

70049

July 3 1975
RECEIVED

AUG 5 1975

Department of Water Resources

Concerning this land

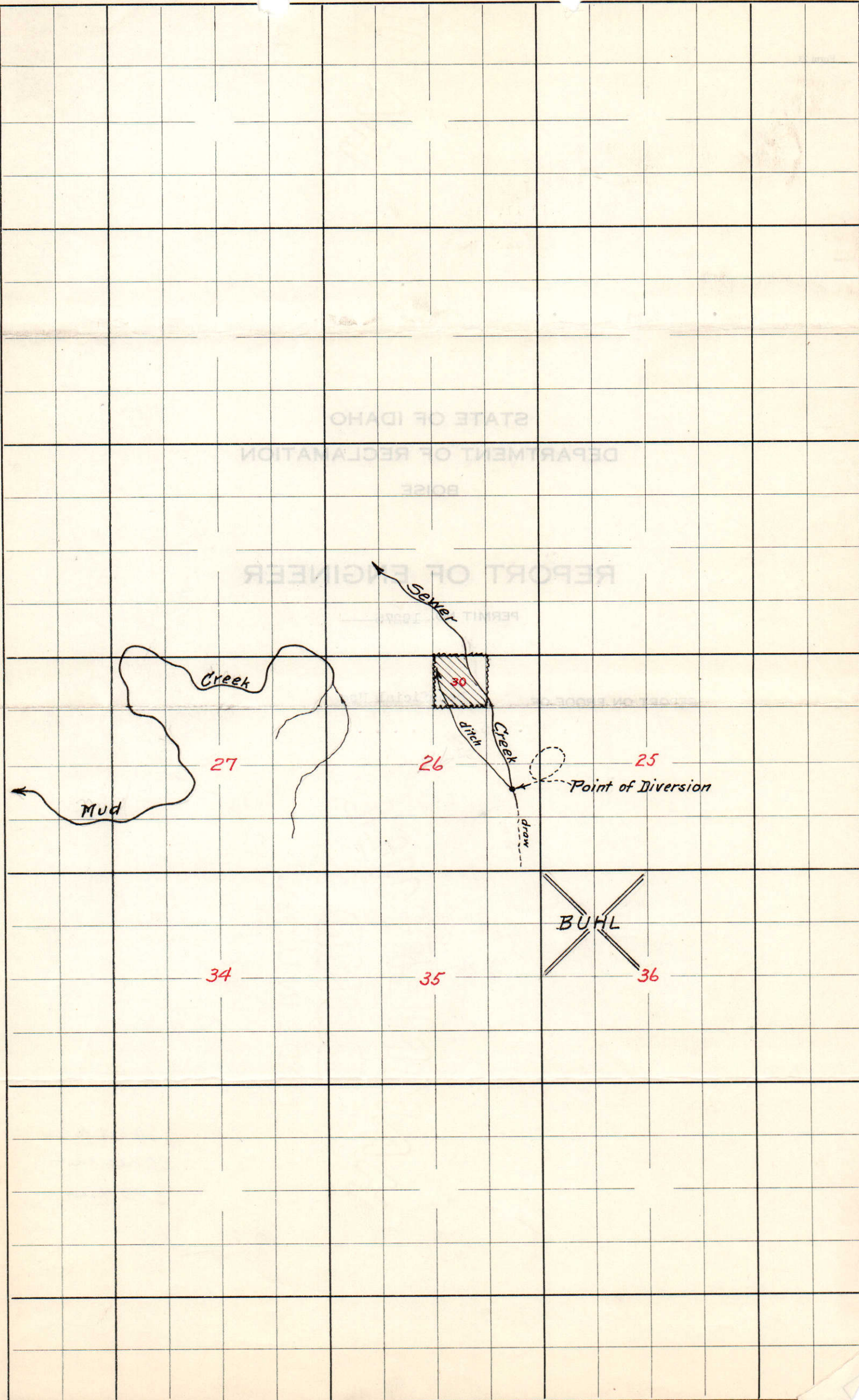
E 1/2 NE 1/4 NE 1/4 SW 1/4 sec 26
T. 9. N. 14. Twin Falls County
Burk, Idaho we have lost
the water permit that was
issued to Sam Ferrall.

Could be 35 or 40 years old. Could
you please bring it up to date
and send a renewed permit
to Darrell E + Mildred Lyon

un-named stream
sewer creek?

Darrell Lyon
Burk Idaho
Route 3
83316

19275 / 47-2229
4190 3200 NW
Fairale
47-4027 Darrell Lyon
26549 Darrell Lyon
47-2302
3/27



State of Idaho
License and Certificate of Water Right

Water License No. 19275
Water District No.

Amount 0.6 second foot
Priority April 7, 1942

THIS IS TO CERTIFY that SAM FAIRALL
of Buhl, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 7, 1942; that Permit No. 19275
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.8 second feet, was issued thereunder on October 12, 1942, showing that said works
were completed on the 15th day of September, 1942; and that on the 30th
day of October, 1942,

SAM FAIRALL

of Buhl, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Sewer Creek
, a tributary of Snake River, for the purpose of irrigation and
domestic use, under Use Permit No. 19275 of the Commissioner 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
Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 4190, on the 25th day of January, 1944;
The right hereby confirmed dates from April 7, 1942;

The Point of Diversion is located 2600 ft. distant from the SE corner Sec. 26, T. 9 S., R. 14 E., BM
in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ $\frac{1}{4}$ SE $\frac{1}{4}$ $\frac{1}{4}$, Sec. 26, 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 0.5
cubic feet 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.	26	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	30

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.

State Reclamation Engineer

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 25th day of January, 1944

JAMES SPOFFORD

(SEAL)

Commissioner of Reclamation
State Reclamation Engineer

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

47-2229

Application No. 26763
Permit No. 19275
District No.

Assigned to

[Signature]
[Signature]

1. Name of Applicant: SAM FAIRALL
Postoffice address: Buhl County: Twin Falls 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:
 - (b) Treasury stock:
 - (c) Bonds to be issued:
 - (d) Other resources:
2. Quantity of water claimed: .8 cubic feet per second.
3. Source of water supply: Sewer Creek which is a tributary of Snake River
4. Location of point of diversion: 2600 feet distant from the SE corner of Section 26, T. 9S, R. 14E, B. M., and is the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T. 9S, R. 14E, B. M., County of Twin Falls
5. Water is to be used for: irrigation and domestic
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: small dam and ditch
9. Height of dam 2 feet; length of dam at top 6 feet; length of dam at bottom 1 feet; material used in dam: wood and earth
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom 1 1/2 feet; width at water line 2 feet; depth of water 1 feet; dimensions of flume:

Diameter of pipe inches; length of conduit 1/2 miles.

