

STATE OF IDAHO,

BONNEVILLE COUNTY

ss.

I, W. S. SNYDER, do solemnly swear that I am the business manager of the firm of Dennis & Snyder, publishers and printers of the IDAHO FALLS TIMES, a newspaper of general circulation, published once each week at Idaho Falls, Bonneville County, Idaho; that said newspaper has been so published for more than one year previous to the first publication of the attached notice: that the notice attached hereto, and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper consecutive weeks; that the first publication was made on the 16 day of March, 1916; that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and that the notice was published in the newspaper and not in a supplement.

Last publication 6th April, 1916

Subscribed and sworn to before me this 6th day of April, 1916

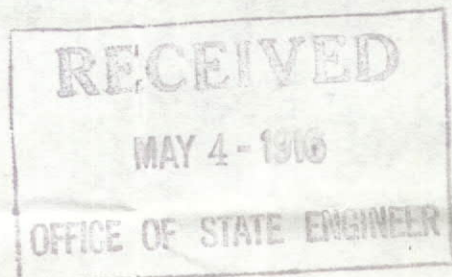
W. S. Snyder
O. W. Malengren Notary Public.

NOTICE FOR PUBLICATION.
Notice of Proof of Application of Water to Beneficial Use.
 Notice is hereby given that at 2 p.m. on the 20th day of April, 1916, at Alpine, County of Bonneville, State of Idaho, before William Fawson, Justice of Peace, proof will be submitted of the application to beneficial use of two one-hundredths (2-100) of 1 cubic foot per second of the waters of..... in accordance with the terms and conditions of Permit No. 11597, heretofore issued by the State Engineer of the State of Idaho.

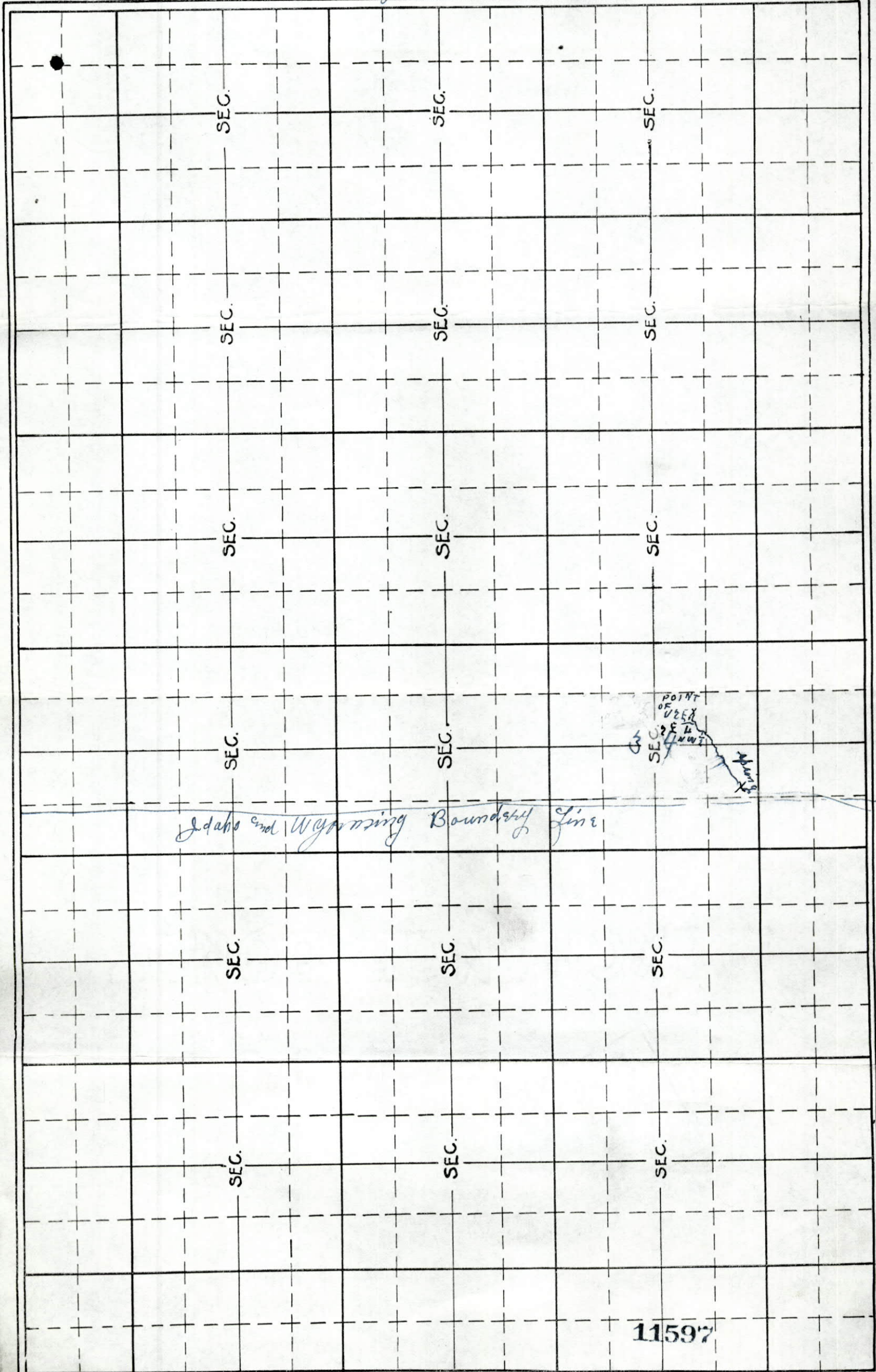
1. The name and postoffice address of the person holding said permit are Vesma D. Livingston, Alpine, Bonneville County, Idaho.
2. The use to which said water has been applied is domestic purposes.
3. The amount applied to beneficial use is two one-hundredths (2-100) of 1 cubic foot per second.
4. The place where said water is used is (if for irrigation give full and accurate description of the lands irrigated) Domestic use on the SE 1/4 of NW 1/4, Sec. 34, T. 2 S., R. 46 E. B. M.
5. The right to take the water from such works is based upon Permit No. 11597.
6. The source of supply from which such water is diverted is Cliff Spring.
7. The date of priority which said user is prepared to establish is July 31, 1915.

