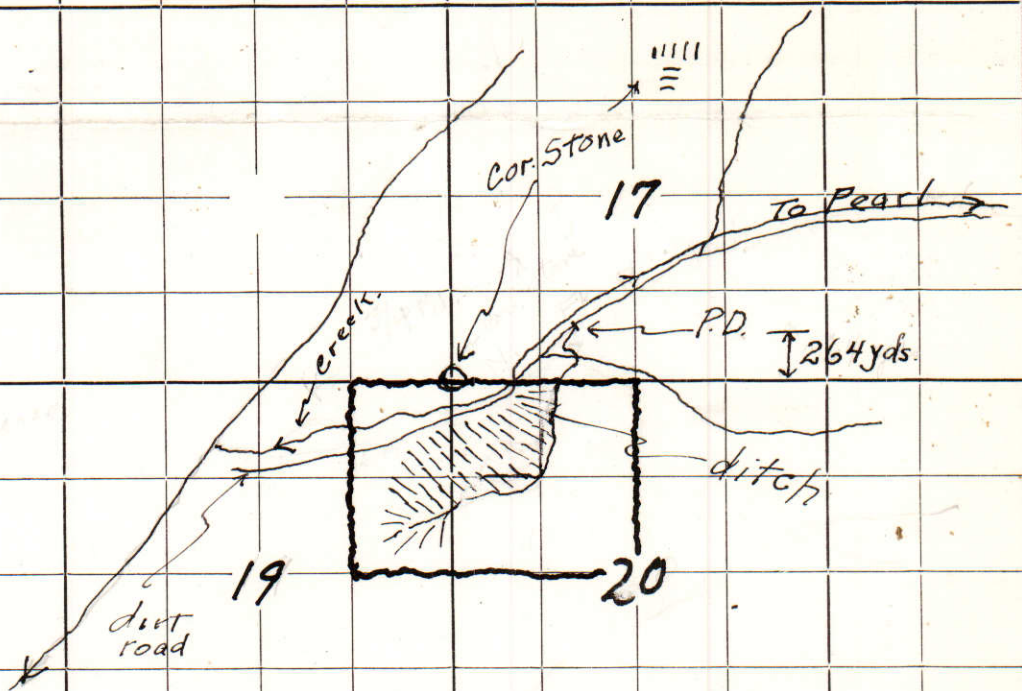


T 6 N. R 1 E.



Sec 19 = 40 acres

Sec. 20 = 40 acres

Total 80 acres

RECEIVED
JUL 19 1950
Department of Reclamation

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Gem—ss.

C. W. Skinner, being duly sworn, deposes and

says that he is the printer of The Emmett Index; that said Emmett Index is a weekly newspaper published at Emmett, Gem County, State of Idaho; that said paper is in general circulation in the county aforesaid and has been published uninterruptedly and continuously in said Gem County for 78 weeks prior to the first publication of this notice, and that the advertisement, a copy of which is attached hereto, was

published in the regular edition of The Emmett Index four consecutive issues, beginning with the issue of May 25, 1950, and ending with the issue of June 15, 1950.

C. W. Skinner
Subscribed and sworn to before me this 19 day of June, 1950.

J. P. Reed, Notary Public.
Residing at Emmett, Idaho

18811

NOTICE FOR PUBLICATION

Notice of proof application of water to beneficial use.

Notice is hereby given that at 11:00 A. M. on the 28th day of June, 1950, at Emmett, County of Gem, State of Idaho, before Lillian Campbell Curtis, County Recorder, proof will be submitted of the application to beneficial use of One cubic foot per second of the waters of Willow Creek, in accordance with the terms and conditions of Permit No. 18811 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 Mrs. C. E. Frost, Route 1, Eagle, Idaho. The use to which said water has been applied is irrigation. The amount applied to beneficial use is One cubic foot per second. The place where said water is used 40 acres in NW $\frac{1}{4}$ Section 20, and 40 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19; Township 6 North, Range 1 East, B. M.

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

The right to take water from such works is based upon Permit No. 18811.

The source of supply from which such water is diverted is Willow Creek, a tributary of Boise River.

The date of priority which said user is prepared to establish is June 24, 1939.

MARK R. KULP
State Reclamation Engineer

MRS. C. E. FROST

NAME OF APPLICANT

18

17

19

20

T6N-R1E.

NORTH WILLOW CREEK

SOUTH WILLOW

Points of diversion

- #1
- #2
- #3



Map O.K.

Signature

C. E. Frost

18811

18811

Permit Map No. 18811
As Approved
JUN 28 1939
JAMES SPOFFORD
Commissioner of Reclamation

State of Idaho
License and Certificate of Water Right

Water License No. 18811

Amount One second foot

Water District No.

