

State of Idaho
License and Certificate of Water Right

Water License No. 28470

Amount 0.06 c.f.s.

Water District No. _____

Priority February 12, 1960

THIS IS TO CERTIFY that JOEL WILLARD DAVIDS
of Bancroft, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 12, 19 60; that Permit No. 28470
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.2 second feet, was issued thereunder on June 16, 19 60, showing that said works
were completed on the 27th day of May, 19 60; and that on the 16th
day of July, 19 60,

JOEL WILLARD DAVIDS

of Bancroft, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of 3 unnamed
springs, a tributary of _____, for the purpose of irrigation and stock
watering, under Use Permit No. 28470 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
11 of Licenses at page 7013, on the 15th day of November, 19 60;

The right hereby confirmed dates from February 12, 19 60;

The Point of Diversion is located 2 points in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28 and 1 point
in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, Tp. 6 S., R. 39 E., B. M. Caribou 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 0.06 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>6 S</u>	<u>39 E</u>	<u>29</u>	<u>SE$\frac{1}{4}$ NE$\frac{1}{4}$</u>	<u>10</u>	<u>5</u>
			Total number of acres to be irrigated:		<u>5</u>

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 November, 19 60.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 27703Amount 0.59 c.f.s.

Water District No. _____

Priority December 19, 1958

THIS IS TO CERTIFY that

DARWIN RAWLINGS

of Preston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 19, 1958; that Permit No. 27703 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.8 second feet, was issued thereunder on December 10, 1959, showing that said works were completed on the 4th day of December, 1959; and that on the 11th day of January, 1960,

DARWIN RAWLINGS

of Preston, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Unnamed drain, a tributary of Bear River, for the purpose of irrigation, under Use Permit No. 27703 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 11 of Licenses at page 7014, on the 15th day of November, 1960; The right hereby confirmed dates from December 19, 1958;

The Point of Diversion is located

in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, Tp. 16 S, R. 39 E, B. M. Franklin 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 0.59 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S	39 E	21	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			Total number of acres to be irrigated:		40

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 November, 1960.

/s/ RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

Application For Permit To Appropriate the Public Waters of the State of Idaho

29-2423

APPLICATION No. 36447
PERMIT No. 28470
DISTRICT No.

1. Name of Applicant: **Joel Willard Davids**

Postoffice address: **Bancroft**

County: **Caribou**

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) Bond to be issued:

(d) Other resources:

2. Quantity of water claimed: **0.2**

cubic feet per second.

3. Source of water supply: **3 Unnamed springs**

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. **two springs in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28**
, B.M., and is in the one in SE $\frac{1}{4}$ NE $\frac{1}{4}$

of section 29 , T. 6 S. , R. 39 E , B. M., County of **Caribou**

5. Water is to be used for **Irrigation and stock watering**

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 of , 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: \$ **Works established in prior years**

8. Kind of works: **Ditch and flood irrigation**

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

feet; material used in dam:

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

11. Ditch: Width at bottom **one** feet; width at water line **15 inches** feet; depth of water **four inches** feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

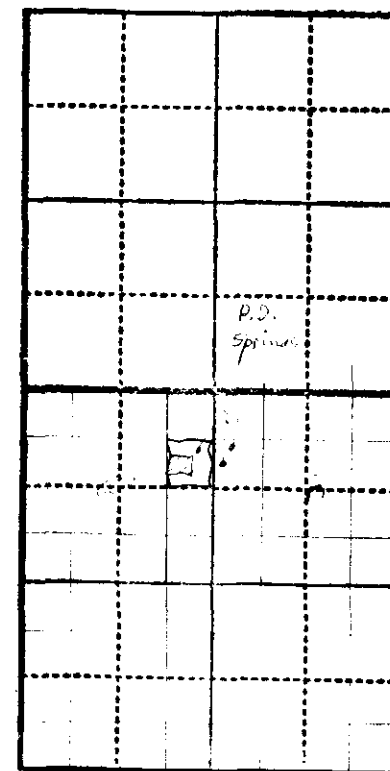
Average grade per mile **100** feet.

12. The time required for the completion of such work is **5** years.

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

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **none**



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

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

Joel Willard Davids Applicant.

By s/ Francis J. Rasmussen Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. February 12, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 28470
Recorded in Book 100 Page 28470 Approved February 17, 1960
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 April 17, 1960 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 August 17, 1962
The whole of said work to be completed on or before February 17, 1965
Beneficial use of water appropriated in accordance herewith, to be made on or before February 17, 1965

WITNESS My hand this 17th day of February, 1960

s/ GEO. N. CARTER
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, 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 17th day of February, 1960.

(SEAL) By s/ ARNOLD WILLIAMS, Secretary of State. By s/ ROBERT E. SMYLIE, Governor.