J. H. SMITH, State Engineer.
 Pub. Times Mar 16, 23, 30, April 6.

11597



Name of Applicant *Vernon H Livingston* TP 2 RR 46 EBM



Name of Applicant

Verna H Livingston Tr 3 SR 46, E B M

SEC.

SEC.

SEC.

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SEC.

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Point of
USE
T.M.
S.W.
H

Idaho and Wyoming Boundary Line

11597

County: Bonneville
 Stream: Cliff Sp.
 Amount: 2/100 of 1 cu.ft.
 Use: Domestic
 Priority: 7-31-15

STATE OF IDAHO

Water License No. 11597

WATER DISTRICT No. 36-F.

WHEREAS, On the 31st day of July, A. D. 1915, VESNA D. LIVINGSTON

of Alpine, County of Bonneville, State of Idaho, duly made application (No. 16734) to me for a permit to use 2/100 of 1 cubic foot per second of the waters of Cliff Spring, in Water District No. 36-F.

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

WHEREAS, On the 11th day of September, A. D. 1915 Permit No. 11597 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 11th day of March, A. D. 1916, and for the application to beneficial use of said water on or before the 11th day of March, A. D. 1916, and,

WHEREAS, On the 10th day of February, A. D. 1916, VESNA D. LIVINGSTON

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 2/100 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 11597 dated March 20 1916, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2/100 of 1 cubic foot per second of said water with date of priority of July 31, 1915, and

WHEREAS, On the 20th day of April, A. D. 1916, VESNA D. LIVINGSTON

the holder of said permit, duly made proof of the application to beneficial use of 2/100 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

VESNA D. LIVINGSTON,

of Alpine, County of Bonneville, State of Idaho, the holder and owner of said Permit No. 11597, a perpetual right, dating from July 31, 1915 to the use of 2/100 of 1 cubic foot per second of the waters of Cliff Spring

in the County of Bonneville and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 34, T. 2 S., R. 46 E.B.M.,

and conducted to ~~anywhere~~ the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 34, T. 2 S., R. 46 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 or 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 1st day of June A. D. nineteen hundred and Sixteen.

J. H. SMITH.

(Seal)

State Engineer:

23 2025

No. 16734.

23-2025

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

1. Name of applicant: Vesna D. Livingston.

Postoffice address: Alpine

County: Bonneville

State: Idaho.

I. If applicant is a corporation, give

(a) Date and place of incorporation:

(b) The amount of capital stock:

(c) The amount paid in:

(d) Names and addresses of directors:

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

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. The quantity of water claimed is 2/100 cubic feet per second.

3. Source of water supply: Cliff Spring.

4. Location of point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34 Tp. 2 S. R. 46 E. B. M.

County of Bonneville.

5. To be used for: Domestic purposes on SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34 Tp. 2 S. R. 46 E. B. M.

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?
point of return:

(d) If so, name stream and locate

6. Estimated cost of works: \$30.00

7. Description of works for diversion:

I. Kind of works: Cleaning out old channel and making small 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

acres feet.

(c) Size of headgate, width

feet,

Height

feet.

(d) Conduit

Ditch

width at bottom 11 inches

width at water line 11 inches feet, depth of water 1 $\frac{1}{2}$ inches

inches; average grade per mile is

feet. Length of conduit is $\frac{1}{2}$ miles,and it crosses the following quarter sections: NE $\frac{1}{4}$ and NW $\frac{1}{4}$ Sec. 34 Tp. 2 S. R. 46 E. B. M.

