic purposes only in organizational camp.

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. No irrigation.

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. 0.04 c.f.s. (18 gallons per min.)

(Signed)

Harry D. Williams

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 Swan Valley, County of Bonneville, State of Idaho, on this day of 7th August, A. D. 1961.

Grace Traugher

Notary Public.

My commission expires

Oct. 21, 1964

86244

June 29, 1961

RE: Permit No. 26244

Idaho Falls Post Register
Idaho Falls, Idaho

Gentlemen:

Upon checking the legal notice of proof of application of water to beneficial use on Permit No. 26244, United States Forest Service, we find that line 2 of paragraph 10 should read "S 52°08'".

Please correct in subsequent copies and mail us a tear sheet for proofing.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

H. Petri
Water Rights Clerk

HP:mr

26244

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

June 23, 1961

Re: Permit No. 26244

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

IS ATTACHED

United States of America,
Forest Service,
Ogden, Utah.

Gentlemen:

This acknowledges the Notice of Proof of ~~Completion of Work~~ and Application of Water to Beneficial Use under Permit No. 26244. The proofs are to be made at 10:00 o'clock A.M., on the 7th day of August, 1961, ~~1959~~, before Grace Trougher, Swan Valley, Idaho, ~~Notary Public.~~

As of this date we have mailed the Notice to the Idaho Falls Post Register with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ~~Anderson~~ ^{Bull}
Chief Clerk

26244

Encl.
EPR: ^{pak}
cc: Notary

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. 26244
United States of America
Forest Service, Ogden Utah

Date: June 23, 1961

Idaho Falls Post Register,
Idaho Falls, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to August 7, 1961 the date set for proof; the expense of the publication is to be paid by the applicant

United States of America, Forest Service of Ogden, Utah
to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

Encl.

26244

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION



ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO

RECEIVED
JUN 22 1961
Department of Reclamation

FOREST SERVICE BUILDING
OGDEN, UTAH

2510 (5600)

June 20, 1961

Mr. George N. Carter
State Reclamation Engineer
Boise, Idaho

Dear Sir:

Reference is made to your letter of April 12, 1961.

Enclosed are the completed forms for making proof of beneficial use of the water of Elk Creek Spring #3 under Permit No. 26244.

The date we have set up for a Forest Officer to appear before Grace Troughber, Notary Public, at Swan Valley Idaho, is August 7, 1961.

We have suggested the notice be printed in the Idaho Falls Post Register as this paper is widely circulated throughout Bonneville County.

Very truly yours,

FLOYD IVERSON
Regional Forester

By

H. M. Hickey

Enclosure

26244

Form No. 11
2M - 10/60

RECEIVED
JUN 22 1961

Department of Reclamation
NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 20, 1961
(P. O.) United States of America Forest Service, Ogden, Utah

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Idaho Falls Post Register of Idaho Falls, Idaho published in
the county in which the works are situated. *Bonneville Co.*

FLOYD IVERSON
Regional Forester

By

N. M. Hunkley

(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.

By

Engineer.

26244

RECEIVED

JUN 22 1961

Notice for Publication
NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
Department of Reclamation

Notice is hereby given that at . . . 10 . . . A. M. on the . . . 7th . . . day of
. . . August . . . 1961 . . . at . . . Swan Valley, Idaho . . . , County of
X. . . Bonneville . . . , State of Idaho, before Grace Trougher, Notary Public . . .
. . . , proof will be submitted of the application to beneficial use of
0.04 cfs
X. . . 0.04 . . . cubic feet per second of the waters of Elk Creek Spring #3 . . .
. . . in accordance with the terms and conditions of Permit No. 26244 . . .
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are:
X. . . United States of America, Forest Service, Ogden, Utah . . .
The use to which said water has been applied is . . . domestic . . .
The amount applied to beneficial use is . . . 0.04 c.f.s. . .
The place where said water is used, give full and accurate legal description: . . .
. . . SE 1/4 Section 18; Township 1 South, Range 46 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 . . . pipeline . . .
The right to take water from such works is based upon Permit No. 26244 . . .
The source of supply from which such water is diverted is . . . Elk Creek Spring #3 . . .
Point of Diversion (legal description) . . . S. 52° 08' E. 1473.7 feet distant from the
N 1/4 corner of Section 19, T. 1 S., R. 46 E., B.M., and is in the NE 1/4 of Section 19,
T. 1 S., R. 46 E., B.M., County of Bonneville. NW 1/4 NE 1/4
Feb. 3
March 8, 1956
The date of priority which said user is prepared to establish is . . .