Average grade per mile 4 feet.
12. The time required for the completion of such work is 6 months years.
13. The time required for the complete application of the water to the proposed use is none additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? 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.

Sam Fairall /s/

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: April 7, 1942, 1:00 P. M.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is **19275**

Recorded in Book 70 Page 19275 Approved April 16, 1942

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 **June 15, 1942** 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 **July 16, 1942**

The whole of said work to be completed on or before Oct. 16, 1942

Beneficial use of water appropriated in accordance herewith, to be made on or before Oct. 16, 1942

Witness my hand this 16th day of April, 1942

E. V. BERG
Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We **Chase A. Clark** 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 have
caused the Great Seal of the State of Idaho to be hereunto affixed, this **16th** day of **April** 19 **42**

Countersigned:

STATE OF IDAHO

(SEAL

By

GEO. H. CURTIS

Secretary of State.

By

CHASE A. CLARK

Governor.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9 S	14 E	26	~~40~~ 40																40
----- Permit No. 19275 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that Sam Fairall of Buhl, County of Twin Falls, and State of Idaho , the holder of Permit No. 19275, issued upon application No. 26763, bearing date of priority of April 7, 1942 authorizing the diversion of .8 second feet of the waters of Sewer Creek, Tributary of Snake River, County of Twin Falls, State of Idaho, for Irrigation and Domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of 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 .8 second feet of the waters of Sewer Creek, that the point of diversion of said waters 2500 feet distant from the southeast corner of Section 26, Twp. 9.S. Rge.14.E. and is in the NE¼SE¼ section 26, Twp. 9.S. Rge. 14.E. B.M., and that the lands proposed to be irrigated by the use of said water are described as follows , to witt; NE¼NE¼ Section 26, Twp. 9.S.Rge. 14.E. B.M. Witness my hand this 12th, day of October 1942. Completion of Works made September 15, 1942 E.V.Berg Certificate of Completion of Works issued 10/12/1942 Commissioner of Reclamation.																			

APPLICATION FOR AMENDMENT TO PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF IDAHO. NO. 19275

Comes now Sam Fairall, and represents to the Commissioner of Reclamation of the State of Idaho. That he is the owner and holder of permit to appropriate the Public Waters of the State of Idaho No. 19275, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows. NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Twp. 9.S.Rge 14.E. B.M. making a total of forty acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Buhl, Idaho this 25th, day of September 1942

Sam Fairall /s/

Date of receipt at office of the Department of Reclamation September 29, 1942

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, E.V. Berg, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of The State of Idaho, No. 19275, This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby

E.V. Berg
Commissioner of Reclamation

STATE OF IDAHO, DEPARTMENT OF RECLAMATION

Permit No. 19275

APPLICATION FOR EXTENSION OF TIME FOR BENEFICIAL USE PROOF.

State of Idaho ()
(ss
County of Twin Falls, ()

Sam Fairall of Buhl, Twin Falls County, State of Idaho, being first duly sworn, upon his oath deposes and says; That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 19275; That under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by October 16, 1942, That he has heretofore put to beneficial use .8 of one second foot of water and has irrigated 40 acres; That for the following reasons, he is unable to put to beneficial use within the required time the remainder of the water appropriated under his permit, to wit: None except, mistake in description of land, water has already been applied to beneficial use. Wherefore, That the Commissioner of Reclamation, extend the time for the making of proof of beneficial use under said permit to October 30, 1942

/s/ Sam Fairall.

Subscribed and sworn to before me this 25th day of September 1942

E.L. Lynch, Notary Public
Commission expires, March 15, 1945

APPROVAL OF THE COMMISSIONER OF RECLAMATION.

I E.V. Berg, Commissioner of Reclamation of The State of Idaho, hereby extend the time for the making of proof of beneficial use under Permit to appropriate the Public Waters of The State of Idaho. No. 19275 to October 30, 1942.

Witness my hand this 28th, day of September 1942

E.V. Berg /s/
Commissioner of Reclamation.

LICENSE ISSUED FOR 0.6 SEC. FT.

P. 4190

A S S I G N M E N T

For value received, I hereby assign all my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 19275, to W. L. MOORE, of Hansen, County of Twin Falls, State of Idaho.

SAM FAIRALL

Permit holder- A widower since 1934

STATE OF IDAHO ()
COUNTY OF TWIN FALLS () ss.

On this 2nd day of May, 1945, before me a Notary Public for the State of Idaho, residing at Buhl, Idaho, personally appeared Sam Fairall, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

(SEAL)

My commission expires 2/4/49

JESS C. EASTMAN
Notary Public, residing at ..

Aug 3 1975

Concerning this land

~~E 1/2 NE 1/4 NE 1/4~~ Sec 26

T. 9. N. 14. Twin Falls County

Burke, Idaho. we have lost
the water permit that was
issued to Sam Ferrell.

It is 35 or 40 years old. Could
you please bring it up to date
and send a renewed permit
to Harrell E & Mildred Lyon

ren-named Stream

sewer creek?

Harrell Lyon

Burke, Idaho

Route 3

83316

Harrell



47-4027 Russell Lyon

26344 House

47-23

August 8, 1975

Re: License No. 47-2229

Mr. Darrell Lyon
Route 3
Buhl, Idaho 83316

Dear Mr. Lyon:

Enclosed is a copy of License No. 47-2229 issued to Mr. Sam Fairall.

This appears to be the only license in this area that is in the name of Mr. Fairall. When a water right license is issued, the water right becomes appurtenant to the property and, therefore, is owned by the owner of the property shown in the license. Therefore, a change in name on the license is not necessary.

If you have any questions, please do not hesitate to contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

August 28, 1963

Re: License and Certificate
of Water Right No. 19275

Mr. Jess O. Eastman,
Buhl, Idaho.

Dear Mr. Eastman:

In reply to your letter of August 26, 1963,
in regards to License and Certificate of Water Right
No. 19275, I wish to inform you that this office does
not keep any record of change of ownership on water
rights. Water rights are transferred with the deed,
the same as real estate.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:RH:pmk

19275

JESS O. EASTMAN
BUHL, IDAHO

August 26, 1963

State Department of Reclamation
State House, Boise, Idaho

RE: License and Certificate
of Water Right No. 19275

Gentlemen:

In 1945 I sold a piece of land North of Buhl to W. L. Moore described as the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ -NE $\frac{1}{4}$) of Section Twenty-six (26), Township Nine (9) South, Range Fourteen (14) East of the Boise Meridian which had a State Water Right appurtenant thereto evidenced by License And Certificate of Water Right No. 19275.

In referring to my old file I find a letter from your department signed Mark R. Kulp, By Jeanne L. Anderson, Clerk advising me that the assignment from Sam Fairall to W. L. Moore had been duly recorded.