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

Vesna D. Livingston,
Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9.00 a.m. July 31, 1915.

Returned to applicant for correction. July 31, 1915.

Corrected application received August 28, 1915.

APPROVAL OF STATE ENGINEER

The number of this permit is 11597

Recorded in Book 39 Page 11597 Approved September 11, 1915.

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 10, 1915 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 11, 1915.

The whole of said work to be completed on or before March 11, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before March 11, 1916.

Witness my hand this 11th day of September, 1915.

J. H. Smith,
State Engineer.

Remarks:

The head of spring is not on my land but is on Government Land joining my land.

.....

PERMIT NO. 11597.

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:-

This is to certify that Vesna D. Livingston, of Alpine, County of Bonneville, and State of Idaho, the holder of Permit No. 11597, issued upon Application No. 16734, bearing date of priority of July 31st, 1915, authorizing the diversion of 2/100 of 1 second-foot of the waters of Cliff Spring, 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, 2/100 of 1 second-foot of the water of Cliff Spring; that the point of diversion of said waters is in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 34, T. 2 S., R. 46 E., B.M., and that the place of use of said water is on the SE $\frac{1}{2}$ of NW $\frac{1}{4}$ Sec. 34, T. 2 S., R. 46 E., B.M.

Witness my hand this 20th day of March A.D. 1916.

J.H. SMITH,

State Engineer of the State of Idaho.

License issued for 2/100 second

Page 2011

WATER RIGHT NUMBER 23-2025 ✓

OWNER LAST NAME - LIVINGSTON

FIRST NAME - VESNA D.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - ALPINE

STATE - ID ZIP CODE -

SOURCE - CLIFF SPRING

TRIBUTARY OF - SNAKE RIVER ✓

STAGE - LICENSE

STATUS -

PRIORITY - 07-31-1915 COUNTY - BONNEVILLE TOTAL DIV. RATE - .0200 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. - 01 DLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - NWNE 34 02S 46E LOT 00 REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

NWNE 34 02S 46E LOT REDIV -

272.0 568.2 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 2.6

FROM - TO -

USE - DOMESTIC

USE DIV. RATE - .0200 CFS USE DIV. VOLUME - .00 AFA

USE - DOMESTIC

PLACE OF USE - TWN 02S RNG 46E SEC 34 TRACT SENW LOT AC

DATE -

TOTAL ACRES 0

DECREE NAME -

REMARKS - SOURCE KNOWN LOCALLY AS CLIFF SPRING. ✓

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 11597 ✓

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED JDC

June 8, 1916.

Re Permit 11597.

Vesna D. Livingston,
Alpine, Idaho.

Sir:--

Enclosing herewith water license issued under
above permit.

Very truly yours,

J. H. SMITH,

State Engineer.

WL

By _____

11597

Alpine Idaho

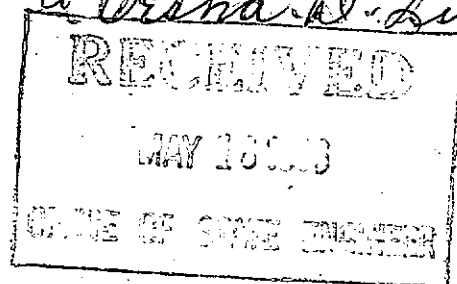
May 13-16

Mr J H Smith
Boise Idaho

Dear Sir:

I am sending Deposition
of Mr Lavern Walton
in Place of Justin W Livingston
Trusting that I have
It - O.K.

Your well wisher
Vernon W Livingston



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Permit No. 11597

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Lavern Walton. Age 23. Alpine Ida.
Farmer. Alpine, Ida.

Ques. 2. Are you acquainted with Verna H. Livingston, the holder of Permit No. 11597? How long have you known him and where does he reside?

Ans. 12 years. Alpine, Ida.

Ques. 3. Have you read or heard read said Permit No. 11597, 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. Bluff Spring. N.W. 1/4 of the N.E. 1/4 Sec. 34. T.2 S.
of Range 46. E. B.M.

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. 4-100 cubic foot per second. about 2-100 cubic foot per second

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

Ans. Domestic purposes. S.E. 1/4 of N.W. 1/4 of S. 34
T.2 S. Range 46. E. B.M.

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

Ans. Domestic purposes.

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

Ans.

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

Ans.

No.

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

Ans.

I have known of him using it for the last 2 years for domestic purposes,

(Sign)

Larvin Walton

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 *Alpine* County of *Bonnerville* State of Idaho, on this *11th May* day of *May* A. D. 19*14*.

William Fauson
Justice of Peace Notary Public.

