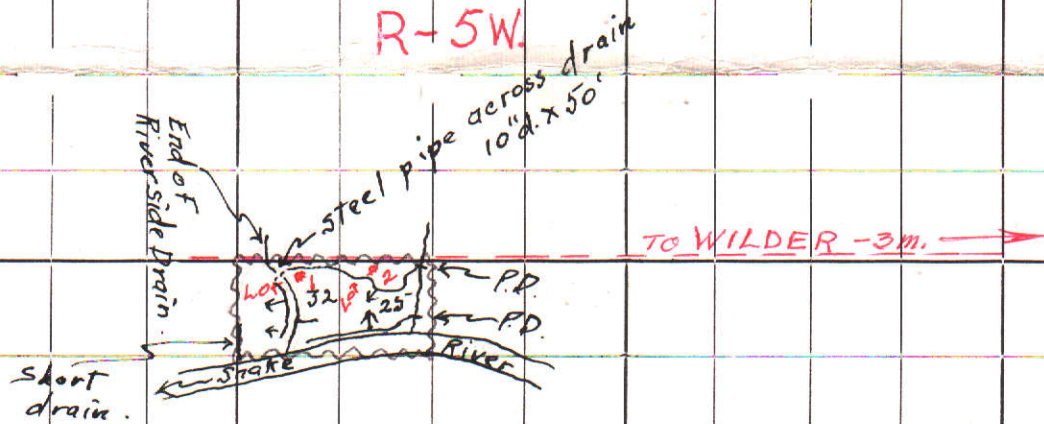


Concrete 30" pipe under road

Lot 1 = NW NW = 31.79a.

2 = 30.90a.

R-5W.



T.
4
N.

19

Subdivisions (2) Two.

Area = 57 acres.

Q = 57 inches.

RECEIVED
MAR 8 1956

Department of Reclamation

Affidavit of Publication

STATE OF IDAHO)
COUNTY OF CANYON) ss.

Theron Gough, being first

duly sworn, on his oath deposes and says:

That he is a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years and not a party to the action as per notice attached.

That he is Publisher of

THE PARMA REVIEW

a weekly newspaper published in the City of Parma, County of Canyon, State of Idaho, every Thursday; that the said newspaper is in general circulation in the said County of Canyon, and has been continuously and uninterruptedly printed and published in said county during a period of 78 consecutive weeks prior to the first publication of the annex-

ed Notice of Proof Application;

that said Notice being

Notice of Proof Application of Water to Beneficial

use for Frank T. Bartles

was published in said newspaper in four consecutive issues in the regular and entire issue of each and every number of every paper during the period and time of publication, and was printed in the newspaper proper and not in a supplement, said notice having been so published upon

the following dates: February 2, 9, 16 and 23, 1956

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 28th day of February, 1956, at Parma, County of Canyon, State of Idaho, before B. James Koehler, Jr., proof will be submitted of the application to beneficial use of 1.20 cubic feet per second of the waters of drainage & waste ditch in accordance with the terms and conditions of Permit No. 25828 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 Frank T. Bartles, Rt. No. 2, Wilder, Idaho.

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

The amount applied to beneficial use is 1.20 cubic feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 19, T 4 N, R 5 W. B. M., Canyon County, Idaho.

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

The right to take water from such works is based upon Permit No. 25828.

The source of supply from which such water is diverted is drainage & waste water.

The date of priority which said user is prepared to establish is June 27, 1955.

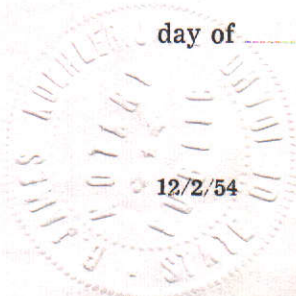
MARK R. KULP
State Reclamation Engineer
Pub.: Feb. 2, 9, 16, 23.

25828

Theron Gough

Subscribed and sworn to before me, this 3rd

day of March, 1956.



B. James Koehler, Jr.

Notary Public for Idaho,
Residing at Parma, Idaho

State of Idaho

License and Certificate of Water Right

Water License No. 25828

Amount 1.14 second feet

Water District No.