Since that time the property has changed hands and I wish that you would refer to your records and see in whose name the License & Certificate now stands.

If it never was trasferred or assigned to E. W. Johnson & Lela May Johnson, the owners of record since 1948, will you kindly mail me the necessary form to have it transferred into their names.

Very truly yours,



19275

May 1, 1961

Re: Sewer Creek Permits - 12564
16996; 17244; 19275

Alfred Peters, Manager
Twin Falls Canal Co.
Box 868, Twin Falls, Idaho

Dear Mr. Peters:

Below are records of valid permits on Sewer Creek requested in your letter of April 27, 1961.

Water License No. 12564, issued to Seymour Fairchild for 0.7 c.f.s., priority May 8, 1906, for irrigation and domestic use, point of diversion in SE1/4SW1/4, Sec. 23, for use on 35 acres in SE1/4SW1/4, Sec. 14, T. 9 S., R. 14 E.

Water License No. 16996, issued to Bertha A. Atwood for 0.4 c.f.s., priority October 18, 1928, for irrigation and domestic use, point of diversion NE1/4SW1/4, Sec. 23 for use on 20 acres in SW1/4SW1/4, Sec. 14, T. 9 S., R. 14 E.

Permit 17244, filed February 8, 1930, Certificate of Completion of Works issued to Bertha A. Atwood for 0.8 c.f.s. for irrigation and domestic use, point of diversion SE1/4SW1/4, Sec. 23, for use on 40 acres in NE1/4SW1/4, Sec. 14, T. 9 S., R. 14 E. Proof of beneficial use of water February 10, 1944. Proof has not been made.

Water License No. 19275 issued to Sam Fairall for 0.6 c.f.s. priority April 7, 1902, for irrigation and domestic use, point of diversion in NW1/4SE1/4, Sec. 26, for use on 30 acres in NE1/4SW1/4, Sec. 26, T. 9 S., R. 14 E., B. N.

Very truly yours,

W. N. CARTER
State Reclamation Engineer

By:

ALLEN W. THOMAS, Deputy
State Reclamation Engineer

Atten

19275

TWIN FALLS CANAL COMPANY

Box 868

Twin Falls, Idaho

April 27, 1961

MAY 1 1961

Department of Reclamation

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

Dear Sir:

We would like the filings on Sewer Creek in Township
9S Range 14.E

Thank you.

Yours very truly,

TWIN FALLS CANAL COMPANY

By Alfred Peters
Manager

19275-

V

August 8, 1945

Re: License No. 19275

Mr. Jess O. Eastman
Buhl, Idaho

Dear Mr. Eastman:

We have duly recorded the assignment of
Permit No. 19275 from Sam Fairall to W. L. Moore,
of Hansen, Idaho, and return same herein.

We also enclose Departmental Receipt # 19153
for the 50 cent fee for recording same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19275

January 25, 1944

Re: Permit No. 19275

Mr. Sam Fairall
Box No. 82
Buhl, Idaho

Dear Mr. Fairall:

We enclose herewith License and Certificate of Water Right issued under the above numbered permit, confirming your right to use Six-tenths (0.6) of a second foot of the waters of Sewer Creek, a tributary of Snake River, with a date of priority of April 7, 1942, for irrigation and domestic use on the NW₁ NE₄ Section 26, Township 9 South, Range 14 East, B.M.

The Department's Receipt No. 18443 for the \$2.00 fee paid by you in connection with this final proof, is also enclosed.

Very truly yours,

JAMES SPOTFORD
State Reclamation Engineer
by

Chief Clerk

Encls.

19275-

✓
January 6, 1944

Re: Permit no. 19275

Mr. Sam Fairall
C/o J. W. Taylor
Suhl, Idaho

Dear Mr. Fairall:

We now have on file the report of our Field Engineer on examination for beneficial use under the above numbered permit.

This report shows that you are irrigating 30 acres of land in the NW₁ NE₁ Section 26, Township 9 South, Range 14 East, B. M.

Therefore, upon receipt of the statutory fee of \$2.00, a license will be issued for Six-tenths of a second foot of water from Sesar Creek.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

A

Chief Clerk

19275

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19275

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Sam Fairall, Buhl, Idaho.
2. Source of water supply: Sewer Creek
3. Location of point of diversion: Is in the Approx. center SE $\frac{1}{4}$ of Section 26
T. 9.S R. 14.E. County of Twin Falls,
4. Describe works as they exist, giving dimensions and capacities of same: Diversion is by means of
a Dirt Dam 6 feet long, and 2 feet high, and thence by a ditch of
1 foot in depth, X 1 $\frac{1}{2}$ feet in width.
5. Water is used for: Irrigation and Domestic
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 for other than irrigation): NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, Twp. 9.S.Rge 14.E.B.M.

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

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

Remarks _____

This examination was made on the 25th. day of May, 1943.

(Signed) _____

Ed H. Johnson
Examiner.