REMARKS: Very porous soil which will more than use the ten inches of water
Water has been on place continually since 1928.
Springs located 1100' northeasterly from W $\frac{1}{4}$ cor. Sec. 28
750' " " " " "
14. 800' northwesterly " " " " "

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 S	39 EBM	29	10																10
			Said land is located in Block 15 of the Chesterfield Townsite, Caribou County, Idaho.								Total number of acres to be irrigated								10
							Permit No. 28470												
							CERTIFICATE OF COMPLETION OF WORKS												
			TO ALL WHOM IT MAY CONCERN:																
			This is to certify that JOEL WILLARD DAVIDS of Bancroft, County of Caribou, and State of Idaho, the holder of Permit No. 28470 issued upon Application No. 36447 bearing date of priority of February 12, 1960, authorizing the diversion of 0.2 second feet of waters of three springs, County of Caribou, State of Idaho, for irrigation and stock watering purposes has fully complied with the provisions of the laws of the State of Idaho relating to proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.2 second feet of the waters of three springs, that the point of diversion of said waters is two springs in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, one spring in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 6 S., R. 39 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows:																
			10 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 29, Township 6 South, Range 39 East of Boise, Meridian, which tract is Block 15 of the Chesterfield townsite.																
							Witness my hand this 16th day of June, A. D., 1960.												
											s/ GEO. N. CARTER				State Reclamation Engineer				
			Proof of Completion of Works Made: May 27, 1960																

November 15, 1960

RE: Permit No. 28470

Joel Willard Davids
Bancroft, Idaho

Dear Mr. Davids:

Enclosed is License and Certificate of Water Right on the above mentioned permit, together with departmental receipt No. 30346 in the amount of \$2.00 for the license fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr
Enc. license
receipt

28470

November 7, 1960

Re: Permit No. 28470

Joel Willard Davids
Bancroft, Idaho

Dear Mr. Davids:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 28470 shows the springs are incapable of conveying 3 miner's inches, or 0.06 c.f.s. of water for the irrigation of 5 acres.

Upon receipt of the statutory fee of \$ 2.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of February 12, 1960 to the use of 0.06 second feet of surface water with the points of diversion, 2 points in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28 and 1 point in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29 for stock watering and irrigation of 5 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 6 South, Range 39 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
(Chief Clerk)

EPR:mr

28470 p1

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

Permit No. 28470This proof is for Beneficial Use In Water District No. _____1. Name of applicant Joel Willard Davids2. Source of water supply: 3 Unnamed springs3. Location of point of diversion: Is in the 2 springs SW 1/4 of Section 28
1 spring SE 1/4 of Section 29T. 6 S. R. 39 E. County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same: Springs located accurately. No apparent signs of development. No structures or excavation ^{Pile & bents} of any kind. Q = 45 gallons in 6.5 second flow equals: 0.10 cfs or 5 ~~million~~ inches

5. Water is used for: Irrigation and stock watering

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

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):

SE 1/4, Sec. 29, T. 6 S., R. 39 E., B.M.

Admitted in Publication as being in Block 15 Chesterfield Township in above description

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

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

Remarks: Mrs. Joel Davids and Mr. J. Davids (a cousin) along.

Where water crosses under road, from spring ^{only} and about 5 acres can be irrigated from springs. The main use is for stock water and what land the water will irrigate. The existing ditch from spring is sufficient to carry 50 to 75 inches water, but ditches on land to be irrigated should be reformed, as stock has almost trampled them out.

This examination was made on the 14 day of October, 1960(Signed) Loyd Johnson Examiner.

28470

Joel Willard Davis
Bancroft, Idaho

Permit No. 28479

Examination for Beneficial Use

County Caribou

28S29, -6S.-39E.

Q = 0.2 c.f.s.

S = Springs

P.L. = SE. NE. } T. 6S. - R. 39E. B.M.
SW. NW. (2), Sec. 28 }
" 29 }

Use = Irrigation & stock water

Filed = Feb. 12, 1960

Due = Feb. 17, 1965

C/W. = 6-16-60

no other rights

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
NOV 2 1960

Department of Reclamation

28479

1320

660

45 gallon in 65 seconds

filled 5 gallon container 9 times @ 7.2 seconds of time per 5 gallon can of water

R-39E.

T.
6
S.

Land - 29 Springs - P.D. 28

TO BAN CROFT

Subdivisions

Area 3.20 acres

Q 0.06 cfs in
3 minor inlets

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 28470

REPORT ON PROOF OF Beneficial Use
Joel Willard Davids
Bancroft, Idaho

August 4, 1960

RE: Permit No. 28470

Joel Willard Davids
Bancroft, Idaho

Dear Mr. Davids:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Caribou County Sun, all submitted in proof of beneficial use on Permit No. 28470.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

cc Francis J. Rasmussen
Attorney at Law
Soda Springs, Idaho

RECEIVED
JUL 2 11960

Affidavit of Publication

Department of Reclamation
County of Caribou
State of Idaho, SS.

.....James E. Lansberry..

being first duly sworn on his...
oath, states:

That ...he is Publisher.

of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for four.....
successive weekly issues thereof,
the date of the first publication

being the ...23rd..... day

of June....., 19.60.,
The date of the last publication

being the ...11th..... day of

.....July....., 19.60

James E. Lansberry
Subscribed and sworn to be

fore me this ...16..... day

of ...July....., 19.60

L. S. Chambers

Notary Public, residing at
Soda Springs, Idaho.