My Commission Expires

Nov 3rd 1916

11597

11597

Alpine Idaho

April 28-16

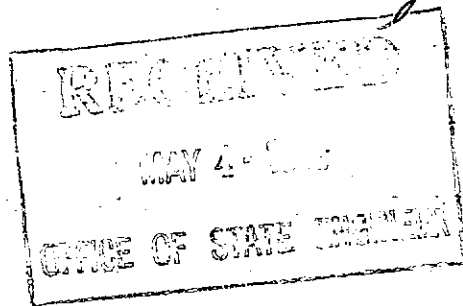
Mr J H Smith

State Engineer, Boise Idaho

Dear Sir:

I am sending Proof of application
Not having them at the time I sent
the other Papers.

Your well wishes
Wm W Livingston



STATE OF IDAHO.

BONNEVILLE COUNTY

ss.

I, W. S. SNYDER, do solemnly swear that I am the business manager of the firm of Dennis & Snyder, publishers and printers of the IDAHO FALLS TIMES, a newspaper of general circulation, published once each week at Idaho Falls, Bonneville County, Idaho; that said newspaper has been so published for more than one year previous to the first publication of the attached notice: that the notice attached hereto, and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper 16 consecutive weeks; that the first publication was made on the 16 day of March, 1916; that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and that the notice was published in the newspaper and not in a supplement.

Last publication 6th April, 1916
 Subscribed and sworn to before me this 6th day of April, 1916
W. S. Snyder
Notary Public.

NOTICE FOR PUBLICATION.
Notice of Proof of Application of Water to Beneficial Use.
 Notice is hereby given that at 2 p.m. on the 20th day of April, 1916, at Alpine, County of Bonneville, State of Idaho, before William Fawson, Justice of Peace, proof will be submitted of the application to beneficial use of two one-hundredths (2-100) of 1 cubic foot per second of the waters of..... in accordance with the terms and conditions of Permit No. 11597, heretofore issued by the State Engineer of the State of Idaho.
 1. The name and postoffice address of the person holding said permit are Vesma D. Livingston, Alpine, Bonneville County, Idaho.
 2. The use to which said water has been applied is domestic purposes.
 3. The amount applied to beneficial use is two one-hundredths (2-100) of 1 cubic foot per second.
 4. The place where said water is used is (if for irrigation give full and accurate description of the lands irrigated). Domestic use on the SE 1/4 of NW 1/4, Sec. 34, T. 2 S., R. 46 E. B. M.
 5. The right to take the water from such works is based upon Permit No. 11597.
 6. The source of supply from which such water is diverted is Cliff Spring.
 7. The date of priority which said user is prepared to establish is July 31, 1915.
 J. H. SMITH, State Engineer.
 Pub. Times Mar 16, 23, 30, April 6.

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RECORDED
 MAY 4 1916
 OFFICE OF STATE ENGINEER

April 28, 1916.

Re Permit 11597.

Vesna D. Livingston,
Alpine, Idaho.

Sir:--

We are in receipt of depositions, report and check for fees for proof of use of water under above permit. The check is herewith returned, as no fees are charged at this office where the expense of the examination is paid by the holder of the permit.

In checking the depositions I note that the same party has acted as engineer and witness. This could not be accepted. It will, therefore, be necessary for you to obtain the deposition of some other witness. I accordingly return the deposition of Justin D. Livingston and enclose fresh blank for new deposition.

Very truly yours,

J. H. SMITH,

State Engineer.

D-F17

Ch. No. 699

By _____

11597

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Alpine Idaho
April 27-16

J. H. Smith

Boise Idaho

Dear Sir:

I Have Not received Proof
of Publication from The Idaho
Falls Times. supose it Has
Been delayed, Our Mail error
is show up here

Will send it as soon
as it comes.

Yours Truly

Wesley Livingston

#3.
I enclose the check of \$200
Thinking this is right -

REPORT OF ENGINEER

1. State name of applicant and number of permit: Vasna H Livingston
 2. State source of water supply: Cliff Spring
 3. Location of point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2nd 34 9P 2 & R 46 E B.M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes they are completed

5. Describe works as they exist, giving dimensions and capacities of same: Channeling out Spring and old channel. And making small ditch about one foot in width at bottom and about 18 inches in depth length 40 miles. Capacity 2/100 cubic feet per second.

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

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

For Domestic Purposes on 2 E $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 34 9P 2 & R 46 E.B.M.

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

Remarks:

This examination was made on the 15th day of April 1916.

(Signed)

Justin H Livingston

Examiner.

OVER

11597

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

STATE OF IDAHO

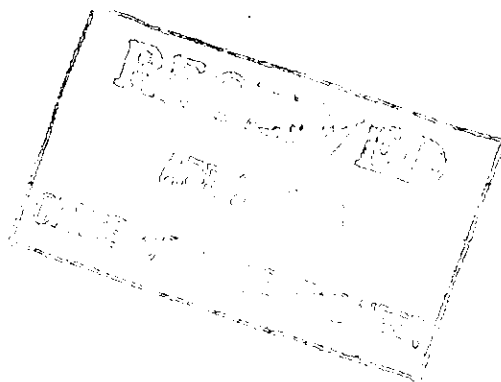
County of Bonneville } ss.