59
Permit No. 19275

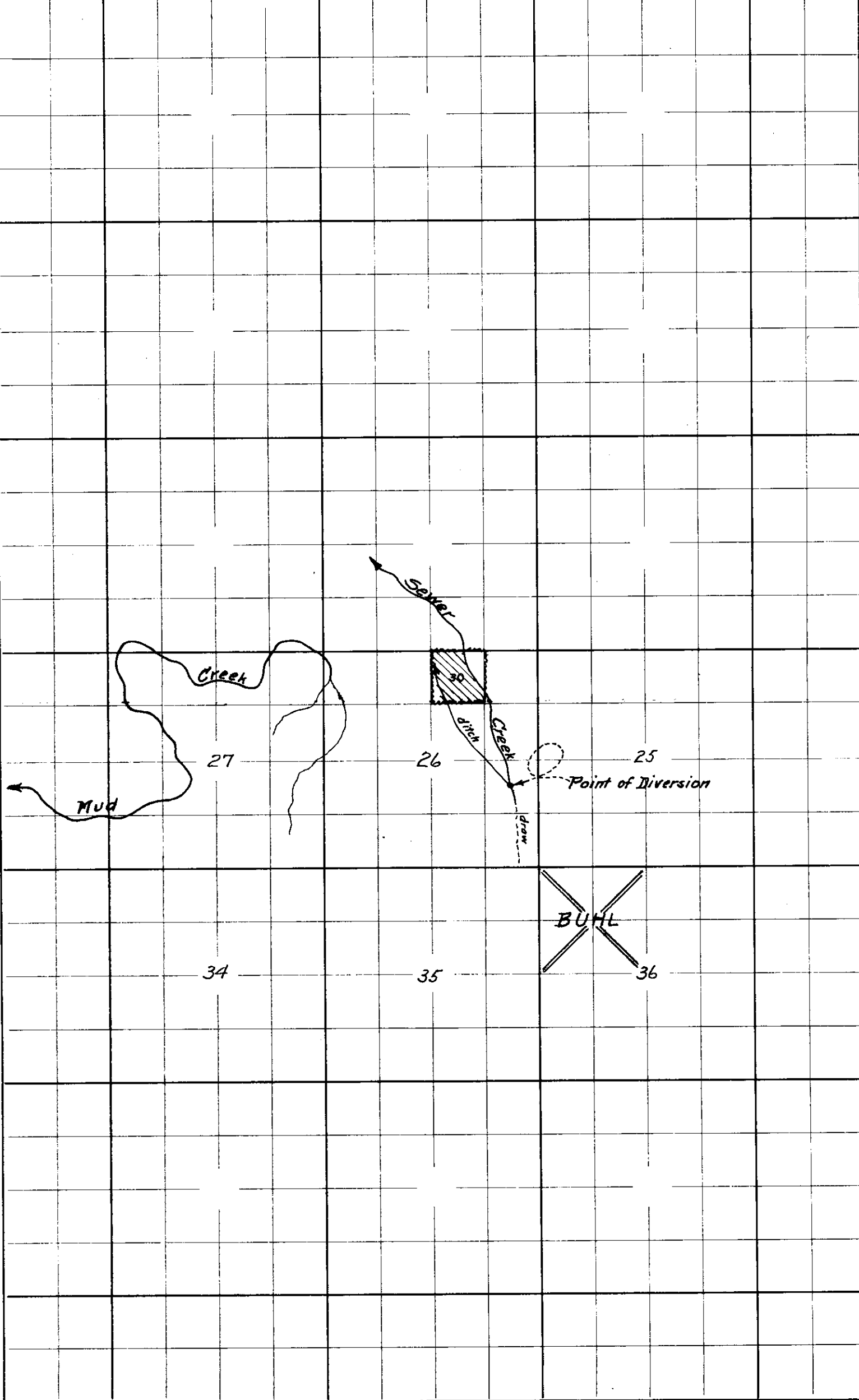
Examination for Beneficial Use.

County Twin Falls.

Sam Fairall, Buhl, Idaho.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a 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.
-



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19275

REPORT ON PROOF OF Beneficial Use

2217

16 ac ft -
30 acres -
2⁰⁰ fee

0711
12-28-11

AFFIDAVIT of PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER To Beneficial Use

Notice is hereby given that at 10 a. m. on the 30th day of October, 1942, at Buhl, County of Twin Falls, State of Idaho, before E. L. Lynch, Notary Public, Buhl, Idaho, proof will be submitted of the application to beneficial use of 4/5 cubic feet per second of the waters of Sewer Creek in accordance with the terms and conditions of Permit No. 19275 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Sam Fairall, Buhl, Idaho.

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

The amount applied to beneficial use is 4/5 of one cubic foot per sec.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Northwest Quarter of Northeast Quarter of Section 26, Township 9 South, Range 14, E. B. M., in Twin Falls County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is no name.

The right to take water from such works is based upon Permit No. 19275.

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

The date of priority which said user is prepared to establish is Oct. 30, 1942.

E. V. Berg, Commissioner of Reclamation, (3444)

STATE OF IDAHO }
County of Twin Falls } ss.

I, *Vernon R. Frost*, do solemnly swear that I am the printer and publisher of THE BUHL HERALD, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper four consecutive weeks, the first publication having been made on the 8th day of October, 1942, and the last publication having been made on the 8th day of October, 1942; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in *Buhl, Twin Falls County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

Vernon R. Frost

Subscribed and sworn to before me this

20th day of October, 1942.

W. L. Howard
Notary Public.

19275

NOVEMBER 27, 1942

RE: PERMIT #19275

MR. SAM FAIRALL
C/o J. W. Taylor, Att'y
Buhl
Idaho

Dear Mr. Fairall:

This will acknowledge receipt of the Deposition of the Holder and Depositions of two witnesses all in connection with the Beneficial Use Proof under the above numbered Permit. However, you have not sent the Affidavit of Publication from the Buhl Herald, Buhl, Idaho, and it is necessary that this be furnished in order to Complete the Proof. If you have not already obtained this Affidavit from the Newspaper, please do so promptly, and send it to this Department.

Before final action can be taken in this 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, since this Department has but one Field Engineer, who makes examinations all over the State.

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

Very truly yours,

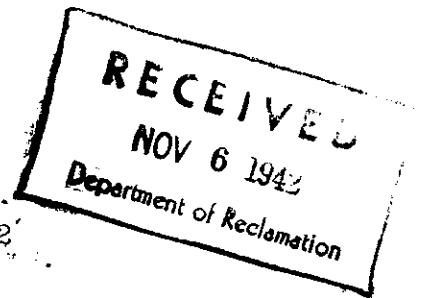
E. V. BERG
COMMISSIONER OF RECLAMATION

BY: _____
ROY W. THOMPSON
DEPUTY COMMISSIONER

RWT:LOC

19275-

J. W. TAYLOR
ATTORNEY AND COUNSELOR AT LAW
FARMERS NATIONAL BANK
BUHL, IDAHO



November 4, 1942

Commissioner of Reclamation
Boise, Idaho

Dear Sir:

I enclose herewith the proof of application of water to beneficial use, permit 19275, Sam Fairall. I fortunately had some blanks on hand and they were used in making the proof. However, Mr. Fairall put them in his pocket and took them home and had some little trouble finding them when I wrote him about the matter. I thought he had mailed them to you, as he understood that was to be done, but apparently forgot all about it.

Thanking you for your kindness in this matter, I remain

Yours truly,

A handwritten signature in cursive script, appearing to read "J. W. Taylor". Below the signature, the name "J. W. Taylor" is printed in a simple, sans-serif font.

J. W. Taylor

jwt/mlw

19275-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19275

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Sam Fairall residence, Suhl, Idaho, farmer, Suhl, Route 3

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. Acting for myself.

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

Ans. No. of permit, 19275 date, April 7, 1942. Priority Oct. 30, 1942

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

Ans. Sewer Creek 2300 feet from the southeast corner of section 26-9-14, EBM
being almost in the center of southeast quarter of said section.

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. Small dam and ditch. one cubic foot per second. 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. Purpose, irrigation, of northwest Quarter of Northeast Quarter
Section 26, Township 9 South, Range 14 E.S.A., number of acres, 40
nature of land, natural meadow land. improvement, have seeded it
to blue grass. The 40 is fenced with 4 barbed wires

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

Ans. Irrigation only.

19275

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 4 1/5 of one cubic foot 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. Permit was issued to me and not a corporation.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. water has been used by me since 1934, for irrigation, in the amount of 4 1/5 of one cubic foot per second.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.
Ans. None.