Priority May 19, 1955

THIS IS TO CERTIFY that FRANK T. BARTLES
 of Wilder, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated May 19, 1955; that Permit No. 25828
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 1.20 second feet, was issued thereunder on January 27, 1956, showing that said works
 were completed on the 21st day of January, 1956; and that on the 28th
 day of February, 1956,

FRANK T. BARTLES

of Wilder, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of drainage &
 Waste ditch, a tributary of Snake River, for the purpose of irrigation
 under Use Permit No. 25828 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
 9 of Licenses at page 5681, on the 2nd day of April, 1956;

The right hereby confirmed dates from May 19, 1955;

The Points of Diversion are located

in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Tp. 4 N, R. 5 W., B. M. Canyon County

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 1.14 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	5 W.	19	NE $\frac{1}{4}$ NW $\frac{1}{4}$	20	25
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	32
			Total Number of Acres Actually Irrigated		57

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

2nd day of April, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

63 3057

State of Idaho

License and Certificate of Water Right

Water License No. 25891Amount 0.18 second foot

Water District No. _____

Priority June 21, 1955

THIS IS TO CERTIFY that JOHN M. BARKER
of Buhl, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 21, 19 55; that Permit No. 25891
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.28 second foot, was issued thereunder on February 29, 19 56, showing that said works
were completed on the 23rd day of February, 19 56; and that on the 15th
day of October, 19 55,
JOHN M. BARKER
of Buhl, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Deep Creek
, a tributary of _____, for the purpose of irrigation
, under Use Permit No. 25891 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
9 of Licenses at page 5682, on the 2nd day of April, 19 56;
The right hereby confirmed dates from June 21, 19 55;
The Point of Diversion is located
in the SW 1/4 SE 1/4, Sec. 20, Tp. 9 S, R. 14 E. B. M. Twin Falls County
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 0.18 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	14 E.	20	NE $\frac{1}{4}$ SW $\frac{1}{4}$	12	7
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	2	2
			Total Number of Acres Actually Irrigated		9

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
2nd day of April, 19 56.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

63-3057 25828

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 33693
PERMIT No. 25828
DISTRICT No.

1. Name of Applicant: FRANK T. BARTLES

Postoffice address: R # 2, Wilder

County: Canyon

State: Idaho

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: 1.20 cubic feet per second.

3. Source of water supply: drainage and waste ditch which is a tributary of Snake River

4. Location of point of diversion: 20 feet SW ~~feet distant~~ from the NE
of NW¹₄
corner of Section 19, T. 4 N, R. 5 W, B.M., and is in the NW¹₄
of Section 19, T. 4 N, R. 5 W, B.M., County of Canyon

5. Water is to be used for irrigation 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 of Section , T. , R. , 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: \$ 600.00

8. Kind of works: ditch and head gate

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 3 feet; height 3 feet.

11. Ditch: Width at bottom 2 feet; width at water line 2½ feet; depth of water 1 feet;
dimensions of flume: -

Diameter of pipe 12 inches; length of conduit 1 miles.

Average grade per mile 1"/100 feet feet.

12. The time required for the completion of such work is 0 years.

13. The time required for the complete application of the water to the proposed use is 0 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.

FRANK J. BARTLES

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. May 19, 1955

Returned to applicant for correction: June 3, 1955

Corrected application received: June 27, 1955

Approval of State Reclamation Engineer

The number of this permit is 25828

Recorded in Book 91 Page 25828 Approved July 25, 1955.

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 her same, subject to the following limitations and conditions: Completion of works proof can be accepted in order to keep the permit in good standing. No state license will be issued until determination is made to whether the water filed on is public water, and to continue diligently and uninterruptedly to completion

[illegible]

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 - -
The whole of said work to be completed on or before January 25, 1956

Beneficial use of water appropriated in accordance herewith, to be made on or before January 25, 1956

WITNESS My hand this 25th day of July, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho,

and IRA H. MASTERS, 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 25th

day of July, 19 55.
Countersigned:

STATE OF IDAHO

Countersigned:

(SEAL) By ROBERT E. SMYLIE

Governor.

Secretary of State.

REMARKS: Have been using water out of this waste ditch for past 8 years, my point of diversion being toward the end of the ditch, before it empties into the Snake River, there being no other land between my point of diversion and the Snake River.