Priority June 24, 1939

THIS IS TO CERTIFY that MRS. C. E. FROST
of Route 1, Eagle, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 24, 1939; that Permit No. 18811
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
one second foot, was issued thereunder on June 28, 1944, showing that said works
were completed on the 24th day of June, 1944; and that on the 12th
day of July, 1950,

MRS. C. E. FROST

of Eagle, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Willow Creek
, a tributary of Boise River, for the purpose of irrigation
, under Use Permit No. 18811 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
8 of Licenses at page 4649, on the 15th day of December, 1950;

The right hereby confirmed dates from June 24, 1939;
are

The Points of Diversion ~~is~~ located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20; and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19;
~~in the~~ ~~NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19;~~ ~~NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19;~~ ~~NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19;~~ ~~NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19;~~ ~~NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19;~~
, Tp. 6 N., R. 1 E., B. M. Gem 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 One cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	1 E.	19	NE $\frac{1}{4}$ NE $\frac{1}{4}$	20)	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	20)	
		20	NE $\frac{1}{4}$ NW $\frac{1}{4}$	10)	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	10)	
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	15)	
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	5)	
			Number of Acres Actually Irrigated - - -		80

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
15th day of December, 1950.

MARK R. KULP

State Reclamation Engineer

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 19505Amount 0.68 second foot

Water District No. _____

Priority March 24, 1947

THIS IS TO CERTIFY that **FLOYD GAMEREL**
 of **Eden, Idaho**, made application for a permit to appropriate the
 public waters of the State of Idaho, dated **May 6,**, 19 **44**; that Permit No. **19505**
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4 second feet, was issued thereunder on **April 26**, 19 **45**, showing that said works
 were completed on the **24th** day of **April**, 19 **45**; and that on the **6th**
 day of **April**, 19 **50**,

FLOYD GAMEREL

of **Eden**, State of **Idaho**, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of **waste water from N. Side**
 Canal Co./ **Lateral C-47 (Also known as Lateral C-55)**, for the purpose of **Irrigation**

, under Use Permit No. **19505** 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

8 of Licenses at page **4650**, on the **15th** day of **December**, 19 **50**;

The right hereby confirmed dates from **March 24,**, 19 **47**;

The Point of Diversion is located in Lot **1**

~~xxxx~~ ~~xxxx~~ ~~xx~~ ~~1~~ ~~4~~, Sec. **10**, Tp. **10 S.**, R. **18 E.**, B. M. **Jerome 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 **0.68** cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	18 E.	3	SE$\frac{1}{4}$ NE$\frac{1}{4}$	40	10
			NE$\frac{1}{4}$ SE$\frac{1}{4}$	40	14
			SE$\frac{1}{4}$ SE$\frac{1}{4}$	40	36
			Number of Acres Actually Irrigated	- -	60

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
15th day of **December**, 19 **50**.

MARK R. KULP*State Reclamation Engineer*

(SEAL)

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 26184
Permit No. 18811
District No.

1. Name of Applicant: MRS. C. E. FROST

Postoffice address Route 1, Eagle

County: Gem

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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: One

cubic feet per second.

3. Source of water supply: Willow Creek

which is a tributary of Boise River

4. Location of point of diversion: (See remarks

feet distant from the

corner of Section , T. , R. , B. M., and is in the

of Section , T. , R. , B. M., County of Gem

5. Water is to be used for: Irrigation

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: \$ 100.00

8. Kind of works: Ditches and headgates

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 Two feet; height One feet.

11. Ditch: Width at bottom 2 feet; width at water line $2\frac{1}{2}$ feet; depth of water $1\frac{1}{2}$

feet; dimensions of flume:

Diameter of pipe inches; length of conduit (3 ditches) Approx. 1.2 miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is Six additional years.

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

15. (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 waters of the State of Idaho as herein set forth.

MRS. C. E. FROST

Applicant.

By

C. E. Frost

Agent.

Date of first receipt at Department of Reclamation: 11:00 A.M. June 24, 1939

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18811

Recorded in Book 68 Page 18811 Approved June 28, 1939

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 August 27, 1939

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 28, 1941

The whole of said work to be completed on or before June 28, 1944

Beneficial use of water appropriated in accordance herewith, to be made on or before June 28, 1950

Witness my hand this 28th day of June, 1939

JAMES SPOFFORD

Commissioner of Reclamation.

Remarks: Points of diversion: No. 1- SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17; No. 2- NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20; No. 3- NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19;
All in Twp. 6 North, Range 1 East, B.M.

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 $\frac{1}{4}$	
6 N.	1 E.	20					10	10	15	5									40
		19	20			20													40
Total Number of acres to be Irrigated - - - - -																			80

IN TESTIMONY WHEREOF, We, C. A. BOTTOLFSSEN, Governor of the State of Idaho, and GEO. H. CURTIS, 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 28th day of June, 1939.