Geo. H. Carter NW 1/4 NE 1/4 on Bonneville

State Reclamation Engineer

26244

RT

April 12, 1961

Re: Permit No. 26244

2510 (5600)

Floyd Iverson, Regional Forester
U. S. Forest Service
Forest Service Building
Ogden, Utah

Dear Mr. Iverson:

Enclosed are the forms to use prior to making proof
of beneficial use of the water from Elk Creek Spring #3 under
Permit No. 26244; as requested by your letter of April 11th.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

26244

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION



ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO

2510 (5600)

RECEIVED
APR 12 1961
Department of Reclamation

FOREST SERVICE BUILDING
OGDEN, UTAH

April 11, 1961

Mr. George N. Carter
State Reclamation Engineer
State Capitol
Boise, Idaho

Dear Mr. Carter:

This letter is to notify you that water being used under Permit No. 26244, Elk Creek Spring #3 has been put to beneficial use.

Please send necessary instructions and forms for us to complete proof of appropriation.

Very truly yours,

FLOYD IVERSON
Regional Forester

By

A handwritten signature in dark ink, appearing to read "F. Iverson", written over a horizontal line.

*c/w made
OU forms*

26244

March 7, 1961

Re: Permit No. 26244

H. M. Huckleby
Assistant Regional Forester
Chief Division of Engineering
U. S. Forest Service, Ogden, Utah

Dear Mr. Huckleby:

We enclose Certificate of Completion of Works issued
on Permit No. 26244.

We also enclose departmental receipt No. 30478 in
the amount of \$5.00 covering fee.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificate
receipt

26244

February 15, 1961

RE: Permit No. 26244

H. M. Huckleby, Assistant
Regional Engineer
USDA National Forest Service
Ogden, Utah

Dear Mr. Huckleby:

Enclosed is the white copy of the voucher, properly signed,
for the \$5.00 fee for the Certificate of Completion of
Works on Permit No. 26244.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. voucher

26244

February 8, 1961

RE: Permit No. 26244

H. M. Huckleby, Assistant
Regional Engineer
USDA National Forest Service
Ogden, Utah

2510(5600

Dear Mr. Huckleby:

Enclosed is voucher, properly signed, for the \$5.00 fee for
the Certificate of Completion of Works on Permit No. 26244.

As soon as the fee is received in this office the Certificate
will be issued.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. voucher

26244

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION

RECEIVED
FEB 7 1961
Department of Reclamation

ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO



FOREST SERVICE BUILDING
OGDEN, UTAH

2510 (5600)

February 2, 1961

Mr. George W. Carter
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Dear Mr. Carter:

Reference is made to your letter of January 30, 1961.

Enclosed is Proof of Completion of Works for Permit No. 26244.
Please advise if you need any further information.

Very truly yours,

FLOYD IVERSON
Regional Forester

By

A handwritten signature in cursive script, appearing to read "H. M. Huckleby".

Enclosure

26244

Permit No. 26244STATE OF IDAHO
Department of ReclamationRECEIVED
JAN 30 1961
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF ~~IDAHO~~ UTAHCounty of Weber

ss.

United States of America Forest Service

H. M. Huckleby

agent

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. 26244, and that his postoffice address is Ogden State of Utah.

Second: That the name of the stream from which said water is to be diverted is Elk Creek Spring No. 3 tributary to Big Elk Creek

Third: That the point of diversion of said water is S 52° 08' E 1473.7 Ft from
N 1/4 Cor. Sec. 19 T 1S, R 46 E Boise Meridian

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 8, 19 61.

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

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: Concrete Headbox - 32"x40"x40" Pipe line 1 1/2 - 3/4 IN. Storage tank 2000 gal
(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 _____ width at bottom _____ feet, width at water line _____

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water _____ feet; diameter of pipe _____ inches, average grade per mile is _____ feet. Length of conduit is _____ miles.

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

Eighth: That water appropriated under said permit is available for _____ acres of land described as follows: SE 1/4 SW 1/4 Sec. 18, T 1S, R 46E.

Ninth: Remarks:—That the concrete headbox, 4000 ft. of 1 1/2 inch pipe line, a 2000 gallon storage tank and distribution system have been installed.

Chief Division of Engineering, Assistant Regional Forester

Subscribed and sworn to before me this 27 day of January, 1961Collier

NOTARY PUBLIC

My commission expires 6/19/63

26244

January 30, 1961

Re: Permit No. 26244

H. M. Huckeby, Assistant
Regional Engineer
USDA National Forest Service
Ogden, Utah

Dear Mr. Huckeby:

Returned herewith is the Proof of Completion of Works you submitted to this office.