(Sign) Sam Fairley

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 Buhl, County of Twin Falls, State of Idaho, on this 30th day of October, A. D. 1942.

E. J. Gresh
Notary Public for the State of Idaho,
Residing at Buhl, Idaho.

COMMISSION EXPIRES
MARCH 15, 1947

My commission expires

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19275

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. Warren Starkey, 33 years, Buhl, Idaho, service station operator, Buhl, Idaho

Ques. 2. Are you acquainted with Sam Fairall, the holder of Permit No. 19275? How long have you known him and where does he reside?

Ans. Yes, 10 years, Buhl, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19275, and are you familiar with its provisions and conditions?

Ans. Yes - Yes.

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

Ans. Arwen Creek, Place of diversion, about center of SE quarter of Section 26-9-14 E B.M., Twin Falls County, Idaho, small dam & small 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. 1 cubic ft. per sec.

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

Ans. Irrigation of NW NE-26-9-14, E B.M. 40 acres of natural meadow (originally) & now seeded to blue grass, fence around 40 - 4 barbed wires.

19275

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

Ans.

For irrigation only.

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.

Rocky grazing land - rough. About $\frac{4}{5}$ cu ft. per sec.

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

Ans.

None.

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 it off & on for the past five years.

(Signed)

Steven Stanley ✓

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 *Buhl*, County of *Idaho Falls*, State of Idaho, on this day of *30th* *October*, A.D. 19*42*.

E. V. Lynch
MARCH 15, 1948

Notary Public.

My commission expires

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19275

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. A. J. Machacek, 37 years old, Buhl,
Service station operator, Buhl, Idaho

Ques. 2. Are you acquainted with Sam Fairall, the
holder of Permit No. 19275? How long have you known him and where does he reside?

Ans. Yes - 20 years - Buhl, Idaho

Ques. 3. Have you read or heard read said Permit No. 19275, and are you familiar with
its provisions and conditions?

Ans. Yes - Yes

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

Ans. Sewer Creek, near Buhl, Idaho, Center
of SE quarter, 26-9-14, E.B.M. Small
ditch - small 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. about 1 cu ft. per sec

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

Ans. Irrigation of NW NE-26-9-14, E.B.M.
40 acres of rough, rocky grazing land, which
is now seeded to blue grass & fenced with
a 4-wire fence.

19275

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

Ans.

Irrigation only

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.

*Rock grazing land. About $\frac{4}{5}$ acre
2 in ft.*

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 hunted over it several times
every year
for 10 years.*

(Signed)

Alfred M. Mackay

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 *Buhl*, County of *Twin Falls*,
State of Idaho, on this day of *30th* *October*, A. D. 19*47*

COMMISSION EXPIRES
MAY 1948

My commission expires

E. V. Smith
Notary Public.

October 31, 1942

Re. Permit No. 19275
Sam Fairall.

Mr. J.W. Taylor
Attorney,
Buhl, Idaho.

Dear Sir.

Due to an oversight this Department failed to mail you the forms upon which to take beneficial Use Proof in connection with the above stated permit, which were advertized to be taken on October 30,

We are enclosing forms for this purpose, thinking they be of some use at this late date, in transposing from your own form to the Department's regular form.

Sorry to have caused you this inconvenience.

Very truly yours,

E.V. Berg
Commissioner of Reclamation.

By Roy W. Thompson
Deputy Commissioner.

19275-

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

October 31, 1942

J.W. Taylor,
Attorney
Buhl, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19275

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On October 30, 1942, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Buhl, Idaho. before J.W. Taylor Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

E.V. Berg

Commissioner of Reclamation.

By, Roy.W.Thompson.
Deputy Commissioner,

19275

October 29, 1942

Re: Permit No. 19275

Sam Fairall.
c/o J.W. Taylor, Attorney,
Buhl, Idaho.

Gentlemen:-

We are enclosing herewith Certificate of Completion of Works issued on the above numbered Permit to appropriate .8 second feet of water from Sewer Creek, in the NE¹SE¹ Section 26, Twp. 9.S.Rge. 14.E. B.M. Twin Falls County for irrigation and domestic purposes.

This Department's receipt, No. 13959 covering the \$5.00 fee for Completion of Works is also enclosed together with the application for amendment changing the place of use, which has been approved and properly recorded on the records of this Department. Please attach this amendment to your permit for future reference.

Very truly yours,

E.V. Berg
Commissioner of Reclamation.

RWT.

By Roy.W.Thompson
Deputy Commissioner,

19275-



CHASE A. CLARK
GOVERNOR

ROY W. THOMPSON
DEPUTY COMMISSIONER

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

E. V. BERG, COMMISSIONER

BOISE

October 23, 1942

Re: Permit No. 19275

Sam Fairall
c/o J.W. Taylor, Attorney,
Buhl, Idaho.

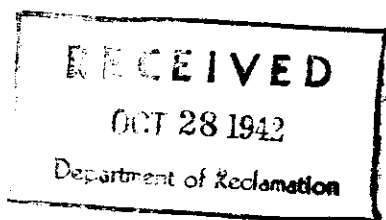
Gentlemen:-

A short time ago this Department received proof of Completion of Works in connection with the above captioned permit. Said proof has been approved and a certificate of Completion of Works will be issued by this Department upon receipt of the \$5.00 fee which is the statutory fee for this size of permit.

Very truly, yours,

E.V. Berg
Commissioner of Reclamation.

Roy W. Thompson
By, Roy.W.Thompson
Deputy Commissioner.



19275-

October 23, 1942

Re: Permit No. 19275

Sam Fairall
c/o J.W. Taylor, Attorney,
Buhl, Idaho.

Gentlemen:-

A short time ago this Department received proof of Completion of Works in connection with the above captioned permit. Said proof has been approved and a certificate of Completion of Works will be issued by this Department upon receipt of the \$5.00 fee which is the statutory fee for this size of permit.

Very truly, yours,

E.V. Berg
Commissioner of Reclamation.

By, Roy.W.Thompson
Deputy Commissioner.

19275-

THE BUHL HERALD

Mr. Sam Fairall
Buhl, Idaho

Oct. 8, 1942

"One newspaper -- One complete coverage -- One cost"

NOTICE OF PROOF APPLICATION OF
WATER TO BENEFICIAL USE

Four publications starting Oct 8, 1942
and ending Oct. 29, 1942

11 75

1176 48

THE BUHL HERALD

VERNON R. FROST, EDITOR
BUHL, IDAHO

NOTICE OF APPLICATION OF WATER To Beneficial Use

Notice is hereby given that at 10 a. m. on the 30th day of October, 1942, at Buhl, County of Twin Falls, State of Idaho, before E. L. Lynch, Notary Public, Buhl, Idaho, proof will be submitted of the application to beneficial use of $4/5$ cubic feet per second of the waters of Sewer Creek in accordance with the terms and conditions of Permit No. 19275 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Sam Fairall, Buhl, Idaho.