Justin H. Livingston 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.

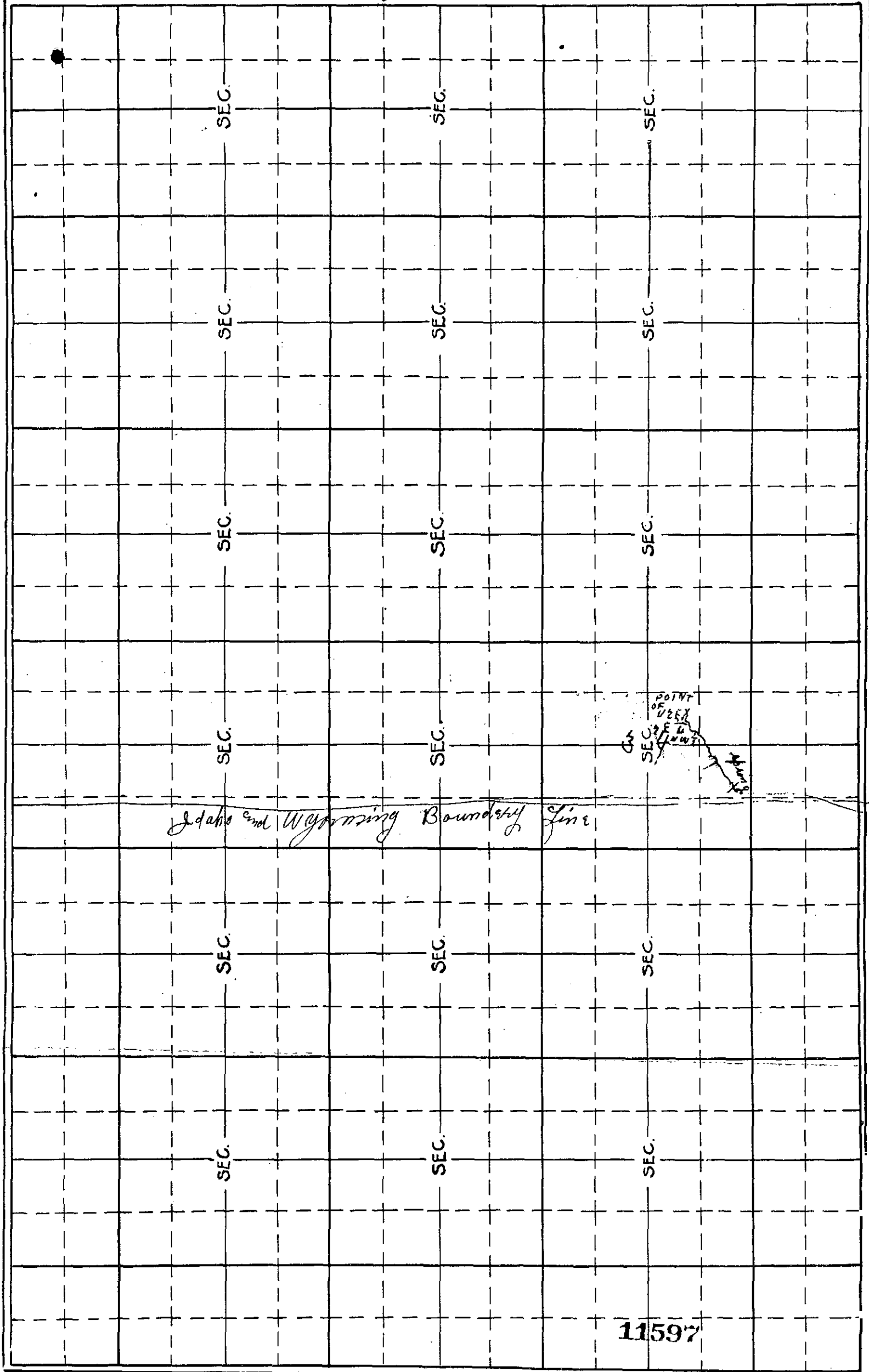
Subscribed and sworn to before me this 20th day of April 1914

William Fawcett
My Commission Expires Nov 3rd 1914 Justice of the Peace. ^{Notary Public.}

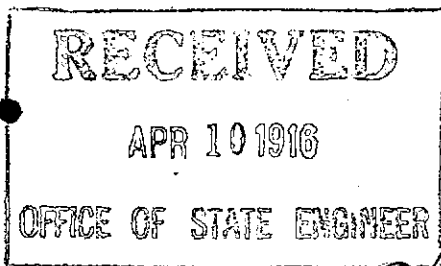
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Name of Applicant *Vernon H. Livingston* T P 2 R 46 E B M



11597



11597

Alpine Idaho
April 4th 1916

Maj H Smith

Boise Idaho

Dear Sir

I have received the Papers
you sent me.

to make a report on
Permit No 11597.

of Vesna H. Livingston.
I can make the same.