(SEAL)

My Commission expires the

.....1..... day of *July*....,

19.64

28476

CARIBOU COUNTY SUN

Soda Springs, Idaho

Thursday, July 14, 1960

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 16th day of July, 1960, at Soda Springs, County of Caribou, State of Idaho, before F. J. Rasmussen, Prosecuting Attorney of Caribou County, proof will be submitted of the application to beneficial use of 0.2 cubic feet per second of the waters of 3 Un-named Springs in accordance with the terms and conditions of Permit No. 28470 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: Jovi Willard Davids, Bancroft, Idaho.

The use to which said water has been applied to beneficial use is 0.2 Cubic Feet.

The place where said water is used, give full and accurate legal description: 10 Acres in the

SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 6 South, Range 39, East of the Boise Meridian, which tract is Block 15 of the Chesterfield Townsite.

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

The right to take water from such works is based upon Permit No. 28470.

The source of supply from which such water is diverted is:

Point of Diversion (legal description) Two Springs in SW $\frac{1}{4}$ -NW $\frac{1}{4}$ of Section 28, Township 6 South, Range 39 East of the Boise Meridian AND one spring in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 6 South, Range 39 East of the Boise Meridian.

The date of priority which said user is prepared to establish is February 12, 1960.

GEO. N. CARTER
State Reclamation Engineer
(Pub. June 23, 30, July 7, 14, 1960)

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Department of Reclamation

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. 28470

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. JOEL WILLARD DAVIDS, Residence: Bancroft, Idaho; Occupation: Farmer;

P. O. Address: Bancroft, 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. No.

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

Ans. 28470 Dated February 17, 1960.

2-18-60

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

Ans. Three un-named springs (two springs in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28; one spring in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Twp. 6 South, Rge. 39 E.B.M., Caribou County.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Un-named Ditch--2 feet wide--18 inches deep--about 1980 feet long. Ditch will carry 1 c.f.s. of water.

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. Irrigation and stock watering--10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, Twp. 6 South, Rge. 39 E.B.M. The land is cultivated; raising irrigated crops.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans.

28470

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

Ans. Stock watering for winter and summer use for 40 head of cattle and 100 head of sheep.

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

Ans. 0.2 c.f.s.

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. Water was used by Emery Wilfred Davids, immediately previous owner of property, since 1928. It has been used in the amount of 0.2 c.f.s. for irrigation and stock watering on the grounds.

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 diversions and rights claimed thereunder.

Ans. There is no other water on the premises.

(Sign)

Emery Wilfred Davids

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 Soda Springs, County of Caribou, State of Idaho, on this 16th day of July, A. D. 1960.

F. A. Rasmussen

Notary Public

Residence: Soda Springs, Idaho

My commission expires 4-10-61

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. If for stock watering state how used and how many head of stock actually watered.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHORECEIVED
JUL 2 11 1960
Department of ReclamationPERMIT NO. 28470**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. Wayne A. Bower, Age 44 years, Reside at Chesterfield, Idaho; occupation:
Farmer; P. O. Address: Bancroft, Idaho

Ques. 2. Are you acquainted with JOEL WILLARD DAVIDS, the holder of Permit No. 28470? How long have you known him and where does he reside?

Ans. I have known him for at least 36 years. He lives at Bancroft, Idaho.

Ques. 3. Have you read or heard read said Permit No. 28470, 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. Three un-named springs--two springs in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28; one spring in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Twp. 6 South, Rge 39 E. B. M.
Ditch and Flood Irrigation; ditch being 1 ft. wide at bottom, 15 inches wide at water line, and 4 inches deep, average grade per mile is 100 feet.

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. At least 1 c.f.s.

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 year round stock watering.

10 Acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, T. 6 S., Range 39 E. B. M.

Land is cultivated--irrigated crops grown on premises.

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

Ans. Livestock watering year round. (40 Head of Cattle and 100 head of Sheep.)

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. Loose, Porous soil requiring a lot of water, would take a minimum of 10 inches, preferably more.

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. I have witnessed use of water for 32 years--since 1928--for livestock watering and irrigation.

(Signed) Wayne A. Bower

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 Soda Springs,
County of Caribou, State of Idaho, on this 16 day of July,
A. D. 19 60.



My commission expires 4-10-61

F. J. Rasmussen

Notary Public.

Residence: Soda Springs, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 2 11 06 AM
Department of Reclamation

PERMIT NO. 28470

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. Ferrebee Butterfield, 37 Years, Bancroft, Idaho; occupation--truck driver

P. O. Address: Bancroft, Idaho

Ques. 2. Are you acquainted with JOEL WILLARD DAVIDS, the holder of Permit No. 28470? How long have you known him and where does he reside?

Ans. I have known him for at least 32 years and he lives at Bancroft.

Ques. 3. Have you read or heard read said Permit No. 28470, 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. three un-named springs--two springs in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28; one spring in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Twp. 6 South, Rge 39 E. B. M.
Ditch and Flood Irrigation; ditch being 1 ft. wide at bottom, 15 inches wide at water line, and 4 inches deep, average grade per mile is 100 feet.

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. Would carry 1 C.F.S. easily; have seen carried in excess of 10 inches.

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 YEAR ROUND STOCK WATERING.