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

The amount applied to beneficial use is $4/5$ of one cubic foot per sec.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Northwest Quarter of Northeast Quarter of Section 26, Township 9 South, Range 14, E. B. M., in Twin Falls County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is no name.

The right to take water from such works is based upon Permit No. 19275.

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

The date of priority which said user is prepared to establish is Oct. 30, 1942.

E. V. Berg, Commissioner of Reclamation. (34t4)

RECEIVED

OCT 9 1942

Department of Reclamation

19275

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: **October 3, 1942**

Buhl, Gerald
Buhl, Idaho.

Gentlemen:-

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **October 30, 1942** the date set for proof, the expense of the publication to be paid by the applicant, **Sam Fairall of Buhl, Idaho.** to whom you should furnish proof of publication on or prior to date for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

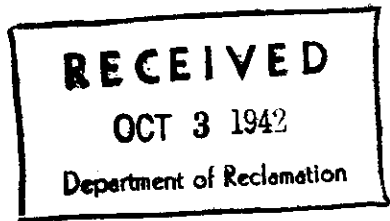
Very truly yours,

E.V. Berg
Commissioner of Reclamation

By **Roy W. Thompson**
Deputy Commissioner.

19273-

J. W. TAYLOR
ATTORNEY AND COUNSELOR AT LAW
FARMERS NATIONAL BANK
BUHL, IDAHO



October 2, 1942

Commissioner of Reclamation
State House
Boise, Idaho

Re: Permit No. 19275

Dear Sir:

I enclose affidavit of proof of completion of works, notice of proof of application of water to beneficial use and authorization for publication of notice on behalf of Sam Fairall.

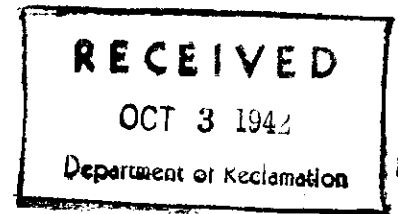
The Buhl Herald is published on Thursday of each week, and the notice should be in the hands of the editor by noon on Wednesday next.

Yours truly,

A handwritten signature in cursive script, appearing to read "J. W. Taylor". The signature is written in dark ink and is positioned below the typed name "J. W. Taylor".

JWT:MLW

19275-



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Sept 30, 1942
(P. O.) Buhl, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Buhl Herald of Buhl, published in the county in which the works are situated.

Sam Fairall

(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.

19275-

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

Notice is hereby given that at 10:00 A. M. on the 30 day of October, 1942
 at... Buhl....., County of Twin Falls....., State of Idaho, before
E. L. Lynch....., Notary Public, Buhl, Idaho, proof will be submitted of the
 application to beneficial use of... $\frac{4}{5}$ cubic feet per second of the waters of Sewer
Creek..... in accordance with the terms and conditions of Permit No. 19275.
 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

..... Dan L. Smith....., Buhl....., Idaho.....

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

The amount applied to beneficial use is $\frac{4}{5}$ of one cubic foot per sec.

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) Northwest Quarter of Northeast Quarter
of Section 26, Township 9 South, Range
14 E. C. M. in Twin Falls County, Idaho

The name of the canal or ditch or other works by which said water is conducted to such place
 of use is No name.....

The right to take water from such works is based upon Permit No. 19275.....

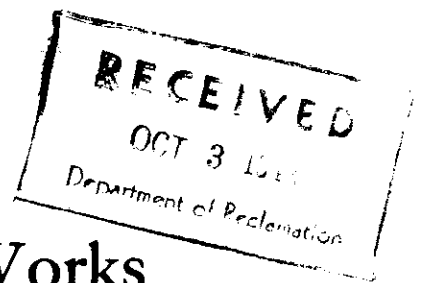
The source of supply from which such water is diverted is Sewer Creek.....

The date of priority which said user is prepared to establish is Oct. 30, 1942.....

.....
 Commissioner of Reclamation.

19275-

Permit No.

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Twin Falls } ss.Sam Fairall, 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. 19275, and that his postoffice address is Buhl State of Idaho.Second: That the name of the stream from which said water is to be directed is Sawyer Creek.Third: That the point of diversion of said water is 2600' from SE corner of Sec. 26, T9N, R14E, B1M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October 16, 1942.Fifth: That the use for which said water is intended is Irrigation + domestic 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:

1. Kind of works: Small dam + ditch.
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam Two feet, length of dam at top six feet, length of dam at bottom 1 foot feet. Material used in construction wood + earth.

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir No reservoir acre feet.(c) Size of headgate: Width None feet, height feet.(d) Conduit width at bottom 1 1/2 feet, width at water line 2 feet, depth of water 1 feet; diameter of pipe None inches, average grade per mile is 4 feet. Length of conduit is 1/2 miles.
(State whether ditch, flume or pipe.)Seventh: That said works are capable of conducting to the place of intended use 4 1/2 second feet of water.Eighth: That water appropriated under said permit is available for 40 acres of land described as follows:

Ninth: Remarks: That

Subscribed and sworn to before me this 15th day of September, 1942.My commission expires 3/15/45

Sam Fairall
(Sign here)
E. J. Gurech
Notary Public.

19275

September 30, 1942

Mr. J. W. Taylor
Attorney at Law
Buhl, Idaho

Dear Mr. Taylor:-

We wish to acknowledge receipt of the sketch map in duplicate to accompany application for amendment to Permit No. 19275.

We have not received the notice for publication or the authorization to have notice published, all in connection with beneficial use proof of Permit No. 19275. We should have this notice as soon as possible in order to have time to have the same published in four weekly publications of the County Newspaper on or before October 30, the date set in the recent extension of time application filed by you in Mr. Farrall's behalf. Blanks now forwarded to Mr. Farrall, but in case you do not have them we are enclosing a duplicate set to make sure of quick action.

Very truly yours,

E. V. Berg
Commissioner of Reclamation

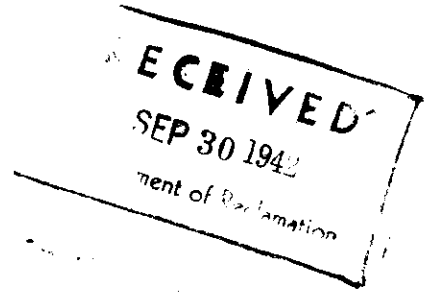
By
Roy W. Thompson
Deputy Commissioner

RWT:lap

19275

J. W. TAYLOR
ATTORNEY AND COUNSELOR AT LAW
FARMERS NATIONAL BANK
BUHL, IDAHO

September 29, 1942



Commissioner of Reclamation
State House
Boise, Idaho

Re: Permit No. 19275

Dear Sir:

In accordance with your letter of September 23 I enclose the sketch maps and information required on the application of Sam Fairall.