(SEAL)

Countersigned:
By GEO. H. CURTIS
Secretary of State

STATE OF IDAHO
By C. A. BOTTOLFSSEN
Governor

PERMIT NO. 18811
Certificate of Completion of Works

To All Whom it May Concern:

This is to certify that MRS. C. E. FROST, of Route 1, Eagle, County of Gem, and State of Idaho, the holder of Permit No. 18811, issued upon Application No. 26184, bearing date of priority of June 24, 1939, authorizing the diversion of One (1) second foot of the waters of Willow Creek, a tributary of Boise River, County of Gem, 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 One (1) second foot of the waters of Willow Creek; that the points of diversion of said waters are as follows: No. 1- SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17; No. 2- NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20; No. 3- NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19; all in Township 6 North, Range 1 East, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 40 acres in NW $\frac{1}{4}$ Section 20, and 40 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19; all in Township 6 North, Range 1 East, B. M.

Witness my hand this 28th day of June, A. D. 1944.

Proof of completion of works made June 26, 1944
Certificate of completion of works issued June 28, 1944.

MARK R. KULP
State Reclamation Engineer

LICENSE ISSUED FOR / SEC. FL
P 4449

WATER RIGHT NUMBER 63-2588

OWNER LAST NAME - FROST

FIRST NAME - MRS. C. E.

ORIG OWNER -

ADDRESS LINE 1 - RT. 1

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - EAGLE

STATE - ID ZIP CODE -

SOURCE - WILLOW CREEK

TRIBUTARY OF - BOISE RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 06-24-1939 COUNTY - GEM

TOTAL DIV. RATE - 1.0000-CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. - 63 DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SESW 17 06N 01E LOT

REDIV -

272.0 312.0 39.0 3.0 0.0 0.0 0.0 0.0 0.0 0.0 4.6

NWNW 20 06N 01E LOT

REDIV -

272.0 312.0 39.0 3.0 0.0 0.0 0.0 0.0 0.0 0.0 4.3

NENE 19 06N 01E LOT

REDIV -

272.0 312.0 39.0 3.0 0.0 0.0 0.0 0.0 0.0 0.0 4.1

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

1.0000 CFS USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 06N RNG 01E SEC 20

TRACT NENW LOT

AC 10 TRACT NWNW LOT

AC 10

USE - IRRIGATION

PLACE OF USE - TWN 06N RNG 01E SEC 19

TRACT SWNW LOT

AC 15 TRACT SENW LOT

AC 05

DECREE NAME -

DATE -

AC 20 TRACT SENE LOT

AC 20

REMARKS -

TOTAL ACRES

80

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 18811

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

IDENT. NO. 132588

WATER RIGHT DATA ENTRY LOG

[illegible]

✓
December 18, 1950

Re: Permit No. 18811

Mrs. C. E. Frost
Route 1
Eagle, Idaho

Dear Mrs. Frost:

We enclose License and Certificate of Water Right issued under Permit No. 18811, confirming your right to the use of one (1) second foot of water from Willow Creek, with points of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19, Township 6 North, Range 1 East, B.M., with priority of June 24, 1939, for the irrigation of 80 acres in the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19, and the NW $\frac{1}{4}$ Section 20, Township 6 North, Range 1 East, B.M.

We also enclose Departmental Receipt No. 22895 for the \$8.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A: bh

Enc.

18811

December 6, 1950

Re: Permit No. 18811

Mrs. C. E. Frost
Route 1
Eagle, Idaho

Dear Mrs. Frost:

The report of our Field Engineer shows that you have irrigated 80 acres in the NW $\frac{1}{4}$ of Section 20 and the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19, Township 6 North, Range 1 East, B.M.

Therefore, upon receipt of the statutory fee of \$8.00, being at the rate of \$2.00 for each 40 acre subdivision in which the land is located, a License will be issued for one (1) second foot of water from Willow Creek for use on the above stated land.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

18811

✓
July 21, 1950

Re: Permit No. 18811

Mrs. C. E. Frost
Route 1
Eagle, Idaho

Dear Mrs. Frost:

We have now received the Affidavit of Publication in the Emmett Index, which with the depositions previously sent in by Mrs. Curtis, completes Proof of Beneficial Use on Permit No. 18811.

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

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, the Field Engineer for this Department will try and contact you at the time he makes the examination in order that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

18811

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

Permit No. 18811

This proof is for Beneficial use In Water District No. _____1. Name of applicant Mrs. C. E. Frost, Route 1, Eagle, Idaho2. Source of water supply: Willow Creek, a tributary of Boise River
Are _____3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17; NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19,
T. 6 N. R. 1 E. County of Gem

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

The diversion is a small sod and stone dam approximately 1' high. There is but one diversion, which is a ditch approximately 2' wide in the bottom, and is situated as indicated on the map.