10 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, T. 6 S., R. 39 E. B. M.

Land is cultivated--irrigated crops grown on premises.

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

Ans. No power -- Livestock watering winter and summer.

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. Loose, Porous soil requiring a lot of water, would take a minimum of
10 inches, preferably more.

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. I have witnessed use of water since moving there 32 years ago, in 1928.
It's use being for stock watering and irrigation.

(Signed) Therese Butterfield

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 Soda Springs,
County of Caribou, State of Idaho, on this 16 day of July,
A. D. 19 60.

My commission expires 4-10-61

H. J. Rasmussen
H. J. Rasmussen Notary Public.
Residence: Soda Springs, Idaho

CITY ATTORNEY
City of Soda Springs

FRANCIS J. RASMUSSEN
ATTORNEY AT LAW
SODA SPRINGS, IDAHO

PROSECUTING ATTORNEY
County of Caribou

July 20, 1960

RECEIVED
JUL 2 11 1960
Department of Reclamation

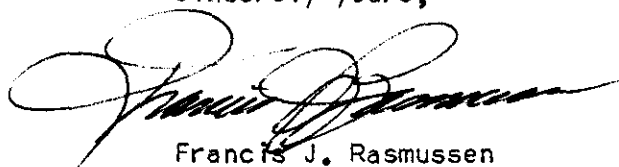
George N. Carter
State Reclamation Engineer
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. 28470
Joel Willard Davids

Dear Mr. Carter:

Enclosed herewith are two executed copies of Form 17, Deposition of Witness, and Form 16, Deposition of Holder, and the Affidavit of Publication in the above matter, as per your instructions in letter of June 15, 1960.

Sincerely yours,



Francis J. Rasmussen

FJR:eb

Enc. (4)

28470

RECEIVED
JUL 1 5 1960

**Affidavit of
Publication**

Department of Reclamation

County of Caribou SS.
State of Idaho,

V. E. Lansberry

being first duly sworn on h. 13.
oath, states:

That ...he is **Publisher...**
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho, pub-
lished weekly at Soda Springs in
said County, that said newspaper
has been published in said
county uninterruptedly and con-
tinuously for over seventy-eight
consecutive weeks, prior to the
first publication of the annexed
notice or advertisement:

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for **Four**
successive weekly issues thereof,
the date of the first publication

being the **23rd** day

of **June** 19. **60** ..

The date of the last publication

being the **14th** day of
..... **July** 19. **60** ..

V. E. Lansberry

Subscribed and sworn to be-

fore me this ... **14th** day

of **July** 19. **60** ..

Leonard O. Hingford

Notary Public, residing at
Soda Springs, Idaho.

(SEAL)

My Commission expires the

14th day of **August** ..

19. **61** ..

Willard Davis

28470

Affidavit of Publication

RECEIVED
JUL 1 5 1960

County of Caribou
State of Idaho, SS.

Department of Reclamation

LEGAL NOTICE

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 16th day of July, 1960, at Soda Springs, County of Caribou, State of Idaho, before F. J. Rasmussen, Prosecuting Attorney of Caribou County, proof will be submitted of the application to beneficial use of 0.2 cubic feet per second of the waters of 3 Un-named Springs in accordance with the terms and conditions of Permit No. 28470 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: Joel Willard Davids, Bancroft, Idaho.

The use to which said water has been applied to beneficial use is 0.2 Cubic Feet.

The place where said water is used, give full and accurate legal description: 10 Acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 6 South, Range 39, East of the Boise Meridian, which tract is Block 15 of the Chesterfield Townsite.

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

The right to take water from such works is based upon Permit No. 28470.

The source of supply from which such water is diverted is:

Point of Diversion (legal description) Two Springs in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 6 South, Range 39 East of the Boise Meridian AND one spring in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 6 South, Range 39 East of the Boise Meridian.

The date of priority which said user is prepared to establish is February 12, 1960.

GEO. N. CARTER
State Reclamation Engineer
(Pub. June 23, 30, July 7, 14, 1960)

Willard Davids

V. E. Lansberry

being first duly sworn on h. is
oath, states:

That ...he is Publisher...
of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for Four.....
successive weekly issues thereof,
the date of the first publication

being the 23rd..... day

of June....., 19. 60.
The date of the last publication

being the 14th..... day of

.....July....., 19. 60.

V. E. Lansberry
Subscribed and sworn to be-

fore me this ...14th..... day

of July....., 19. 60.

Leonard O. Kingfield
Notary Public, residing at
Soda Springs, Idaho.

(SEAL)

My Commission expires the

14th. day of August..

19. 61..

2254 10

July 8, 1960

Re: Permit No. 28470
Joel Willard Davids

Mr. Theron Davids
Bancroft, Idaho

Dear Mr. Davids:

Enclosed is a form for assignment of permit and
a form for amending the land list.

The assignment can be completed by Joel Davids
assigning one half of the permit to you or assigning all of the
permit to you two or more as partners.

Probably the best method would be to let the Water
License be issued to Joel Davids and then have him give you or
the partnership a deed to the water license and record the deed
in the County Court House.

Assignments of permits must be signed before a Notary
Public and there is a fee of \$0.50 due this office for recording
the assignment.