Very Truly Yours
Justin H. Livingston

OK 2

PERMIT NO. 11597**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. Wesley H. Livingston 24, Celine Idaho,
Farmer Alpine Idaho.

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

Ans. _____

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

Ans. 11597, April 20th 1916.

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

Ans. Cliff Spring N.W. 1/4 of N. 1/4 S. 34, T. 5, 2 S. of
Range 46, 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. cleaning out spring and old channel and
making small ditch. 1 ft. width at bottom and 10 in
depth and length 1/2 mile. 2-100 cubic foot per second,
Cliff Spring ditch.

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

Ans. Domestic purposes. S. E. 1/4 of N.W. 1/4 S. 34, T. 5, 2 S.
R. 46, E. B. M.

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

Ans. Domestic purposes.

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

Ans. _____

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. _____

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

Ans. Two years for domestic purposes, all of it
continuously

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

Ans. _____

(Sign) W. L. Livingston

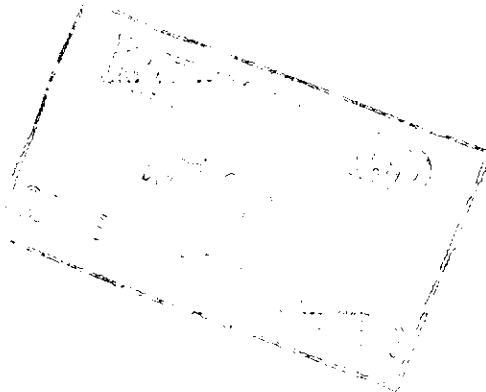
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Alpine Bonneville, County of

_____, State of Idaho, on this 20th day of April

A. D. 1916

William Fawson
Justice of the Peace

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Permit No. 11597

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Frank Hinch, age 26, Alpine Idaho,
Farmer, Alpine Ida.Ques. 2. Are you acquainted with Wesley H. Livingston, the
holder of Permit No. 11597? How long have you known him and where does he reside?

Ans. 12 years, Alpine Idaho.

Ques. 3. Have you read or heard read said Permit No. 11597, 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. Giff Spring N.W. 1/4 of N.E. 1/4, Sec 34 T.2 S.
of R. 46 E. B.M.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. 4-100 cubic foot per second, about 2-100 cubic foot per sec.

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 improvements which have been made as a direct
result of said use.Ans. Domestic purposes, S.E. 1/4 of N.W. 1/4, S. 34 T.2 S.
R. 46 E. B.M.Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what
extent.

Ans. Domestic purposes.

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

Ans.

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

Ans. No.

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

Ans. I have known of him using it for the last 2 years for domestic purposes.

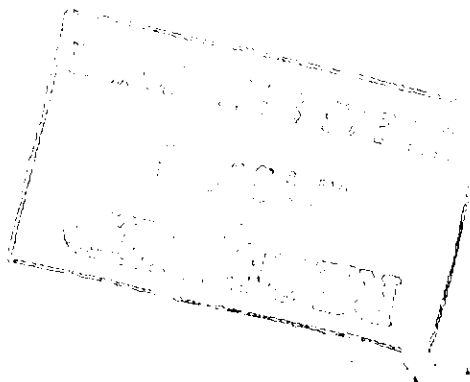
(Sign) Frank Hatch

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 Alpine, County of Bonneville, State of Idaho, on this 20th day of April A. D. 1914.

William Fawson
Justice of the Peace ^{Notary Public.}

My Commission Expires Nov 3rd 1916

11597



STATE OF IDAHO
ENGINEERING DEPARTMENT

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Vesna D. Livingston,
c/o William Fawson, J.P.
Alpine, Idaho.

BOISE, IDAHO, April 3, 1916.

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. **11597**.

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 **April 20th**, 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 **Alpine, before Wm. Fawson, J.P.**

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

Yours truly,

J. H. SMITH,

State Engineer.

11597

March 27, 1916.

Re Permit No. 11597.

Vesna D. Livingston,
Alpine, Idaho.

Sir:--

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

Very truly yours,

J. H. SMITH,

State Engineer.

Ct)R8L93

By _____

11597

Office of the State Engineer

Boise, Idaho, March 24, 196.

Mr. Justin D. Livingston,
Alpine, Idaho.