Kindly complete State and County at top of form. Second: the stream is named Big Elk Creek whereas the permit shows Elk Creek Spring No. 3, tributary of Big Elk Creek. Seventh: show amount of water. Eighth: show place of use.

The voucher submitted will be held until we receive the completed Proof of Completion of Works.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. proof of Completion
of Works

26244

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION



ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO

RECEIVED
JAN 30 1961
Department of Reclamation

FOREST SERVICE BUILDING
OGDEN, UTAH

2510(5600

January 27, 1961

Mr. George W. Carter
State Reclamation Engineer
State Capitol
Boise, Idaho

Re: Permit #26244.

Dear Mr. Carter:

Enclosed is Proof of Completion of Works for Permit No. 26244.

Also is a voucher for \$5.00 for you to sign and return to us
before payment can be made.

Very truly yours,

FLOYD IVERSON
Regional Forester

By

N. M. Huckleby

Enclosures

Source Elk Cr. Spring #3 trib Big Elk Cr.

T 115

26244

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

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Re: Permit No. 26244

Boise, Idaho

Jan. 3, 1961

U. S. Dept. of Agriculture
National Forest Service
Ogden, Utah

Dear Sir:

Under the terms of your permit No. 26244 you are required to complete your diversion works on or before March 8, 1961. I enclose 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 of Works 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.

Very truly yours,

GEO. N. CARTER

STATE RECLAMATION ENGINEER

Enc. Form 6

26244

March 13, 1959

Re: Permit No. 26244

U. S. A. Forest Service
Ogden, Utah

Attn: Howard H. Davis
Acting Assistant Regional Forester

Dear Mr. Davis:

Enclosed is Application for Extension of Time on Permit No. 26244 which has been approved and recorded in this office. You will note your extension is to March 8, 1961 as that is the limit of time allowable.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Chief Clerk

EPR:ew
Enc.

26244

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION

RECEIVED
MAR 11 1959
Department of Reclamation

ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO



FOREST SERVICE BUILDING
OGDEN, UTAH

E
WATER RESOURCES
Water Rights
Targhee, Elk Creek Spring No. 3

March 10, 1959

Mr. George N. Carter
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Carter:

Reference is made to our letter of February 27, 1959, and
your reply of March 2, 1959.

Enclosed is an "Application for Extension of Time" for completion
of works under Permit No. 26244. The application has been prepared
on the printed form and has been signed and notarized.

Very truly yours,

A. L. ANDERSON
Assistant Regional Forester

By A handwritten signature in dark ink, appearing to read "A. L. Anderson", written over the printed name.

Enclosure

cc: Targhee N. F.

26244

Permit No. 26244

Application for Extension of Time
FOR COMPLETION OF WORKS

RECEIVED
MAR 1 11 1959

Department of Reclamation

Howard H. Davis, of Ogden

State of Utah, being first duly sworn, upon his oath deposes and says: He is the Agent of ~~the~~ the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho

No. 26244

Under the terms and conditions of said permit, construction work thereunder was required to be completed by March 8, 1959.

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

No work has been done on the water system.

costing \$

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

Water from this source is to be used for domestic purposes at an organization camp in Big Elk Creek Canyon. The camp site has had some use as a tent camp.

During 1958, construction work was started on some of the camp buildings. It is anticipated that construction will be carried to completion as rapidly as possible.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of works under said permit to March 8, 1961.

United States of America, Forest Service

Subscribed and sworn to before me this 6/15/59 day of March, 1959.

Collen Saxton

Notary Public.

My commission expires 6/15/59

Date of receipt at office of Department of Reclamation March 11, 1959

APPROVAL OF COMMISSIONER OF RECLAMATION.
GEO. N. CARTER, State Reclamation Engineer

I, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 26244 to

March 8, 1961

Witness my hand this 13 day of March, 1961

26244
GEO. N. CARTER
Commissioner of Reclamation
State Reclamation Engineer

March 2, 1959

Re: Permit No. 26244
Water Resources
Water Rights Targhee
Elk Creek Spring No. 3

U. S. D. A. Forest Service
Forest Service Building
Ogden, Utah

Attn: A. L. Anderson
Ass't. Regional Forester

Dear Mr. Anderson:

Enclosed is a supply of forms for request for extension of time to prove completion of works and a different form for extension of time to prove beneficial use.

Statutory requirements for surface water supply are a maximum of five years from date of approval to prove completion of works and an additional time of six years to prove beneficial use. Underground water supply must be completed and beneficial use proven within five years from date of approval. All requests for extension of time must be filed in this office prior to due date.

Permit No. 26244 was approved March 8, 1956 and the maximum time allowable for proof of completion of works is March 8, 1961. Approval of that extension of time automatically extends date beneficial use proof must be made to March 8, 1963.