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4 N	5 W	19					20 40 Permit No. 25828 CERTIFICATE OF COMPLETION OF WORKS												60
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that FRANK T. BARTLES of Wilder, County of Canyon, and State of Idaho, the holder of Permit No. 25828, issued upon Application No. 33693 bearing date of priority of June 27, 1955, authorizing the diversion of 3 second feet of the waters of drainage and waste ditch, tributary of Snake River, county of Canyon, State of Idaho, for irrigation 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 1.20 second feet of the waters of drainage and waste ditch that the point of diversion of said waters 20 feet SW from the NE corner of NW1/4 of Section 19, T. 4 N., R. 5 W., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 20 acres in NE1/4NW1/4, Sec. 19, T. 4 N., R. 5 W., B.M. and 40 acres NW1/4NW1/4 Sec. 19, T. 4 N., R. 5 W., B. M.																			
Witness my hand this 27th day of January, A. D. 1956.																			
Proof of Completion of Works was made January 21, 1956. Certificate of Completion of Works was issued January 27, 1956.																			
MARK R. KULP State Reclamation Engineer																			
LICENSE ISSUED FOR 1/14 1956 Page 5681																			

WATER RIGHT NUMBER 63-3057

OWNER LAST NAME - BARTLES

FIRST NAME - FRANK T.

ORIG OWNER -

ADDRESS LINE 1 - RT. 2

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - WILDER

STATE - ID ZIP CODE - 83676

SOURCE - WASTE WATER

TRIBUTARY OF - SNAKE RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 05-19-1955 COUNTY - CANYON

TCTAL DIV. RATE - 1.1400 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NENW 19 04N 05W LOT

REDIV -

272.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

411.0

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

1.1400

CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 05W SEC 19 TRACT NENW LOT

AC 25 TRACT

NWNW LOT

AC 32

DECREE NAME -

DATE -

TOTAL ACRES

57

REMARKS - 2 P/D IN NENW, S19, T4N, R5W.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 25828

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

April 3, 1956

RE: Permit No. 25828

Mr. Frank T. Bartles
Route 2
Wilder, Idaho

Dear Mr. Bartles:

We enclose License and Certificate of Water Right issued on Permit No. 25828 confirming your right to the use of 1.14 second feet of the waters of drainage and waste ditch with points of diversion in the NE¹/₄ NW¹/₄ Section 19, Township 4 North, Range 5 West, B.M., with priority of May 19, 1955, for irrigation of land in the NE¹/₄ NW¹/₄ Section 19.

We also enclose departmental receipt No. 27894 for the \$4.00 License fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

hll
Enc.

25828

March 26, 1956

RE: Permit No. 25828

Mr. Frank T. Bartles
Route 2
Wilder, Idaho

Dear Mr. Bartles:

We now have on file the report of our field engineer on examination for beneficial use proof on your Permit No. 25828, which shows that your works are capable of diverting 57 inches of water (1.14 second feet), for the irrigation of 57 acres in the NE¹/₄ NW¹/₄ and NW¹/₄ NW¹/₄, Sec. 19, Twp. 4 N., Rge. 5 West, B.M.

Therefore, upon receipt of the \$4.00 License fee, a License can be issued for 1.14 second feet of water from drainage and waste water which are tributary to the Snake River.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

25828

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 25828

This proof is for Beneficial Use In Water District No.

1. Name of applicant Frank T. Bartles

2. Source of water supply: Drainage and waste ditch, tributary of Snake River

3. Location of point of diversion: Is in the 20 ft. SW of the NE corner of NW $\frac{1}{4}$ of Section 19

T. 4 N. R. 5 W., B.M. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: This is a diversion from a natural draw. Point of diversion is in the NE corner of the place. There is a dam 30' long by 4' wide on top by 4' high with a 30" diameter 16' culvert pipe extending through same. This is just below where the water comes under the road through a concrete culvert 30" diameter pipe. There is a 16" by 16' length culvert pipe through the bank on the West side into the ditch with a sheet metal cover for a headgate. Ditches are 2 to 3' wide in the bottom and extend around on grade to the West. There is another point of diversion on the same stream 21 yards west from the East fence and 85 yards North of the Snake River. This dam is approximately the same size and has a 24" culvert pipe through the dam to the West to the ditches. The ditch extends along the bank
5. Water is used for: Irrigation of Snake River and the water irrigates from this ditch to the North away from the river.
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):

20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 19., Twp. 4 N., Rge. 5 W.B.M.
See the map

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

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

Remarks: While this water might be classed by some as waste water actually it is a year round flow in a natural draw and most of the water is rising water from the past year's irrigation.

This examination was made on the 23rd day of March, 19 56

(Signed) E. H. Humphrey Examiner.

25828

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.

7452
Frank T. Bartles
Route # 2, Wilder, Idaho
Permit No. 25828
1 N. 5 W. 1 N. of Wilder
Examination for Beneficial Use

County Canyon
19-4 N. - 5 W.

S 2 1.2 a.p.s.