5. Water is used for: Irrigation6. 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):

NW $\frac{1}{4}$ Section 20; E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19;Twp. 6 N., Range 1 E., B. M.See accompanying map.

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

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

Remarks: _____

Some of the land under this ditch is quite gravelly. Mrs. Frost states that since the development of the mines up at Pearl, there is considerably more water in the stream than there formerly was and that sometimes the water is quite milky in appearance due to the treating of ore with the water.

This examination was made on the 31st day of October, 1950.

(Signed)

E. M. Humphrey Examiner.

18811

RECEIVED
DEC 5 1950

Department of Reclamation

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.

Mrs. C. E. Frost
Rt. 1, Eagle, Idaho

Permit No. 18811

Examination for Beneficial use

County... Gem

17-19-20

67-1E.

Q = 1 cfs.

Source - Willow Cr.

P.D. = SE₄ SW₄ S 17.

= NW₄ NW₄ S 20

= NE₄ NE₄ S 19

Plan =

NE₄ NW₄ = 10a

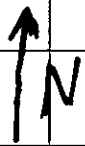
NW₄ NW₄ = 10a Sec 20.

SW₄ NW₄ = 15a

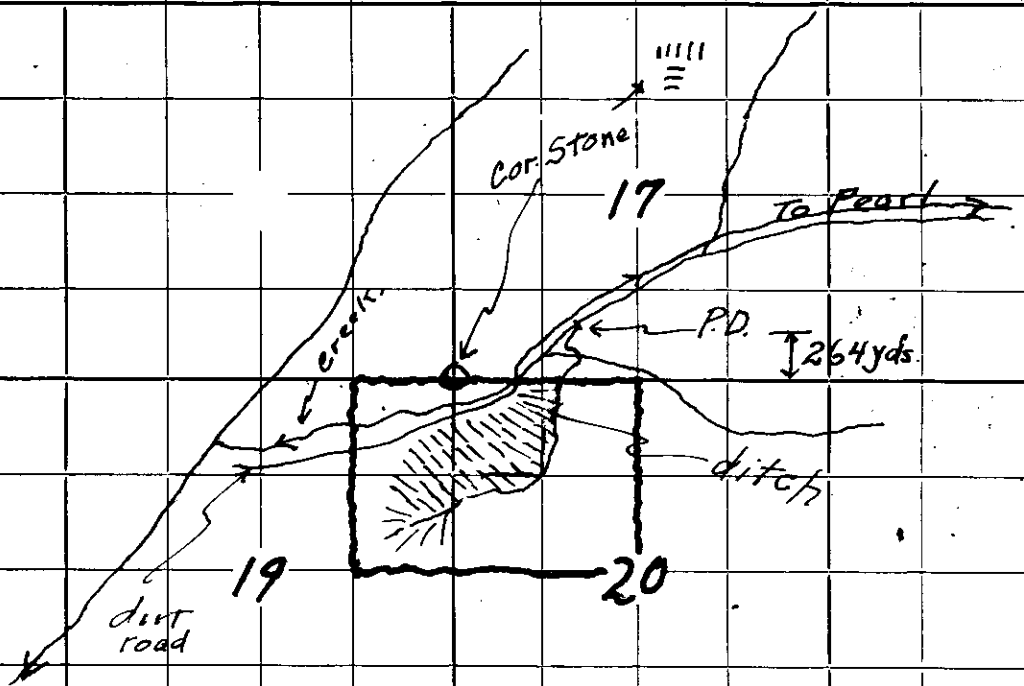
SE₄ NW₄ = 5a
40

NE₄ NE₄ = 20a

SE₄ NE₄ = 20a Sec 19
40



T 6 N. R 1 E.



Sec 19 = 40 acres

Sec. 20 = 40 acres

Total 80 acres

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18811

REPORT ON PROOF OF Beneficial use

aff. one cfs.

*1. etc
max*

*50 acres
40's*

RECEIVED
JUL 19 1950
Department of Reclamation

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Gem—ss.

C. W. Skinner, being duly sworn, deposes and says that he is the printer of The Emmett Index; that said Emmett Index is a weekly newspaper published at Emmett, Gem County, State of Idaho; that said paper is in general circulation in the county aforesaid and has been published uninterruptedly and continuously in said Gem County for 78 weeks prior to the first publication of this notice, and that the advertisement, a copy of which is attached hereto, was published in the regular edition of The Emmett Index four consecutive issues, beginning with the issue of May 25, 1950, and ending with the issue of June 15, 1950.

C. W. Skinner
Subscribed and sworn to before me this 19 day of June, 1950.

J. P. Reed, Notary Public.
Residing at Emmett, Idaho.

18811

18811 ✓

July 14, 1950

Mrs. C. E. Frost
Route 1
Eagle, Idaho

Dear Mrs. Frost:

We have received from Mrs. Curtis, the depositions of yourself and two witnesses submitted in Proof of Beneficial Use under Permit No. 8811.