The permit shows the water is to be used on 10 acres
in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 6 S., R. 39 E., being in Block 15 of the
Chesterfield Townsite. If the water is to be used on other land
the permit must be amended to show the other land. There is a fee
of \$1.00 for recording an amendment.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule

RT:EPR:ew

Enc. assignment form
amendment "

28470-1

June 16, 1960

Re: Permit No. 28470
Joel Willard Davids

Mr. Francis J. Rasmussen
Attorney at Law
Soda Springs, Idaho

Dear Mr. Rasmussen:

We enclose herewith Certificate of Completion of Works
issued on Permit No. 28470, in the name of Joel Willard Davids.

We also enclose departmental receipt No. 30158 in the
amount of \$5.00 covering fees.

Very truly yours,

GEO. A. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Hale
Chief Clerk

EPR:ew

Enc. certificate
receipt

C
O
P
Y

28470

RECEIVED
JUN 3 1960

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED
JUN 3 1960
Department of Reclamation

(Date) May 27, 1960

(P. O.) Soda Springs, 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

CARIBOU COUNTY SUN of SODA SPRINGS, IDAHO published in

the county in which the works are situated.

F. J. RASMUSSEN

Attorney for Joel Willard Davids

(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.

28470

RECEIVED
JUN 9 1960
Department of Reclamation
JUN 3 1960
Department of Reclamation

Notice for Publication
NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at . . 10:00 . . . A. M. on the . . 16th . . day of
. . July . . . , 19⁶⁰ at . . SODA SPRINGS . . . , County of
. . CARIBOU . . . , State of Idaho, before . . F. J. RASMUSSEN, PROSECUTING ATTORNEY, of
Caribou County
. , proof will be submitted of the application to beneficial use of
. . 0.2 . . cubic feet per second of the waters of 3 Un-named Springs
. in accordance with the terms and conditions of Permit No. . . 28470
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:
. . JOEL WILLARD DAVIDS, ... BANCROFT, IDAHO

The use to which said water has been applied is . . IRRIGATION AND STOCK WATERING

The amount applied to beneficial use is 0.2 Cubic Feet

The place where said water is used, give full and accurate legal description:
. 10 Acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 6 South, Range 39, East of /
. the Boise Meridian, which tract is Block 15 of the Chesterfield Townsite.
.

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

The right to take water from such works is based upon Permit No. . . 28470

The source of supply from which such water is diverted is

Point of Diversion (legal description) Two Springs in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, .
. Township 6 South, Range 39 East of the Boise Meridian AND one spring in the
. SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 6 South, Range 39 East of the Boise Meridian

The date of priority which said user is prepared to establish is February 12, 1960. .

Geo. H. Carter

State Reclamation Engineer

28470

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

Date: **June 15, 1960**

Re: **Permit No. 28470**
Joel Willard Davids

Caribou County Sun,
Soda Springs, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **July 16, 1960** the date set for proof; the expense of the publication is to be paid by the applicant

Joel Willard Davids of **Baneroft, 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 or tear sheet of the first publication**

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

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

Encl.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE
June 15, 1960

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

IS ATTACHED

Re: Permit No. 28470
Joel Willard Davids

Mr. F. J. Rasmussen,
Attorney at Law,
Soda Springs, Idaho.

Dear Mr. Rasmussen:

This acknowledges the Notice of Proof of ~~completion of work~~ and Application of Water to Beneficial Use under Permit No. 28470, in the name of Joel Willard Davids. Final Proof is to be made before you, as Notary on the 15th day of July, 1960, ~~1959~~, at 10:00 o'clock A.M., at Soda Springs, Idaho.

As of this date we have mailed the Notice to the Caribou County Sun with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.
EPR:Pk
cc: Applicant

28470

Permit No. 28470

STATE OF IDAHO
Department of ReclamationRECEIVED
JUN 3 1960
Department of ReclamationProof of Completion of Works
AFFIDAVIT OF HOLDERRECEIVED
JUN 9 1960
Department of Reclamation

STATE OF IDAHO

County of CARIBOU

ss.

JOEL WILLARD DAVIDS, 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. 28470, and that his postoffice address is Bancroft, State of Idaho.

Second: That the name of the stream from which said water is to be diverted is three unnamed springs.

Third: That the point of diversion of said water is Two Springs in SW 1/4 NW 1/4 of Sec. 28, T. 6 S., R. 39 E. B.M. and one spring in the SE 1/4 NE 1/4 of Sec. 29, T. 6 S., R. 39 E. B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by February 17, 1965.

Fifth: That the use for which said water is intended is IRRIGATION & STOCK WATERING.

Sixth: That on the date above mentioned, the works constructed under said permit were (complete) fully completed and consisted of the following:

I. Kind of works: Ditch and Flood Irrigation.

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction.

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit ditch width at bottom 1 inch feet, width at water line 15 inches (State whether ditch, flume or pipe)

feet, depth of water 4 inches feet; diameter of pipe inches, average grade per mile is 100 feet. Length of conduit is 1 miles.