Completion of the main works of diversion, tanks, etc. and main pipe line to the site would be sufficient to prove completion of works. Beneficial use would involve stub lines through the area.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

GWC:RT:ew
Enc.

26244

RT

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION



ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO

FOREST SERVICE BUILDING
OGDEN, UTAH

E
WATER RESOURCES
Water Rights - Targhee
Elk Creek Spring No. 3

February 27, 1959

Mr. George N. Carter
State Reclamation Engineer
State House
Boise, Idaho

RECEIVED
MAR 2 1959
Department of Reclamation

Dear Mr. Carter:

Reference is made to your notice of January 1, 1959, stating that proof of completion of work under Application No. 34088, Permit No. 26244 Elk Creek Spring No. 3 is due on or before March 8, 1959.

Water from this source is to be used for domestic purposes at an organization camp in Big Elk Creek Canyon, Bonneville County. The camp site has had some use as a tent camp. During 1958 construction work was started on some of the camp buildings. We anticipate that construction will be carried to completion as rapidly as possible. No work has been done to date on the water system. We, therefore, request an extension of time from March 8, 1959, to March 8, 1962, in which to submit proof of completion of work.

If a printed form is used for submitting requests for extensions of time, we shall appreciate receiving a supply of such forms. We have none in our office.

Very truly yours,

A. L. ANDERSON
Assistant Regional Forester

By *Thorne J. Despran*

26244

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

DEPARTMENT OF RECLAMATION

BOISE.

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Re: Permit No. 26244

Boise, Idaho

January 1, 1959

United States of America- Forest Service
Ogden, Utah

Dear Sir:-

Under the terms of your permit No. 26244 you are required to complete you diversion works on or before March 8, 1959. I enclose 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.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

26244

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION



ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO

RECEIVED
MAR 22 1956
Department of Reclamation

FOREST SERVICE BUILDING
OGDEN, UTAH

E
WATER RESOURCES
Water Rights - Targhee
Elk Creek Spring #3

March 19, 1956

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

Reference is made to your letter of March 12, 1956.

Our fiscal records show that the filing fee for Application #34088, Elk Creek Spring #3, was scheduled for payment on March 5, 1956 and was paid by the disbursing officer in Salt Lake City on March 7. Unquestionably then, the check which you received on March 8 is the payment for this filing fee. A search of our records fails to disclose any other payment made recently to your office. We wonder whether the check you received on February 28 is from another government agency.

We understand most banks keep a microfilm record of checks cashed. The number of a federal check obtained from such film may aid in identifying the payment.

Please let us know if we can be of further service.

Very truly yours,

A. L. Anderson
Assistant Regional Forester

By *Sam K. Greenwood*



26244

Mar. 22. This work in question should have been credited to Permit no. 18743. Therefore, The U.S. Forest Service Work. issued Mar. 7th was credited to P-18743 in Dept. Rec. # 27877. The work. issued Feb. 2 which reached our office 2/28/56 was credited to P# 26244. See Dept. Rec. # 27844

March 12, 1956

RE: Permit No. 26244

United States of America, Forest Service
Forest Service Building
Ogden, Utah

ATTENTION: Mr. Sam Greenwood

Dear Mr. Greenwood:

We enclose Permit No. 26244 and direct attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

The receipt enclosed herewith is for a Government check received on February 28, 1956, which we assumed was in payment of the Elk Creek Spring filing. However, on March 8 we received another Government check to the amount of \$5.00 marked in payment for the water filing on the Elk Creek Spring Application. We have checked through our records trying to see where the error came in and if the first check was in payment of someother water filing or proof instead of for the Elk Creek Spring filing. Perhaps you could give us some information regarding same prior to returning the last government check.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

T:hll

26244

NAME OF APPLICANT United States of America-Forest Service

Form No. 3

N

R. 46 E.

18

Point
of Use

Pipe

5.52° 08' E

Source of Water Supply and
Point of diversion

T. 1 S.

19

~ 1913

R. 46 E.

26244

Permit Map No. 26244

As Approved

MARK R. KULP

State Reclamation Engineer

MAR 8

1956

(State)

(For use of Paying Office)

Use continuation sheet(s) if necessary

Differences

State Recl. Engineer

Account verified; correct for
(Signature or initials) _____

MEMORANDUM

Paid by { Check No. _____ dated _____, 19____, for \$ _____ } on Treasurer of the United States in
Cash, \$ _____, on _____, 19____ { favor of payee named above.