S 2 Drainage & waste water

P.D. 20' SW. of NE. Cor. of
P.D. 2 NW 4, Sec. 19, T. 4 N. - R. - 5 W

Use 2 Irrigation

Filed - May 19, 1955
Due - Completed

7452 1-27-56

30" x 16' pipe to carry
water thru dam.

Dam is 4' w. on top 30' l
4' high.

16' x 16" pipe thru bank to
ditch

ditch 2' to 3' w. in bottom

Downstream P.D. 5

21 yds west of fence,
8 yds N. of river

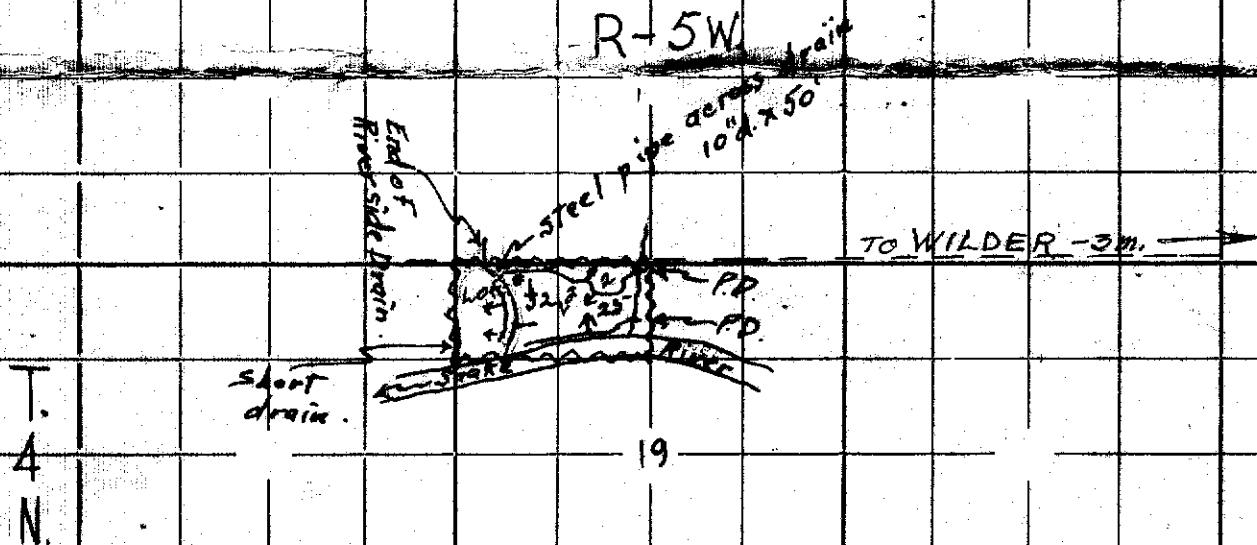
Dam approx 4' h x 10' w.
on top x 30' l

24" culvert pipe x 20' l.

16" x 16' pipe thru to ditch

Concrete 30" pipe under road

Lot 1 = NW NW = 31.79 a.
2 P = 20.90 a.



Subdivisions (2) Two.

Area = 57 acres.

Q = 57 inches.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 25828

~~REPORT ON PROOF OF~~ Beneficial Use

1.14 cfs
max

app- 1.20
Sub.- 2
acres- 57

March 15, 1956

Re: Permit No. 25828

Mr. Frank T. Bartles
Route # 2
Wilder, Idaho

Dear Mr. Bartles:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Parma Review, all submitted in proof of beneficial use on Permit No. 25828.

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,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

25828

LAW OFFICES OF
B. JAMES KOEHLER, JR.
ROBERTSON BUILDING
PARMA, IDAHO

RECEIVED
MAR 1 1956
Department of Reclamation

29 February 1956

Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Attn: Chief Clerk

Re: Permit No. 25828
Frank Bartles

Dear Sir:

The enclosed two Depositions of Witness and Depositions of Holder in the Frank T. Bartles proof of application of water to beneficial use for Permit No. 25828 were executed before me in my office on February 28, 1956.

If there is anything more need be done in this matter, please let me know.

Thanking you for your cooperation in this matter, I am,

Yours very truly,

B. James Koehler, Jr.
B. James Koehler, Jr.

BJK/b
Enc.