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

Eighth: That water appropriated under said permit is available for TEN acres of land described as follows: SE 1/4 NE 1/4 of Section 29, Township 6 South, Range 39, East of the Boise Meridian, which tract is Block 15 of the Chesterfield Townsite.

Ninth: Remarks: That Water has been used on this place continually since 1928.

Joel W. Davids
(Sign Here)

Subscribed and sworn to before me this 27th day of May, 1960.

My commission expires 4-10-61

Notary Public.
Residence: Soda Springs, Idaho

28470

R

CITY ATTORNEY
City of Soda Springs

FRANCIS J. RASMUSSEN
ATTORNEY AT LAW
SODA SPRINGS, IDAHO

PROSECUTING ATTORNEY
County of Caribou

June 8, 1960

RECEIVED
JUN 9 1960
Department of Reclamation

Mr. George N. Carter
State Reclamation Engineer
DEPARTMENT OF RECLAMATION
Boise, Idaho

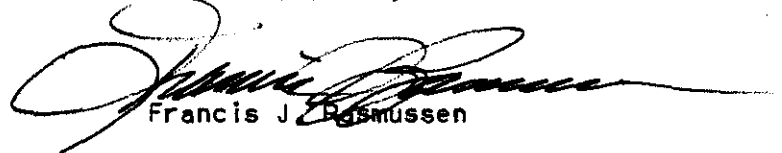
Re: Permit No. 28470
Joel Willard Davids

Dear Mr. Carter:

Enclosed herewith are the corrected forms in the above matter, two Forms 10, one Form 11, and one Form 6, along with my check in amount of \$5.00 for fee for Certificate of Completion of Works.

Thank you for your assistance in this matter.

Sincerely yours,


Francis J. Rasmussen

eb

Enc. (3+1) Forms
Check

28470

June 6, 1960

Re: Permit No. 28470
Joel Davids

C
O
P
Y

Theron Davids
Bancroft, Idaho

Dear Mr. Davids:

We believe our letter of June 1 covers all pertinent information we have in regard to Permit No. 28470.

You state in your letter of June 2 that the springs are located on your property. The Taylor Grazing Act would have no connection with this permit.

For information regarding regulations of the Taylor Grazing Act we suggest you write to:

U. S. Bureau of Land Management
Federal Building
Boise, Idaho

Very truly yours,

GEO. M. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

RT:ew

28470

June 6, 1960

Re: Permit No. 28470
Joel Willard Davids

C
O
P
Y

Francis J. Rasmussen
Attorney at Law
Soda Springs, Idaho

Dear Mr. Rasmussen:

Returned herewith are the two Forms 10, one Form 11 and one Form 6 you submitted without fee.

The two notices of publication show the proofs to be made before you on May 16, 1960. We presume you meant July, however we would prefer to have you make the correction. The date of priority is the date the application for permit was filed in this office.

Form 6, Proof of Completion of Works should be completed as to kind of works and dimensions.

Kindly correct the date for making the proofs of beneficial use to allow for four weekly publications, complete Form 6, Proof of Completion of Works and return with the \$5.00 fee for Certificate of Completion of Works.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. Form 10 (2)
Form 11
Form 6

28470

**NOTICE OF PROOF OF
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 10:00 A.M. on the 18th day of July, 1960, at Soda Springs, County of Caribou, State of Idaho, before F. J. Rasmussen, Prosecuting Attorney of Caribou County, proof will be submitted of the application to beneficial use of 0.2 cubic feet per second of the waters of 3 Un-named Springs in accordance with the terms and conditions of Permit No. 28470 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: Jgel Willard Davids, Bancroft, Idaho.

The use to which said water has been applied to beneficial use is 0.2 Cubic Feet.

The place where said water is used, give full and accurate legal description: 10 Acres in the

SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 6 South, Range 39, East of the Boise Meridian, which tract is Block 15 of the Chesterfield Townsite.

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

The right to take water from such works is based upon Permit No. 28470.

The source of supply from which such water is diverted is:

Point of Diversion (legal description) Two Springs in SW $\frac{1}{4}$ -NW $\frac{1}{4}$ of Section 28, Township 6 South, Range 39 East of the Boise Meridian AND one spring in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 6 South, Range 39 East of the Boise Meridian.

The date of priority which said user is prepared to establish is February 12, 1960.

GEO. N. CARTER

State Reclamation Engineer

(Pub. June 23, 30, July 7, 14, 1960)

28470

RECEIVED
JUN 6 1960

Department of Reclamation

Bancroft, Idaho
June 2, 1960

Bureau of Reclamation
State House
Boise, Idaho

Gentlemen:

I wrote you a previous letter in regard to a filing by Joel Davids, on springs located on my property in the Chesterfield townsite plat. I wish to protest this filing until a further investigation can be made and evidence supplied to give sufficient reason why this filing should be held void.

My impression has been that springs could not be filed on under the Taylor Grazing Act. Please send me information concerning filing on springs under this act and any other information you deem pertinent.

Thank you very much.

Respectfully,

Theron Davids
Theron Davids

28470

June 1, 1960

RE: Permit No. 28470
Joel Willard Davids

Theron Davids
Box 423
Bancroft, Idaho

Dear Mr. Davids:

Enclosed is a copy of the permit issued to Joel Davids, departmental receipt No. 30141 in the amount of \$1.50 for payment of fee for making the copy and \$1.50 change.