DEAR SIR:

Vesma D. Livingston, residing at Alpine
County of _____, State of Idaho, has requested that
you make examination required under Permit No. 11597. Will you
therefore, arrange with the holder of said Permit to make such examination as will
enable you to answer the questions on the enclosed blank? Also, make a sketch on
the enclosed blank plat showing source of supply, point of diversion, route of ditch
and place of use. You should, also, arrange with the holder of said Permit for the
payment of your fee for your services, and such proper expenses as you will incur in
making this examination and report.

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

Very truly yours,

J. H. SMITH, ~~XXXXXX~~ A. E. ROBINSON,
State Engineer.

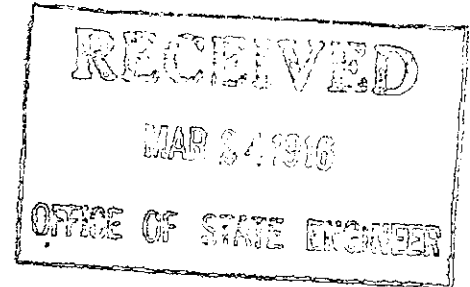
11597

Chas 20

11597

State of Idaho
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON
ENGINEER



Vesma D. Livingston,

March 7, 1916.

Alpine, Idaho.

DEAR ~~SIR~~ Madam:

Before your proof can be accepted, it will be necessary that an examination and report be made to this office concerning the same. This examination preferably should be made by an engineer, but in the event that one cannot be secured, the report of any other person competent to determine the capacity of the works, and the area irrigated, will be satisfactory.

Will you, therefore, advise this office whom you wish to be instructed to make

this examination for you?

*Alpine Idaho
Mar. 16, -16*

Very truly yours,

Mr J. H. Smith

J. H. SMITH, ~~A. E. ROBINSON~~

State Engineer.

Dear Sir:

*I wish to name Mr. Justin D. Livingston
Whom I wish to be instructed to make
The examination for me*

*Your well wisher
Vesma D. Livingston*

(Place) Idaho Falls, Id.
(Date) Mar 9-

State Engineer, Boise.

Dear Sir:

I have your letter of..... enclosing Notice of Proof
of Beneficial Use of Water under Permit No. 11597 which will be publish-
ed as you request, beginning with our issue of March 16-1916
The Times

11597

go for

State of Idaho
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON
ENGINEER

Vesma D. Livingston,

March 7, 1916.

Alpine, Idaho.

DEAR ~~Sir~~ Madam:

Before your proof can be accepted, it will be necessary that an examination and report be made to this office concerning the same. This examination preferably should be made by an engineer, but in the event that one cannot be secured, the report of any other person competent to determine the capacity of the works, and the area irrigated, will be satisfactory.

Will you, therefore, advise this office whom you wish to be instructed to make this examination for you?

Very truly yours,

J. H. SMITH,

~~A. E. ROBINSON~~

State Engineer.

11597

March 7, 1916,

Re Permit 11597.

Vesma D. Livingston,
Alpine, Idaho.

Madam:--

We are in receipt of check for fees for proof of completion of works, also, notices for final proof under the above permit. The certificate of completion will be issued and mailed to you soon.

Notice for final proof has today been mailed to the Idaho Falls Times and deposition blanks will later be mailed to William Fawcett, Justice of the Peace at Alpine.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

11597

en 50°

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

March 1st

(P. O.)

Affine Idaho

To the State Engineer,

Boise, Idaho.

Dear Sir:

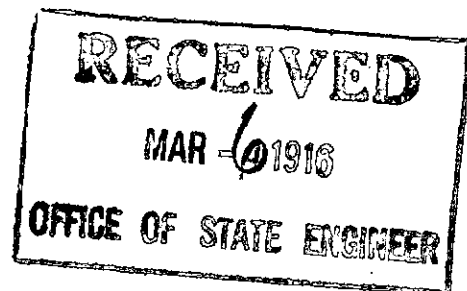
You are hereby authorized to have the attached notice published at my expense in the
The Times, of Idaho Falls, published in the
county in which the works are situated.

Verna D Livingston

(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.



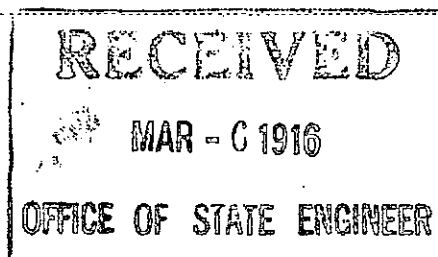
11597

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 2 a. m. on the 20th day of April, 1914,
 at Alpine, County of Bonneville, State of Idaho,
 before William F. Fawson, J. R., proof will be submitted
 of the application to beneficial use of two-one hundredths (2/100) of 1 cubic feet per second of the waters of
 _____, in accordance with the terms and conditions of Permit No. 11597,
 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or ~~cooperation~~ holding said permit are _____
Vesma D. Livingston, Alpine, Bonneville County, Idaho.
2. The use to which said water has been applied is ~~irrigation~~ domestic purposes.
3. The amount applied to beneficial use is two one-hundredths (2/100) of 1 cu. ft. per sec.
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) _____
Domestic use on the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 34, T. 2 S., R. 46 E. B. M.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is _____
6. The right to take the water from such works is based upon Permit No. 11597.
7. The source of supply from which such water is diverted is Cliff Spring.
8. The date of the priority which said user is prepared to establish is July 31, 1915.