25828

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 25828

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Frank T. Bartles, Route # 2, Wilder, Idaho; farmer, Wilder, 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. Not acting on behalf of a corporation

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

Ans. 25828: date: July 25, 1955; date of priority: July 25, 1955

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

Ans. Drainage & waste ditch, tributary of Snake River; 20 feet SW of the NW corner of NW $\frac{1}{4}$, Sec. 19, T 4 N, R 5 W B.M., Canyon County, Idaho

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. Head gate and ditch, ditch capable of conveying 3 cubic feet per second from point of diversion to place of use; ditch has no name

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 used for irrigation purposes. 20 acres in NE $\frac{1}{4}$ and 40 acres in NW $\frac{1}{4}$ of Sec. 19, T 4 N, R 5 W B.M., Canyon County, Idaho. Pasture land; irrigation has changed sage brush land into good pasture land by virtue of the irrigation ditches across said land.

25828

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

Ans. Used only for irrigation.

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

Ans. 3 cu feet per second

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

Ans. Am original person.

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

Ans. 3 cu. feet of water has been used during past irrigation season to irrigate the above described land.

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. No other water used or available.

(Sign)

Frank J. Baitle

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 Parma, County of Canyon,

State of Idaho, on this 28th day of February, A. D. 1956

R. James Kerklin

My commission expires 8/1/56

25828

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25828

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. Ed Peterson, age 41, Route # 2, Wilder, Idaho, farmer.

Ques. 2. Are you acquainted with Frank T. Bartles, the holder of Permit No. 25828? How long have you known him and where does he reside?

Ans. Have know him for 20 years; he resides at Route # 2, Wilder, Idaho.

Ques. 3. Have you read or heard read said Permit No. 25828, 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. Drainage and waste ditch, tributary of the Snake River; ditch and head gate used to divert the water thru small irrigation ditches across the pasture land irrigated; diversion point is approximately 20 feet SW of the NE corner of the NW $\frac{1}{4}$, Sec. 19, T 4 N, R 5 W, Canyon County, Idaho.

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. 3 cu. feet per second; have seen that amount conveyed.

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 used for irrigation of pasture; approximately 20 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, of sec. 19, T 4 N, R 5 W B.M.; land has been made into good pasture land as a result of the irrigation.

25828

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

Ans. Only for irrigation.

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. Useless sage brush land has been reclaimed and I estimate it will
require approximately 3 cu. feet of water for profitable use as pasture.

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. Have observed this land and the use of the water thereon perhaps three
times a month during the irrigation season last year when it was being irrigated
and brought into use as a pasture.

(Signed) Ed Peterson

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 Parna,
County of Canyon, State of Idaho, on this 28th day of February,
A. D. 19 56.

F. John Kehler

Notary Public.

My commission expires 8/1/56.

25828

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25828

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. Grover L. Sanders, 44 years of age, residence route # 2, Wilder, Idaho,
farmer, Wilder, Idaho

Ques. 2. Are you acquainted with Frank T. Bartles, the
holder of Permit No. 25828? How long have you known him and where does
he reside?

Ans. Have known him for 7 years; he resides at Route # 2, Wilder, Idaho

Ques. 3. Have you read or heard read said Permit No. 25828, 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 con-
veying water from point of diversion to place of use.

Ans. Drainage and waste ditch, tributary of the Snake River; ditch and
head gate used to divert the water thru small irrigation ditches across the
pasture land irrigated; diversion point is approximately 20 feet SW of the
NE corner of the NW $\frac{1}{4}$, sec. 19, T 4 N, R 5 W B.M.; Canyon County, Idaho.

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

Ans. 3 cu. feet per second; have seen that amount conveyed.

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 im-
provements which have been made as a direct result of said use.

Ans. Water used for irrigation of pasture; approximately 20 acres in NW $\frac{1}{4}$
and 40 acres in NE $\frac{1}{4}$ of sec. 19, T 4 N, R 5 W B.M.; land has been made into
good pasture land as a result of the irrigation.

25828

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

Ans. Used only for irrigation

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. Sage brush land reclaimed into pastureland; 3 cu. feet of water
needed for 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. Two or three times a month I have observed the use of the above amount
of water used to irrigation purposes and have seen the change of the land
from useless sagebrush land to good pasture land.

(Signed) Howard L. Sanders

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 Pama,
County of Canyon, State of Idaho, on this 28 day of February,
A. D. 19 56.

B. John Kohler, Jr.

Notary Public.

My commission expires 8/1/56.

25828

RECEIVED
MAR 3 1956

Department of Reclamation

Affidavit of Publication

STATE OF IDAHO)
COUNTY OF CANYON) ss.

Theron Gough, being first

duly sworn, on his oath deposes and says:

That he is a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years and not a party to the action as per notice attached.