The attorney for Mr. Davids wrote that the springs are located between Block 8 and Block 13 and Block 14 of the townsite; also that the water had been used in Block 15 for years past.

The State Statutes provide that water from springs which are entirely on land in one ownership is private water. In this case, where the amount claimed was 0.2 cubic feet per second and in a townsite where that much water would not remain on one ownership, the affidavit of permission to file on the spring was not required.

The fact that a permit has been issued does not give the holder of the permit any permission to trespass on any property.

There will not be any hearing until the holder of the permit proves beneficial use of the water after his intention has been advertised in four weekly issues of a Caribou County paper.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Office Engineer

RWT:mr

Enc. copy of permit

28470

RECEIVED
JUN 1 1960
Department of Reclamation

Bancroft, Idaho
May 27, 1960

State Bureau of Reclamation
State House
Boise, Idaho

Gentlemen:

I'm writing in regard to the Chesterfield townsite plat. I would like to know if you have received a copy recently of a filing by Joel Davids on waters from springs located in the area of blocks 3, 4, 7, and 8, of the Chesterfield townsite plat.

If so please send me an exact copy of the filing for the reason that the springs are located on my land. I also would appreciate any information that you could forward to me concerning the law on filing on springs in the state of Idaho.

Has there been a notice of hearing given, if not please put my name and address on his papers so that I will get prompt notice of the time and place of the hearing.

My return address is, Theron Davids, Box 423, Bancroft, Idaho.

Inclosed you will find a three dollar check to cover the expense of the exact copy. If this isn't sufficient I will forward the remainder upon notice from you.

Expediency on this matter will be greatly appreciated. My thanks to you for time and effort in securing this information.

Respectfully,

Theron Davids

Theron Davids

44-770

44-770

March 9, 1960

Re: Permit No. 28470
Joel Willard Davids

Mr. Francis J. Rasmussen,
Attorney at Law,
Soda Springs, Idaho.

Dear Mr. Rasmussen:

We enclose Permit No. 28470 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 30001 which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit.

You will note, under Question 12 and 13, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pak
cc: Joel Willard Davids
Bancroft, Idaho

CITY ATTORNEY
City of Soda Springs

FRANCIS J. RASMUSSEN
ATTORNEY AT LAW
SODA SPRINGS, IDAHO

PROSECUTING ATTORNEY
County of Caribou

February 19, 1960

FEB 23 1960
Department of Reclamation

State of Idaho
Department of Reclamation
Capitol Building
Boise, Idaho

Attention: Mr. George N. Carter

Gentlemen:

Re: Your letter of Feb. 12, 1960

This is to advise that the land indicated in the application of Joel Willard Davids should be described as being in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, T. 6 S., R. 39 E., B. M., as this is the correct location.