However, the Affidavit of Publication is necessary to complete this proof. The Emmett Examiner was instructed to send you this affidavit along with the statement of costs, and if you have not received it, we suggest that you take the matter up with them, as the affidavit is an essential part of your proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

CC: Mrs. Curtis.

18811

Gem County

EMMETT, IDAHO

OFFICE OF
LILLIAN MAUDE CAMPBELL
CLERK OF THE DISTRICT COURT
EX-OFFICIO
AUDITOR AND RECORDER

July 12-1950

STATE OF IDAHO.)
) ss
COUNTY OF GEM)

I, Lillian M. Campbell Curtis, Clerk of the District Court of Gem County, Idaho, do hereby certify:

That my office was open on June 28th, 1950, the time set for making proof of Beneficial Use on Permit No. 18811, and no protests were filed.

That I further certify that the time for making these proofs was postponed to this date, the 12th day of July, 1950, for the reason that the papers to be used in the taking of the depositions were not received at this office until several days after the date set for the hearing in the local newspaper, and no notice of such hearing to be held was received at this office until after the date of the hearing.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 12th day of July, 1950.


Clerk of the District Court
Gem County, Idaho

18811

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18811

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Mrs. C.E. Frost, Route #1, Eagle, 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. ----

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

Ans. Permit No. 18811 - Dated June 28th, 1944 - Date of priority, June 24th, 1939

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

Ans. One (1) second feet of the waters of Willow Creek, a tributary of Boise River County of Gem, State of Idaho. Points of diversion of said waters are as follows: No. 1 - SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17; No. 2 - NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20; No. 3 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19; all in Township 6 North, Range 1 East, B.M.

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

Ans. Ditches and Headgates. Width of Headgate two feet; Height one foot. Ditches; Width at bottom two feet; Width at water line 2.5 feet; Depth of water 0.5 feet; (3 ditches) - Length of conduit approx. $\frac{1}{2}$ miles. Name of Ditch, Frost 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. Used for irrigation. 40 acres in NW $\frac{1}{4}$ Section 20, and 40 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19; all in Township 6 North, Range 1 East, B.M. Has been cultivated but is now in meadow land.

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

Ans. ----

18811

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

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. ---

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. In season, Irrigation, One second feet, All of one second feet

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) Mrs C. E. Froit

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe ~~him~~ ^{her} to be the person ~~he~~ ^{she} represents ~~himself~~ ^{her} to be, and that said testimony was subscribed and sworn to before me, at my office in Emmett, County of Gem, State of Idaho, on this 12th day of July, A. D. 1950

- My commission expires -----

Lathau H. Campbell Curtis
Clerk of District Court
Gem County, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18811

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. Merrill M. Turner, Age 47, Star, Idaho, Stockman, Star, Idaho

Ques. 2. Are you acquainted with Mrs. C.E. Frost, the holder of Permit No. 18811? How long have you known ~~him~~ ^{her} and where does she reside?

Ans. Since 1911 and resides at Route 1, Eagle, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18811, 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. Source of water supply, Willow Creek, a tributary of Boise River, County of Gem, State of Idaho. Points of diversion of said waters are as follows: No. 1 - SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17; No. 2 - NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20; No. 3 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19; all in Township 6 North, Range 1 East, B.M. Ditches and Headgates. Width of Headgate two feet; Height one foot. Ditches: Width at bottom two feet; Width at water line 2.5 feet; Depth of water 0.5 feet; (3 ditches) - Length of conduit approx. $\frac{1}{2}$ mile. Name of Ditch, Frost Ditch.

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. One second foot said works will safely conduct to place of use, and I have seen that much water being so 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. Irrigation and was used at the Frost place. 40 acres in NW $\frac{1}{4}$ Section 20, and 40 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19; all in Township 6 North, Range 1 East, B.M. Has been cultivated but is now in meadow land.

18811

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

Ans. ----

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. Irrigation and was non-irrigated land. One second feet.

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 lived near the property above described and seen the waters mentioned applied on said land.

(Signed)

Harold M. Turner

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 Emmett

County of Gem, State of Idaho, on this 12th day of July

A. D. 19 50

Lillian M. Campbell

- Notary Public -

~~My commission expires~~

Clerk of the District Court
Gem County, Idaho

1881)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18811

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. Adolph R. Reimers, Age 62, Farmer, Eagle, (Pearl Route) Idaho.

Ques. 2. Are you acquainted with Mrs. C.E. Frost, the holder of Permit No. 18811? How long have you known ~~him~~^{her} and where does she reside?