That he is Publisher of

THE PARMA REVIEW

a weekly newspaper published in the City of Parma, County of Canyon, State of Idaho, every Thursday; that the said newspaper is in general circulation in the said County of Canyon, and has been continuously and uninterruptedly printed and published in said county during a period of 78 consecutive weeks prior to the first publication of the annex-

ed Notice of Proof Application;

that said Notice being

Notice of Proof Application of Water to Beneficial

use for Frank T. Bartles

was published in said newspaper in four consecutive issues in the regular and entire issue of each and every number of every paper during the period and time of publication, and was printed in the newspaper proper and not in a supplement, said notice having been so published upon

the following dates: February 2, 9, 16 and 23, 1956

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 28th day of February, 1956, at Parma, County of Canyon, State of Idaho, before B. James Koehler, Jr., proof will be submitted of the application to beneficial use of 1.20 cubic feet per second of the waters of drainage & waste ditch in accordance with the terms and conditions of Permit No. 25828 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 Frank T. Bartles, Rt. No. 2, Wilder, Idaho.

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

The amount applied to beneficial use is 1.20 cubic feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 19, T 4 N, R 5 W. B. M., Canyon County, Idaho.

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

The right to take water from such works is based upon Permit No. 25828.

The source of supply from which such water is diverted is drainage & waste water.

The date of priority which said user is prepared to establish is June 27, 1955.

MARK R. KULP

State Reclamation Engineer
Pub.: Feb. 2, 9, 16, 23.

25828

Theron Gough

Subscribed and sworn to before me, this 3rd

day of March, 1956.

F. James Koehler

Notary Public for Idaho,
Residing at Parma, Idaho

12/2/54

The **P**arma Review

Parma, Idaho

January 30, 1956

25828

Mark R. Julp,
State Reclamation Engineer,
Boise, Idaho

RECEIVED
JAN 31 1956
Department of Reclamation

Dear Sirs:

This, to acknowledge receipt of Permit No. 25828 for publication

in the next four issues of The Parma Review, for Frank Bartles, etc.

We will mail you a checking copy following publication this week.

Sincerely Yours,

The Parma Review

Gertrude E. Gough

25828

January 27, 1956

RE: Permit No. 25828

Mr. Frank T. Bartles
Route #2
Wilder, Idaho

Dear Mr. Bartles:

We have sent to the Parma Review Notice of Beneficial Use proof to be made on Permit No. 25828 on February 28, 1956, with instructions to publish it once a week for four weeks prior to that date and to send you the Affidavit of Publication, together with statement of costs.

At the time set, you should appear before Mr. B. James Koehler, Jr., Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:cu
Enc.
CC: Mr. B. James Koehler, Jr.

25828

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 25828

Date:

January 27, 1936

Permit Review
Permit
Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **February 28, 1936,** the date set for proof, the expense of the publication to be paid by the applicant, **Mr. Frank T. Bartles,** of **Route #2, Wilder, Idaho,** , 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

25828

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 28th day of February, 19 56,
at Parma, County of Canyon, State of Idaho, before
B. James Koehler, Jr., proof will be submitted of the
application to beneficial use of 1.20 cubic feet per second of the waters of drainage &
waste ditch in accordance with the terms and conditions of Permit No. 25828
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

Frank T. Bartles, Route # 2, Wilder, Idaho

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

The amount applied to beneficial use is 1.20 cubic feet.

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

E 1/4 NW 1/4 of Section 19, T 4 N, R 5 W. B.M., Canyon County, Idaho

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

unnamed.

The right to take water from such works is based upon Permit No. 25828

The source of supply from which such water is diverted is drainage & waste water

The date of priority which said user is prepared to establish is June 27, 1955.

MARK R. KULP

State Reclamation Engineer.

25828

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 21, 1956

(P. O.) Wilder, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Parma Review

of Parma, Idaho

published in

the county in which the works are situated.

Grand Barter

(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.

25828

January 27, 1956

RE: Permit No. 25828

Mr. Frank T. Bartles
Wilder
Idaho

Dear Mr. Bartles:

We enclose Certificate of Completion of Works issued under Permit No. 25828 for the diversion of 1.20 second feet of water from a drainage and waste ditch tributary of Snake River with point of diversion in the SW from the NE corner of the NW $\frac{1}{4}$ of Section 19, Township 4 North, Range 5 West, B. M., with priority of June 27, 1955, for irrigation purposes in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19, Township 4 North, Range 5 West, B. M.