26244

METHOD OF OR ABSENCE OF ADVERTISING

METHOD OF ADVERTISING

1. Advertising in newspapers Yes ☐ No ☐.
2. (a) Advertising by circular letters sent to dealers.
 (b) And by notices posted in public places Yes ☐ No ☐.

(If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made below.)

ABSENCE OF ADVERTISING

3. Without advertising, under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.
4. Without advertising in accordance with
5. Without advertising, it being impracticable to secure competition because of

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or less formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, as amended.)

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION

ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO



RECEIVED
MAR 1 1956

FOREST SERVICE BUILDING
OGDEN, UTAH

Department of Reclamation

E
WATER RESOURCES - Targhee
Water Rights
Elk Creek Spring No. 3

February 29, 1956

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

Reference is made to your letter of February 9, 1956.

We have shown the place of use on the sketch map and are returning the map herewith.

You have our permission to alter the application by showing the place of use.

Thank you for calling this matter to our attention.

Very truly yours,

A. L. ANDERSON
Assistant Regional Forester

By *Sam K. Greenwood*

Attachment



26244

February 9, 1956

Mr. Sam K. Greenwood
Assistant Regional Forester
U. S. Department of Agriculture
Forest Service Building
Ogden, Utah

Dear Mr. Greenwood:

We wish to acknowledge receipt of your Application for Permit to file on Elk Creek Spring No. 3, located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, Township 1 South, Range 46 East, Idaho.

The Application fails to show the exact place of use, we therefore, are returning your sketch map and will request that you show the place of use on said map and return, and with your permission we will complete the application by showing the place of use.

We are returning the voucher for the amount of \$5.00 duly signed covering fees in connection therewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:cu
Enc.

26244

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION



ADDRESS REPLY TO
REGIONAL FORESTER
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FOREST SERVICE BUILDING
OGDEN, UTAH

E
WATER RESOURCES
Water Rights - Targhee
Elk Creek Spring No. 3

February 2, 1956

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

Enclosed is an Application for Permit to Appropriate
Water from Elk Creek Spring No. 3 in Bonneville County.

Also enclosed is a voucher for \$5.00 for the filing fee.
Please sign the voucher and return it to this office for
payment.

Very truly yours,

A. L. Anderson
Assistant Regional Forester

By *Stan K. Greenwood*

Enclosures



26244

LEGAL NOTICE

OFFICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

NOTICE IS HEREBY GIVEN that at 10:00 A.M. on the 7th day of August, 1961, at Swan Valley, Idaho, County of Bonneville, State of Idaho, before Grace Troughber, Notary Public, proof will be submitted of the application to beneficial use of 0.04 cubic feet per second of the waters of Elk Creek Spring No. 3, in accordance with the terms and conditions of Permit No. 26244 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: United States of America, Forest Service, Ogden, Utah.

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

The amount applied to beneficial use is 0.04 cubic feet per second.

The place where said water is used:
Give full and accurate Legal Description.

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, Township 1
South Range 46, 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 pipeline.

The right to take water from such works is based upon Permit No. 26244.

The source of supply from which such water is diverted is Elk Creek Spring No. 3.

Point of Diversion (legal description):
S. 58° 03' E. 1473.7 feet distant from the N $\frac{1}{4}$ corner of Section 19, T. 1 S., R. 46 E.B.M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, T. 1 S., R. 46 E.B.M., County of Bonneville.

The date of priority which said user is prepared to establish is Feb. 3, 1956.

GEORGE N. CARTER

State Reclamation Engineer

Published: June 28, July 5, 12, 19, 1961

CE OF PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

NOTICE IS HEREBY GIVEN that at 0:00 A.M. on the 7th of August, 1961, at Swan Valley, Idaho, County of Bonneville, State of Idaho, before Grace Droughber, Notary Public, proof will be submitted of the application to beneficial use of 0.04 cubic feet per second of the waters of Elk Creek Spring No. 3, in accordance with the terms and conditions of Permit No. 26244 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: United States of America, Forest Service, Ogden, Utah.

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

The amount applied to beneficial use is 0.04 cubic feet per second.

The place where said water is used:
Give full and accurate Legal Description.

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, Township 1 South Range 46, 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 pipeline.

The right to take water from such works is based upon Permit No. 26244.

The source of supply from which such water is diverted is Elk Creek Spring No. 3.

Point of Diversion (legal description):

S. 58° 08' E. 1473.7 feet distant from the N $\frac{1}{4}$ corner of Section 19, T. 1 S., R. 46 E.B.M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, T. 1 S., R. 46 E.B.M., County of Bonneville.

The date of priority which said user is prepared to establish is Feb. 3, 1956.

GEORGE N. CARTER

State Reclamation Engineer

Published: June 28, July 5, 12, 19, 1961