Ans. Since 1916 and resides at Route 1, Eagle, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18811, 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. Source of water supply, Willow Creek, a tributary of Boise River, County of Gem, State of Idaho. Points of diversion of said waters are as follows: No. 1 - SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17; No. 2 - NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20; No. 3 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19; all in Township 6 North, Range 1 East, B.M. Ditches and Headgates. Width of Headgate two feet; Height one foot. Ditches: Width at bottom two feet; Width at water line 2.5 feet; Depth of water 0.5 feet. (3 ditches) - Length of conduit approx. $\frac{1}{2}$ mile. Name of Ditch, Frost Ditch.

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. One second foot said works will safely conduct to place of use, and I have seen that much water being so 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. Irrigation and was used at the Frost place. 40 acres in NW $\frac{1}{4}$ Section 20, and 40 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19; all in Township 6 North, Range 1 East, B.M. Has been cultivated but is now in meadow land.

18811

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

Ans. ----

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. Irrigation and was non-irrigated land. One second feet.

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 lived near the property above described and seen the waters mentioned applied on said land.

(Signed)

Adolph R Rimmer

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 Ermett,

County of Gem, State of Idaho, on this 12th day of July,

A. D. 1950.

J. Allen D. Campbell Curtis

~~Notary Public~~

~~My commission expires~~

Clerk of the District Court
Gem County, Idaho

18811

Gem County

EMMETT, IDAHO

OFFICE OF
LILLIAN MAUDE CAMPBELL
CLERK OF THE DISTRICT COURT
EX-OFFICIO
AUDITOR AND RECORDER

July 12-1950

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

RECEIVED
JUL 14 1950
Department of Reclamation

Dear Mr. Kulp:

Enclosed herewith deposition of Mrs. C.E. Frost on her Proof of Application of Water to Beneficial Use on Permit No. 18811, and depositions of her two witnesses, Merrill W. Turner and Adolph R. Reimers, made before me at a hearing held on this date.

The hearing was continued to this date, July 12th, 1950, from the date of the notice of hearing as published in the local paper for the reason that no notice of such hearing was given me prior to the date as published, and no papers received for such hearing prior to that date. A special delivery letter containing the papers for taking said depositions was received several days later than the date of hearing. The envelope was properly addressed to this office, but in some way it was missent to Kendricks, Idaho, which is shown by the cancelled stamp on the envelope, and this accounts for the delayed hearing.

Also enclosed is affidavit stating the reason for the delayed hearing.

Very truly yours,

Lillian M. Campbell Carter
Clerk of the District Court
Gem County, Idaho

LMCC-EB
Encls. 4
(Registered)

18811

STATE OF IDAHO)
COUNTY OF GEM)SS

I. Lillian Campbell Curtis, County Recorder of
Gem County, Idaho, do hereby certify:

That my office was open on June 28, 1950, the
time set for making Proof of Beneficial Use on Permit No.
18811, and that no protests were filed.

I further certify that the time for making these
proofs was postponed to the _____ day of July, 1950.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my official seal this _____ day of July, 1950.

18811

✓
June 29, 1950

Re: Permit No. 18811

Mrs. Lillian Campbell Curtis
County Recorder
Emmett, Idaho

Dear Mrs. Curtis:

Following up your telephone conversation in regard to proofs to be made before you by Mrs. C. E. Frost:

It was our understanding when Mrs. Frost was in the office on the 23rd of May, that she was to make arrangements with you in regard to this matter.

The taking of these proofs is very simple, and simply means that the depositions of Mrs. Frost and her two witnesses are to be filled out before you and the signatures acknowledged by you. Copies of the forms of deposition were sent to you several days ago, and as Mrs. Frost has the Permit itself, she should have no difficulty in answering the questions called for in the depositions.

So far as your inability to take these proofs on June 28, 1950, the date given in the published notice, it will be all right for Mrs. Frost to bring her witnesses to your office at a later date convenient to you, and you may notify Mrs. Frost when that date will be.

We enclose a form of Affidavit and request that you execute this affidavit or one similar, in regard to the postponement of the proof, to be filed with the depositions of Mrs. Frost and her two witnesses.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A:bh
Enc.

Chief Clerk

CC: Mrs. C. E. Frost

18811

June 26, 1950

Re: Permit No. 18811

Mrs. Lillian Campbell Curtis
County Recorder
Emmett, Idaho

Dear Mrs. Curtis:

At the request of Mrs. C. E. Frost, we enclose the necessary forms of deposition for making Proof of Beneficial Use, to be made before you on June 28, 1950. These forms were handed Mrs. Frost when she was in the office on May 23, but she may have misplaced them as she called up this morning with the request that we send the necessary forms to you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

Enc.

CC: Mrs. C. E. Frost.