We also enclose departmental receipt No. 27804 for the \$5.00 fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:cu
Enc.

25828

LAW OFFICES OF
B. JAMES KOEHLER, JR.
ROBERTSON BUILDING
PARMA, IDAHO

21 January 1956

RECEIVED
JAN 23 1956

Department of Reclamation

Mark R. Kulp
Department of Reclamation
Boise, Idaho

Attn: Edna P. Rutledge, Chief Clerk

Re: Frank T. Bartles
Permit # 25828

Dear Miss Rutledge:

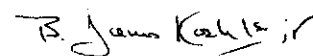
Thank you for sending on the forms in the above matter.

I have had Mr. Bartles complete Form # 6, and have notarized his signature.
Have also completed Form 10 in duplicate and Mr. Bartles has also signed
Form # 11.

Am enclosing the three forms (Form 10 in duplicate) and my check in the
sum of \$5.00 to cover the fee for completion of works.

Thanking you for your cooperation in this matter, I am

Yours very truly,



B. James Koehler, Jr.

BJK/j
Encl

25828

Permit No. 25828

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Canyon

ss.

Frank T. Bartles, 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. 25828, and that his postoffice address is Wilder State of Idaho

Second: That the name of the stream from which said water is to be diverted is unnamed drainage & waste ditch

Third: That the point of diversion of said water is 20 feet SW from the NE corner of NW $\frac{1}{4}$, Sec. 19, T 4 N, R 5 W B.M., Canyon County, Idaho.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by January 25, 1956.

Fifth: That the use for which said water is intended is irrigation purposes.

Sixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:

I. Kind of works: ditch and head gate
(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 3 feet, height 3 feet.

(d) Conduit ditch width at bottom 2 feet, width at water line 2 feet
(State whether ditch, flume or pipe)

feet, depth of water 1 feet; diameter of pipe 12 inches, average grade per mile is 1/100 feet. Length of conduit is 1 miles.

Seventh: That said works are capable of conducting to the place of intended use 2.20 second feet of water.

Eighth: That water appropriated under said permit is available for 60 acres of land described as follows: 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T 4 N, R 5 W B.M., and 40 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 19, T 4 N, R 5 W B.M., all in Canyon County, Idaho

Ninth: Remarks: That

Frank T. Bartles
(Sign Here)

Subscribed and sworn to before me this 21st day of January, 1956

My commission expires 8/1/56

Notary Public.

Residing at Pocatello, Idaho

25828

January 18, 1956

Re: Permit No. 25828
Frank Bartels

B. James Koehler, Jr.
Robertson Building
Parma, Idaho

Dear Mr. Koehler:

We are in receipt of your letter of January 10th relative to the proofs of completion of works and beneficial use for Mr. Frank Bartels. We note that his final proof date was to be made on or before January 25, 1956 but since the inquiry was made before that date we will go ahead with the understanding that all matters and papers pertaining to this Permit be given your immediate attention without further delay.

Proof of completion of works should be made on Form 6 enclosed, executed before a Notary Public and returned to this department with the statutory fee of \$5.00.

Proof of beneficial use requires publication of a notice in a local newspaper once a week for four weeks before proof is made. Notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom proof is to be made. Both copies of Form 10 to be returned to this department together with Form 11 which is authorization for us to have the notice published at permit holder's expense in the designated county newspaper. We shall then send a copy of the notice to the newspaper with instructions in regard to publishing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By:

Chief Clerk

EPR
Encls.

25828

LAW OFFICES OF
B. JAMES KOEHLER, JR.

ROBERTSON BUILDING
PARMA, IDAHO

RECEIVED
JAN 12 1956

10 January 1956 Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

Attn: Jeanne L. Anderson

Re: Frank Bartles: Permit No.
25828

Dear Miss Anderson:

Frank Bartles has this day stopped by my office and requested that I contact you regarding his proof of completion of works and beneficial use.

It should be appreciated if you would send the necessary forms and instructions to this office so that I might assist Mr. Bartles in completing his proof.

Thanking you for your cooperation in this matter, I am,

Yours very truly,

B. James Koehler, Jr.
B. James Koehler, Jr.

BJK/b

25828

July 28, 1955

RE: Permit No. 25828

Mr. B. James Koehler, Jr.
Attorney at Law
Parma, Idaho

Dear Mr. Koehler:

We enclose Permit No. 25828 in the name of Frank T. Bartles together with departmental receipt No. 27453 for the \$5.50 filing fee.