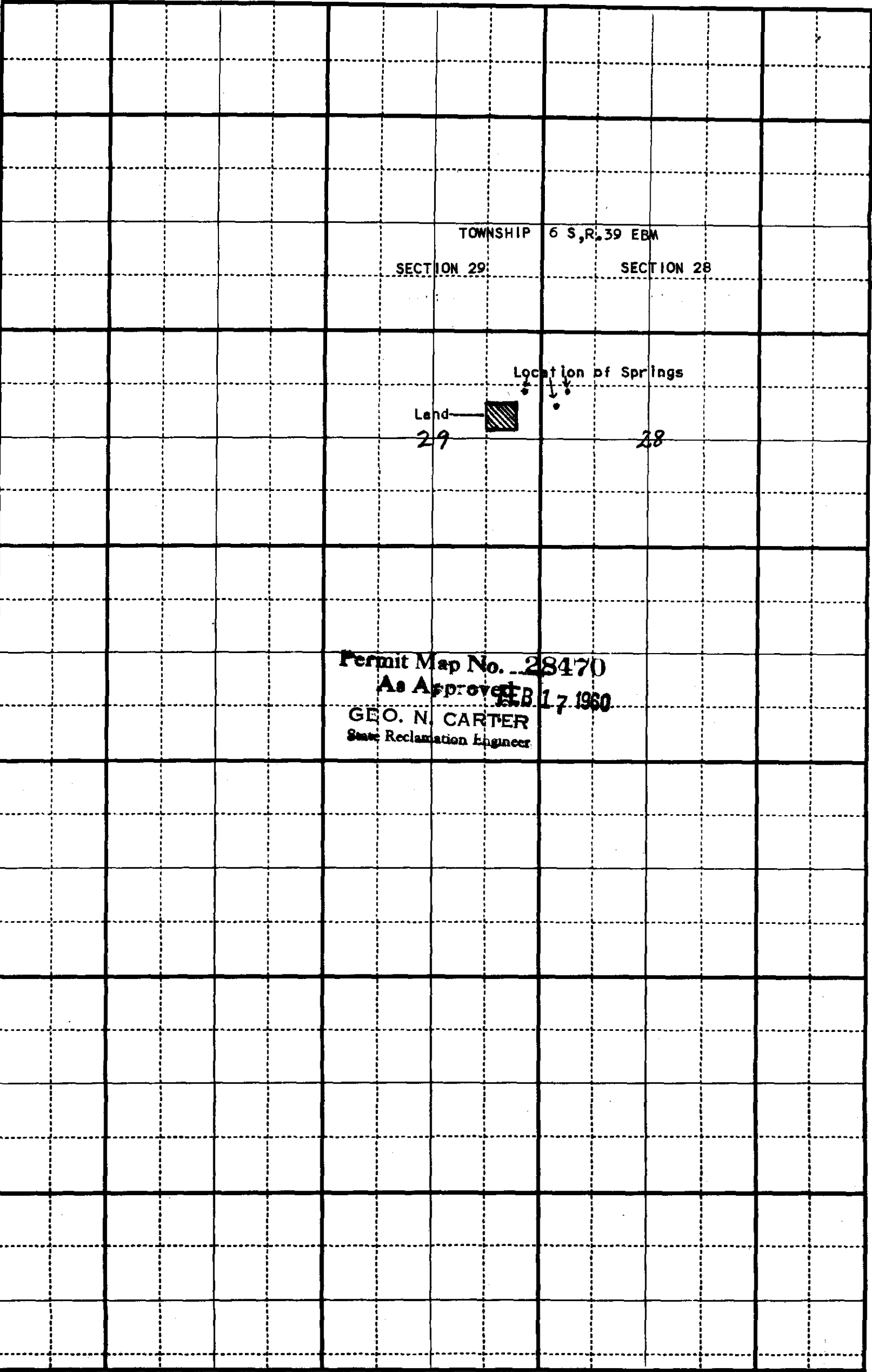
Sincerely yours,


Francis J. Rasmussen

Application No. 36447

eb

28470



CITY ATTORNEY
City of Soda Springs

FRANCIS J. RASMUSSEN
ATTORNEY AT LAW
SODA SPRINGS, IDAHO

PROSECUTING ATTORNEY
County of Caribou

February 11, 1960

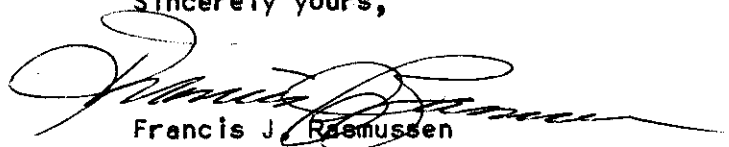
RECEIVED
FEB 12 1960
Department of Reclamation

State of Idaho
Department of Reclamation
Capitol Building
Boise, Idaho

Gentlemen:

Enclosed please find Mr. Davids' personal check in amount of \$5.00 and completed forms for filing for the appropriation of waters of the State of Idaho.

Sincerely yours,


Francis J. Rasmussen

eb

Enc.

28470

February 12, 1960

Re:
Application for Permit
Joel Willard Davids

Francis J. Rasmussen
Attorney at Law
Soda Springs, Idaho

Dear Mr. Rasmussen:

The maps attached to the application showing the location of the springs and land to be irrigated and the location of the springs described in the application appear to be accurate. They show the land as being in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 29. The land list showed the land in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ which we have changed to the SE $\frac{1}{4}$ NE $\frac{1}{4}$. A note shows the land in Block 15 of Chesterfield Townsite.

Kindly advise promptly if the land is not in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 29, T. 6 S., R. 39 E., B. M.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

RT:
EPR:ew

28470RT

January 14, 1960

Re: Application for Permit
Joel Davids

Francis J. Rasmussen
Attorney at Law
Soda Springs, Idaho

Dear Mr. Rasmussen:

Enclosed is Form 1, application for permit to appropriate public water with two sketch maps.

We do not find any record of a filing on springs in Sec. 28, T. 6 S., R. 39 E., B. M.

In case the lots and blocks are shown in the application, their location must be shown on the sketch maps.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:EPR:EW
Enc. Form 1
sketch maps

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121

CITY ATTORNEY
City of Soda Springs

FRANCIS J. RASMUSSEN
ATTORNEY AT LAW
SODA SPRINGS, IDAHO

PROSECUTING ATTORNEY
County of Caribou

January 12, 1960

RECEIVED
JAN 13 1960
Department of Reclamation

State of Idaho
Department of Reclamation
Capitol Building
Boise, Idaho

Re: Joel Davids
Water Use

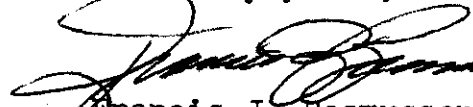
Dear Sirs:

My client, Mr. Joel W. Davids, and his predecessors in interest have used water on Block 15 of the Chesterfield Townsight in Caribou County, Idaho; said water rose at two points being in or between Block 8 and 13 and Block 14 of the Chesterfield Townsight. The water possibly rises in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28 T6S R 39EBM.

My client has been using this water for some time but does not know whether his father or the owner prior to his father ever filed on this water. Would you please advise if there is any water file for this area; and, if not, would you please forward the necessary forms for filing for the appropriation of water arising from a spring.

Thank you.

Sincerely yours,


Francis J. Rasmussen
Attorney At Law

FJR:eb

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