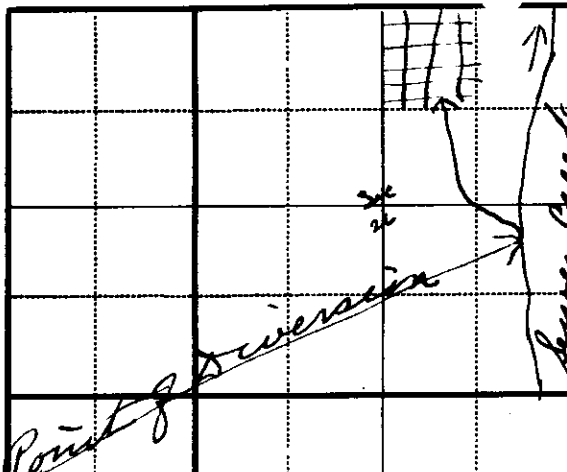
Thanking you for your courtesy, I remain,

yours truly,

A handwritten signature in cursive script, appearing to read "J. W. Taylor".

JWT:MLW

19275-

	Application # 26763 Permit # 19275
Source of water, Sewer Creek. in NE SE, 26-9-14 EBM Land to be watered NW NE, 26-9-14 EBM	
Map to accompany Amendment Filed - Sept. 28 - 1942	

L. n. Fairall
Sec 26, T9S, R14E, EBM

Application # 26763
Permit # 19275

Point of diversion
see
26
Sever Creek

Source of water, Sever Creek - in
NE SE 26-9-14, E B.M.

Land to be watered, NW NE, 26-9-14, EBM

Map to accompany amendment
filed & Sept. 28 - 1941

September 28, 1942

Re: Permit No. 19275

Mr. J. W. Taylor
Attorney at Law
Buhl, Idaho

Dear Mr. Taylor:

We wish to acknowledge receipt of your letter of September 25, enclosing application for amendment, changing land description, and application for extension of time for Beneficial Use Proof, all in connection with Permit No. 19275.

Extension of time has been granted, extending the time to October 30, 1942, which should be ample time for four weeks' publication notice, providing said notice is received and forwarded to publisher this week.

Application for amendment, changing the place of use from NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26 to the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, Township 9 South, Range 14 East, has been approved by the Commissioner and will be recorded on the permit record.

It is a statutory requirement that an application for permit, in presenting application to amend to the Commissioner for approval furnish sketch maps in duplicate showing the following information:

1. Name of Applicant
2. Source of supply and point of diversion by Section, Township and Range numbers
3. Route of ditch or ditches
4. Lands to be irrigated, show by cross hatching or some other method.

Please furnish us with two maps or sketches showing the proposed changes as outlined above, using the enclosed forms.

Very truly yours,

E. V. BEND
Commissioner of Reclamation

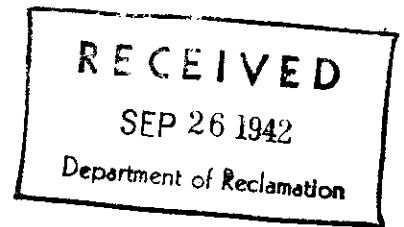
19275-

RWT:djb
Encls.

By: ROY W. THOMPSON
Deputy Commissioner

J. W. TAYLOR
ATTORNEY AND COUNSELOR AT LAW
FARMERS NATIONAL BANK
BUHL, IDAHO

September 25, 1942



Commissioner of Reclamation

Boise, Idaho

Dear Sir :

I enclose herewith application for
time for beneficial use proff also
application to amend.

Thanking you for your attention to
this matter, I remain

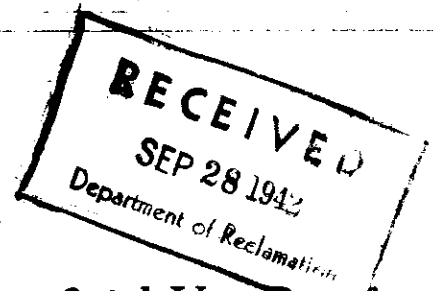
yours truly,

A handwritten signature in cursive script, appearing to read "J. W. Taylor". The signature is written in dark ink and is positioned below the typed name.

JWT:MLW

19275-

STATE OF IDAHO
Department of Reclamation



Permit No. 19275

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO
County of Twin Falls } SS

Sam Fairall, of Buhl, Twin Falls Co.

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

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 19275

That, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by Oct. 16, 1942

That he has heretofore put to beneficial use 4 2/3 of one second foot of water and has irrigated 40 acres.

That, for the following reasons, he is unable to put to beneficial use within the required time the remainder of the water appropriated under his permit, to-wit: None except mistake in description of land. Water has already been applied to beneficial use.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the making of proof of beneficial use under said permit to Oct. 30, 1942 Sam Fairall, 1942

Subscribed and sworn to before me this 25 day of Sept, 1942

My commission expires Nov - 15 - 1945

Notary Public.

Date of receipt at office of Department of Reclamation

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, E.V. Berg, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to appropriate the Public Waters of the State of Idaho, No. 19275, to

October 30, 1942

Witness my hand this 28, day of September, 1942

19275

E.V. Berg
Commissioner of Reclamation.

September 21, 1942

Re: Permit No. 19275
Sam Fairall

Mr. J. M. Taylor
Attorney at Law
Buhl, Idaho

Dear Mr. Taylor:

We wish to acknowledge receipt of your letter of September 15, relative to a correction of land description of place of use in connection with the above captioned permit.

We are enclosing a blank form, application for amendment which, when properly executed, will amend and correct the place of use. The application for amendment should be filed with this Department prior to the date set for proof, which in this case is October 16, 1942.

In connection with permit number 19275, completion of works proof must be made on or before the date set for proof, October 16, 1942. Beneficial use proof is also due on the same date. However, it will now be impossible to advertise for four consecutive weeks and to make proof on time. Therefore, date set on publication notice for making beneficial use proof will have to be extended a few days to allow for the four weeks' publication notice. Providing beneficial use proof is advanced, priority date will be advanced the length of time that the proof is late.

Priority date, as shown on permit, can be maintained upon approval by the Commissioner of Reclamation by filing with this Department the enclosed application for extension of time for beneficial use proof on or before October 16, 1942, the date now set for proof.

Very truly yours,

E. V. HERG
Commissioner of Reclamation

19275

RWT:djb
Encl.