You will note that we have allowed six months or until January 25, 1956 within which to make proof of completion of works and beneficial use but Mr. Bartles can make these proofs at any earlier date and we shall be glad to send the necessary forms and instructions upon request.

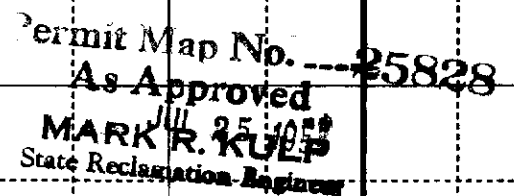
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

25828

Form No. 0

25828

B. James Koehler, Jr
Attorney at Law
Parma, Idaho

22 July 1955

Department of Reclamation
State House
Boise, Idaho

Re: Application # 33693

Attn: Jeanne L. Anderson

Dear Miss Anderson:

Am enclosing the 2 maps showing the point of diversion on the drain ditch and the land to be irrigated in the above numbered application.

Yours very truly,

B. James Koehler, Jr

B. James Koehler, jr.

BJK/j
Encl

RECEIVED
JUL 25 1955
Department of Reclamation

25828

July 21, 1955

RE: Application No. 33693

Mr. B. James Koehler, Jr.
Attorney at Law
Parma, Idaho

Dear Mr. Koehler:

The application of Mr. Frank T. Bartles to appropriate water from a drainage and waste ditch has been placed on file but it is necessary that two maps be furnished in connection with this application.

These maps may be made on Form O enclosed, showing the course of the drain and waste ditch with the point of diversion plainly marked and also coloring or cross-hatching the land to be irrigated.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hml
Enc.

25828

June 3, 1955

Mr. B. James Koehler, Jr.
Attorney At Law
Parma, Idaho

Dear Mr. Koehler:

Reference is made to the Application of Frank T. Bartles to appropriate water from a drainage and waste ditch.

This being an old diversion from an established drain that also collects waste water, the application should be for surface water from an Un-named stream and if the diversion is from a constructed drain should have permission from the owner of the drain.

The application should be made on Form 1 enclosed instead of Form 3 which is the Form used for filing on underground water.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

A:cu
Enc.

25828

B. James Koehler, Jr
Attorney at Law
Parma, Idaho

17 May 1955

RECEIVED
MAY 19 1955
Department of Reclamation
9am

Jeanne L. Anderson, Chief Clerk
Department of Reclamation
State House
Boise, Idaho

Re: Frank Bartles application

Dear Miss Anderson:

Am enclosing an application for permit to appropriate water by Frank Bartles, along with my check in the sum of \$5.50 for filing fee.

Thanking you for filing this application, I am

Yours very truly,

B. James Koehler, Jr.

B. James Koehler, Jr.

BJK/j
Encl

25828

April 23, 1955

Mr. B. James Koehler, Jr.
Attorney At Law
Parma, Idaho

Dear Mr. Koehler:

In reply to your letter of April 22, 1955, we enclose a form of application for permit to appropriate subterranean water from a well together with a pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application.

In order to complete your water right, proofs of Completion of Works and application of the water to Beneficial Use are required. The time required for making these proofs should be indicated under Question 10.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

25828

B. James Koehler, Jr
Attorney at Law
Parma, Idaho

22 April 1955

Mark R. Kulp
Department of Reclamation
State House
Boise, Idaho

Attn: Jeanne L. Anderson

Re: Frank Bartles

Dear Miss Anderson:

One of my clients, Frank Bartles, would like to make an application to appropriate ground water.

It would be appreciated if you would send me the proper application forms.

Thanking you for your courtesy in this matter, I am

Yours very truly,

B. James Koehler, Jr.

B. James Koehler, Jr.

BJK/j

RECEIVED
M. G. LEVINE
APR 23 1955
Department of Reclamation

25828

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 28th day of February, 1956, at Parma, County of Canyon, State of Idaho, before B. James Koehler, Jr., proof will be submitted of the application to beneficial use of 1.20 cubic feet per second of the waters of drainage & waste ditch in accordance with the terms and conditions of Permit No. 25828 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 Frank T. Bartles, Rt. No. 2, Wilder, Idaho.

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

The amount applied to beneficial use is 1.20 cubic feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 19, T 4 N, R 5 W. B. M., Canyon County, Idaho.

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

The right to take water from such works is based upon Permit No. 25828.

The source of supply from which such water is diverted is drainage & waste water.

The date of priority which said user is prepared to establish is June 27, 1955.

MARK R. KULP

State Reclamation Engineer

Pub.: Feb. 2, 9, 16, 23.