18811

✓
May 27, 1950

Re: Permit No. 18811

Emmett Examiner
Emmett, Idaho

Gentlemen:

We acknowledge receipt of a copy of your letter containing Notice of proof of application of water to beneficial use.

We find this correct, with one exception. The last word in the seventh line should be "foot" instead of "feet". Please make this correction in the subsequent issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

18811

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 18811

Date: May 23, 1950

Emmett Examiner

Emmett, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **June 28, 1950**, the date set for proof, the expense of the publication to be paid by the applicant, **Mrs. C. E. Frost** of **Route 1, Eagle, 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.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

18811

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

Notice is hereby given that at 11:00 A. M. on the 28th day of June, 1950,
at Emmett, County of Gen, State of Idaho, before
Lillian Campbell Curtis, County Recorder, proof will be submitted of the
application to beneficial use of One cubic ~~foot~~ per second of the waters of Willow Creek,
in accordance with the terms and conditions of Permit No. 18811
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.....

Mrs. C. E. Frost, Route 1, Eagle, Idaho

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

The amount applied to beneficial use is.....One cubic foot per second.....

The place where said water is used ~~is for irrigation, give full and accurate description of the~~
~~land irrigated~~ 40 acres in NW $\frac{1}{4}$ Section 20, and 40 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19,
Township 6 North, Range 1 East, B. M.

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

The right to take water from such works is based upon Permit No. 18811

The source of supply from which such water is diverted is Willow Creek, a tributary of
Boise River.

The date of priority which said user is prepared to establish is June 24, 1939

MARK R. KULP

State Reclamation Engineer.

18811

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 23, 1950
(P. O.) Boise, 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
Emmett Examiner of Emmett, Idaho, published in
the county in which the works are situated.

Mrs C. E. Frost

(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.

18811

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

April 1, 1950

Mrs. C. E. Frost
Route 1
Eagle, Idaho

Dear ~~Sir~~ Madam:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18811. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than June 28, 1950, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

18811

June 29, 1944

Re: Permit No. 12811

Mrs. C. E. Frost
Route 1
Eagle, Idaho

Dear Mrs. Frost:

We enclose herewith Certificate of Completion of Works issued under the above numbered permit to appropriate One (1) second foot of water from Willow Creek, a tributary of Boise River, in Gem County, for irrigation purposes.

We also enclose Departmental Receipt # 18604 for the \$5.00 fee in connection with this proof.

Very truly yours,

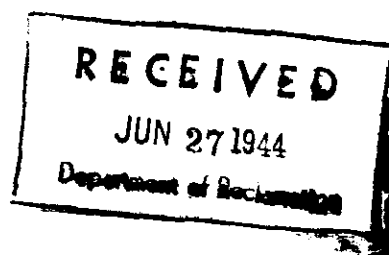
MARK R. KULP
State Reclamation Engineer
By

A
Encl.

Chief Clerk

15811

Permit No. 18811

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Gem

SS.

Mrs. C. E. Frost

, 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. 18811, and that his postoffice address is Route 1, Eagle State of Idaho

Second: That the name of the stream from which said water is to be directed is Willow Creek

Third: That the point of diversion of said water is No. 1- SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17; No. 2- NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20; No. 3- NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19; All in Twp. 6 N., Range 1 E., B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 28, 1944

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

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

I. Kind of works: Ditch and headgates
(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 2 feet, height 1 feet.

(d) Conduit Ditch width at bottom 2 feet, width at water line 2 $\frac{1}{2}$

(State whether ditch, flume or pipe.)

feet, depth of water 1/2 feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is Approx 1/2 miles.

Seventh: That said works are capable of conducting to the place of intended use One (1) second feet of water.

Eighth: That water appropriated under said permit is available for 80 acres of land described as follows: 40 acres in NW $\frac{1}{4}$ Section 20; and 40 acres in NE $\frac{1}{4}$ Section 19; Township 6 North, Range 1 East, B.M.

Ninth: Remarks: That

Mrs C. E. Frost
(Sign here)

Subscribed and sworn to before me this 26th day of June, 1944

My commission expires 7-14-44

Notary Public.

18811

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mrs. C. E. Frost
Route 1
Eagle, Idaho

Boise, Idaho

April 8, 1944

Dear ~~Sir~~ Madam:

Under the terms of your permit No. 18811 you are required to complete your diversion works on or before June 28, 1944. 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,

JAMES SPOFFORD

State Reclamation Engineer

18811

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18811

Boise, Idaho, **June 29, 1939**

Dear Sir:

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

Mrs. C. E. Frost
Route 1, Eagle, Idaho

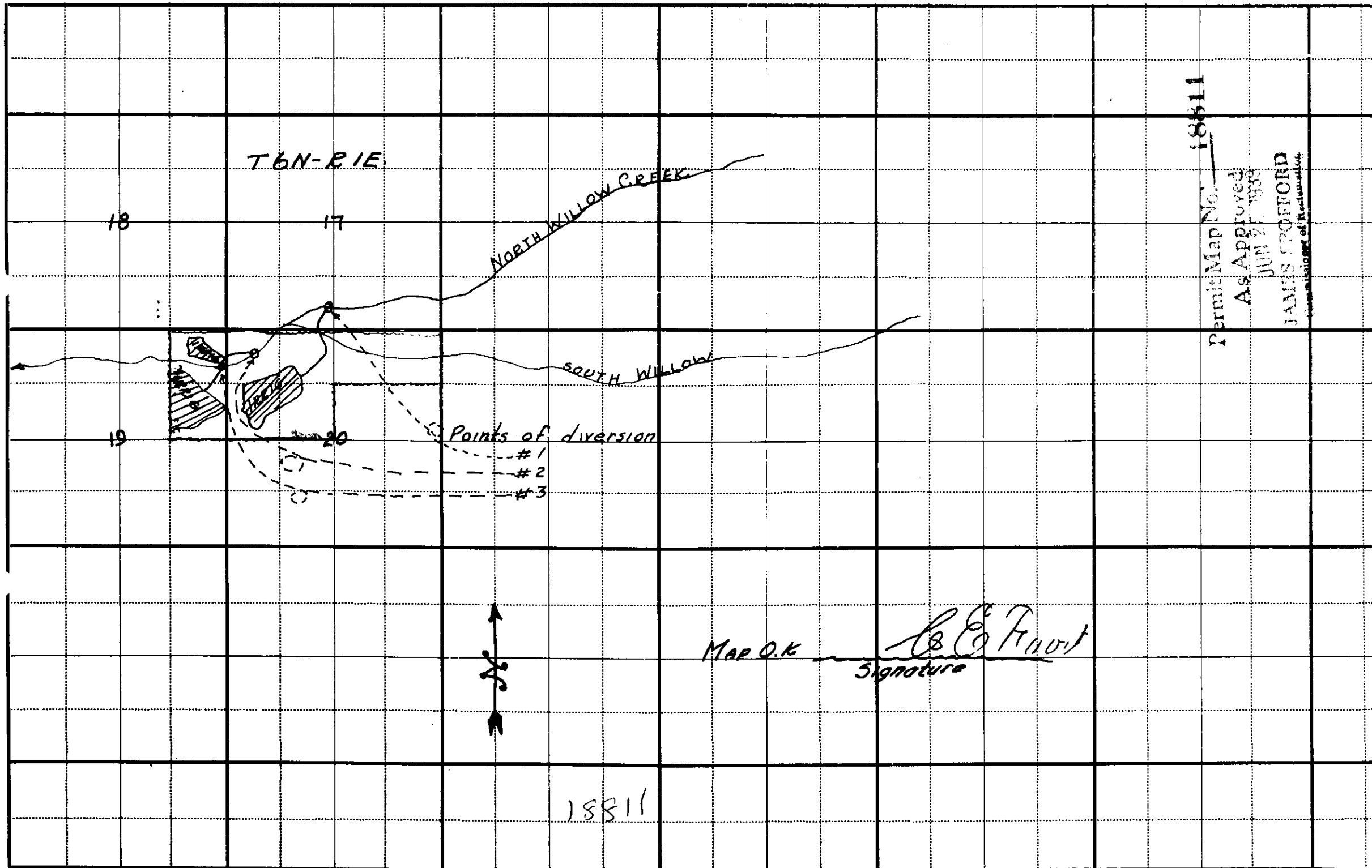
JAMES SPOFFORD

Commissioner of Reclamation.

18811

NAME OF APPLICANT MRS. C.E. FROST

FORM No. 0



Permit Map No. 18811
As Approved
JUN 27 1934
JAMES SPOFFORD
Commissioner of Reclamation

NOTICE FOR PUBLICATION

Notice of proof application of water to beneficial use

Notice is hereby given that at 11:00 A. M. on the 28th day of June, 1950, at Emmett, County of Gem, State of Idaho, before Lillian Campbell Curtis, County Recorder, proof will be submitted of the application to beneficial use of One cubic foot per second of the waters of Willow Creek, in accordance with the terms and conditions of Permit No. 18811 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 Mrs. C. E. Frost, Route 1, Eagle, Idaho. The use to which said water has been applied is irrigation. The amount applied to beneficial use is One cubic foot per second. The place where said water is used 40 acres in NW $\frac{1}{4}$ Section 20, and 40 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19; Township 6 North, Range 1 East, B. M.

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

The right to take water from such works is based upon Permit No. 18811.

The source of supply from which such water is diverted is Willow Creek, a tributary of Boise River.

The date of priority which said user is prepared to establish is June 24, 1939.

MARK R. KULP
State Reclamation Engineer