By: ROY W. THOMPSON
DEPUTY Commissioner

J. W. TAYLOR
ATTORNEY AND COUNSELOR AT LAW
FARMERS NATIONAL BANK
BUHL, IDAHO

September 15, 1942



Commissioner of Reclamation
Boise, Idaho

Dear Sir:

Sam Fairall, holder of permit number 19275, has brought to me the matter of his notice of proof of application for beneficial use. It appears that his application was intended to be made for the Northwest Quarter of the Northeast Quarter, 26-9-14 E.B.M. in Twin Falls County, but that he mistakenly checked the land as the Northeast Quarter of the Northeast Quarter of said section and the approval of the commissioner of course is endorsed thereon. I am wondering whether it would be possible to make a change in his application and in the records so as to give the correct location for the point of application for beneficial use. If not, this whole matter will have to be done over again. It may be that no application has been made for water to be used on the Northwest Quarter of the Northeast Quarter. In fact this is certain because Fairall owns that land and no one else has attempted to use it and it is now in his possession. If such a correction of the records would not be out of harmony with the procedure in the office, Mr. Fairall would like to have it done.

Please advise me whether such action is possible. If so, the corrections will be made on the papers which you have forwarded to him for his final proof.

Yours very truly,

A handwritten signature in cursive script, appearing to read "J. W. Taylor". The signature is written in dark ink and is positioned below the typed name.

JWT:MLW

19275

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE.

August 19, 1942

Mr. Sam. Fairall
Buhl, Idaho

Dear Sir:

Under the terms of your permit No. ~~19275~~ you are required to complete your diversion works and make proof of Beneficial Use on or before ~~October 16, 1942~~.

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 of Works will be issued to you.

I also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The 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 ~~October 16, 1942~~, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

E. V. BERG
Commissioner of Reclamation.

19275-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 19275

Date April 18, 1942

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 fourth page.

Sam Fairall (Fairall)
Buhl, Idaho

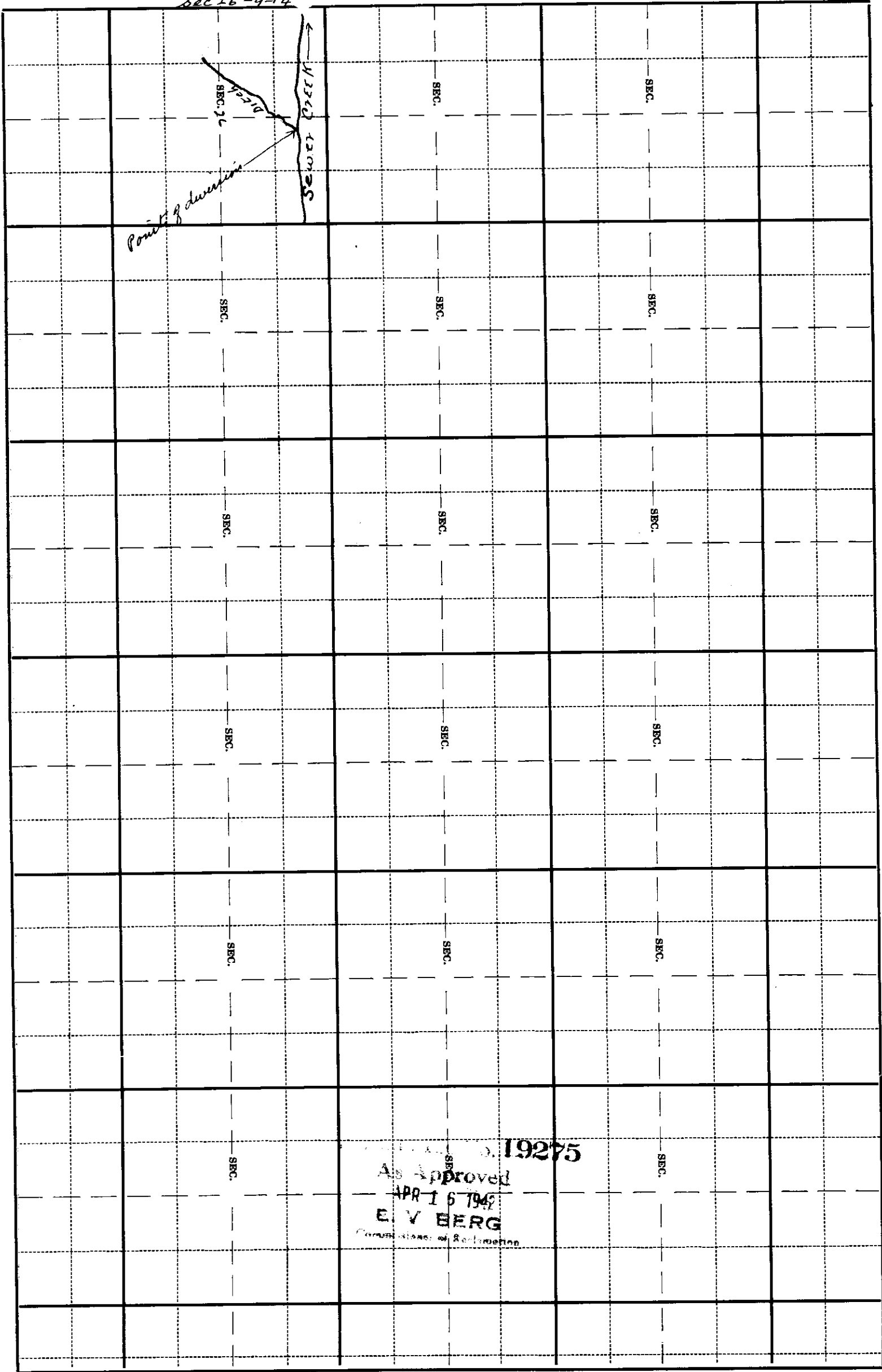
R#18193, \$5.00

E. V. BERG
Commissioner of Reclamation.

19275-

NAME OF APPLICANT Sam Fairall
Sec 26-9-14

FORM NO. 0



Buhl, Idaho, April 6, 1942.

Commissioner of Reclamation,
Boise, Idaho.

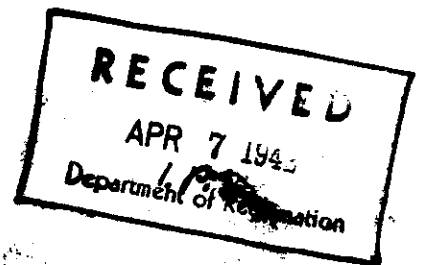
Dear Sir:

I inclose herewith Application for Permit to
Appropriate water from Sewer Creek, in Twin Falls
County, Idaho, together with postal money order
for \$5.00 to cover filing fee for same.

Yours truly,

Sam Fairall

Sam Fairall



19275-