J. H. SMITH,

State Engineer.

11597

February 18, 1916.

Re Permit 11597.

Vesma D. Livingston,
Alpine, Idaho.

Sir:--

We are just in receipt of your affidavit for proof of completion of works, with check for \$10.00 and notice for final proof under the above permit. In reply to your letter accompanying same would say that the publication fees are paid direct to the publisher of the paper, who will furnish you with a statement prior to furnishing the affidavit of publication. I accordingly return herewith the check for \$10.00, our fee being only five and, upon receipt of same, the certificate will be issued.

Notice for publication will be sent to the Idaho Falls Times but before this can be done it will be necessary for you to give the name of the place and the notary public, or other officer before whom proof is to be made and also set the date for making proof far enough ahead to allow for the required four full weeks publication. The fresh blanks should be filled out, in duplicate, and returned to us, at which time the notice will be sent to the paper.

Very truly yours,

J. H. SMITH,

State Engineer.

Ch\$10-2F10 -F11

By _____

11597

Alpine Idaho
Feb 4 - 16

State Engineer

Boise Idaho

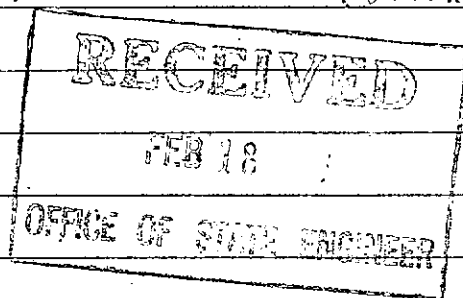
Dear Sir

I suppose that I should of
sent these papers in sooner
But have been sick and a way
from home and could not
attend to it.

Trusting every thing is
all right.

Your Well Wishes
Vernon D. Livingston

P.K. I am sending check
of \$10.00 Ten dollars to Pay for
For advertisement and
Proof. V.D.S.



11597

Permit No. 11597

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Bonneville

ss.

Urena W. Livingston

, 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. 11597 and that his postoffice address is Alpine.
State of Idaho

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

Cliff Spring

Third: That the point of diversion of said water is

TP 2 2R 46 9 B M1/4 NW 1/4 NE 1/4 Sec 34

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Mar 11 1916.

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

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:

Clearing out old channel & making small ditch
(Reservoir, dam, ditch, flume, pipe or otherwise)II. Dimensions of work: small ditch

(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 no feet, height no feet.

(d) Conduit ditch width at bottom 11 inches feet, width at water line 11 inches, depth of water 1 1/3 feet; diameter of pipe _____ inches; average grade per mile is _____ feet. Length of conduit is 1 1/2 miles.

Seventh. That said works are capable of conducting to the place of intended use 2/100 second feet of water.

Eighth. That water appropriated under said permit is available for domestic acres of land described as follows: _____

Ninth. Remarks: That

I have used all of the water from this spring for the last 2 years for domestic use. And the water does not run only 1/2 mile from spring head.

Urena W. Livingston

(Sign here)

Subscribed and sworn to before me this

10th

day of

February, 1914.

My commission expires

William DawsonJustice of Peace

Notary Public.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Vesna D. Livingston,
Alpine, Idaho.

Boise, Idaho, December 1, 1915.

Dear Sir:

Under the terms of your permit No. 11597, you are required to complete your diversion works on or before March 11, 1916. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

J. H. Smith,

State Engineer.

11597

State of Idaho
ENGINEERING DEPARTMENT
BOISE

December 1, 1915.

Vesna D. Livingston,
Alpine, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. **11597**-----, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

J. E. Smith,

11597 State Engineer

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit #11597.
Vesna D. Livingston,
Alpine, Idaho.

Boise, Idaho,

Sept. 13, 1915.

Dear Sir:

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

J.H. Smith.

State Engineer

11597

Vesna 11 Livingston Tr 3 DR. 46. E B M

51

SEC-

SEC

15

5

5

Idaho and Wyoming Boundary Line

SEC.

11597

July 21, 1915.

16734.

Vesna D. Livingston,
Alpine, Idaho.

It will be necessary to show on the maps the course of the conduit from the spring to the point of use and also the point of use.

In paragraph 5 of the blank, immediately following the expression "domestic purposes" give the legal description of the 40 acre tract in which water will be used for domestic use.

Give information called for in paragraph 6 and 7 I-I (d) of the blank.

September 29, 1915

11597

16734-FFR. 10549.

GB.