

29-2387

State of Idaho

License and Certificate of Water Right

Water License No. 26759

Amount 2.72 c.f.s.

Water District No.

Priority January 25, 1957

THIS IS TO CERTIFY that LEW CARLILE - WILDA L. CARLILE, Administratrix
 of McCammon, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated January 25, 1957; that Permit No. 26759
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 2.72 second feet, was issued thereunder on July 24, 1958, showing that said works
 were completed on the 15th day of July, 1958; and that on the 30th
 day of August, 1958, WILDA L. CARLILE, Administratrix

of McCammon, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of Marsh Creek
 , a tributary of Portneuf River, for the purpose of Irrigation
 , under Use Permit No. 26759 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
 10 of Licenses at page 6493, on the 10th day of November, 1958;
 The right hereby confirmed dates from January 25, 1957;

The Point of Diversion is located
 in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, Tp. 8 S., R. 36 E., B. M. County Bannock
 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 2.72 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	36 E.	22 27	SE $\frac{1}{4}$ SW $\frac{1}{4}$	18	20
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	15	33
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	23	23
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	30	20
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	18	20
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	10	10
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	13	38
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	7	5
			Total number of acres irrigated	- - -	169

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

10th day of November, 1958.

/s/ Geo. N. Carter
 State Reclamation Engineer.

(SEAL)

29-2387

State of Idaho

License and Certificate of Water Right

Water License No. G-22135 Amount 4 c.f.s.
 Water District No. _____ Priority June 1, 1951

THIS IS TO CERTIFY that KEITH MOOSO - EDNA B. URE, Assignee
 of Rupert, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated June 1, 1951; that Permit No. G-22135
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 4 second feet, was issued thereunder on November 10, 1958, showing that said works
 were completed on the 10th day of May, 1958; and that on the 10th
 day of May, 1958, EDNA B. URE
 of Rupert, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a well
 , a tributary of subterranean, for the purpose of Irrigation and domestic
 use, under Use Permit No. G-22135 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
 10 of Licenses at page 6494, on the 10th day of November, 1958;
 The right hereby confirmed dates from June 1, 1951;
 The Point of Diversion is located
 Lot 1
 in the NW 1/4 NW 1/4, Sec. 7, Tp. 8 S., R. 27 E., B. M. County Blaine
 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 4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	27 E.	7	NE 1/4 NW 1/4	--	30
			NW 1/4 NW 1/4	--	30
			SW 1/4 NW 1/4	--	40
			SE 1/4 NW 1/4	--	40
			NW 1/4 SW 1/4 (Lot 3)	--	40
			SW 1/4 SW 1/4 (Lot 4)	--	40
8 S.	26 E.	12	NE 1/4 NE 1/4	--	30
			NW 1/4 NE 1/4	--	25
			SW 1/4 NE 1/4	--	40
			SE 1/4 NE 1/4	--	40
			NE 1/4 NW 1/4	--	30
			NW 1/4 NW 1/4	--	30
8 S.	26 E.	11	NE 1/4 NE 1/4	--	25
8 S.	27 E.	18	NW 1/4 NW 1/4 (Lot 1)	--	40
			SW 1/4 NW 1/4 (Lot 2)	--	40
Total number of acres irrigated - - -					520

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

10th day of November, 1958.

/s/ Geo. N. Carter

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 34660
 PERMIT No. 26759
 DISTRICT No.

29-2387

1. Name of Applicant: LEW CARLILE

Postoffice address: McCammon

County: Bannock

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

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

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 2.72

cubic feet per second.

3. Source of water supply: Marsh Creek

which is a tributary of Portneuf River

4. Location of point of diversion: 3/8 Mile W. & 1/8 Mile N. feet distant from the SE

corner of Section 27, T. 8 S., R. 36 E., B. M., and is in the SW 1/4 SE 1/4

of Section 27, T. 8 S., R. 36 E., B. M., County of Bannock

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B. M., in the
 of Section , T. , R. , B. M.

7. Estimated cost of works: \$

8. Kind of works: Ditch and Headgate

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 2 1/2 feet; height 2 1/2 feet.

11. Ditch: Width at bottom 4 feet; width at water line 7 feet; depth of water 2 1/2 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 12 1/2 miles.

Average grade per mile 10 feet.

12. The time required for the completion of such work is one 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. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (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 water of the State of Idaho as herein set forth.

/s/ Lew Carlile

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. January 25, 1957

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26759

Recorded in Book 94 Page 26759 Approved March 1, 1957

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 **May 1, 1957** 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 **September 1, 1957**

The whole of said work to be completed on or before **March 1, 1958**

The whole of said work to be completed on or before **March 1, 1958**
Beneficial use of water appropriated in accordance herewith, to be made on or before **March 1, 1958.**

WITNESS My hand this First day of March, 1957

MARK R. KULP

State Reclamation Engineer.

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

and JAS. H. YOUNG, 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 First

day of March, 19 57.

STATE OF IDAHO

Countersigned:

(SEAL)

By ROBERT E. SMYLIE

Governor.

By JAS. H. YOUNG

Secretary of State.

REMARKS: All work on ditches except headgates were constructed and completed prior to the year 1924.

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4				
8 S.	36 E.	22 27 34			15 23 2			30			18			10			18			13	7	18 116 2
Total Number of Acres to be Irrigated																					136	
APPROVAL OF STATE RECLAMATION ENGINEER																						
I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work and beneficial use proofs under Permit to Appropriate the Public Waters of the State of Idaho, No. 26759 to September 1, 1958.																						
Witness my hand this 17th day of January, 1958																						
/s/ Mark R. Kulp State Reclamation Engineer																						
Approved and recorded: January 17, 1958.																						

Permit No. 26759

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that LEW CARLILE - WILDA L. CARLILE, Administratrix of Estate of McCammon, County of Bannock, and State of Idaho, the holder of Permit No. 26759, issued upon Application No. 34660 bearing date of priority of January 25, 1957, authorizing the diversion of 2.72 second feet of waters of Marsh Creek County of Bannock, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.72 second feet of the waters of Marsh Creek That the point of diversion of said waters SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 8 South, Range 36 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34; Township 8 South, Range 36 East, B.M. Proof of Completion of Works made: July 15, 1958

Witness my hand this 24th day of July, A.D. 1958

/s/ Geo. N. Carter
State Reclamation Engineer

Proof of Completion of Works made: July 15, 1958
Certificate of Completion of Works issued: July 24, 1958

Page 6493 2.72

November 10, 1958

Re: Permit No. 26759
Wilda L. Carlisle

Mr. Ralph H. Jones
Jones, Pomroy & Jones
Central Building
Pocatello, Idaho

Dear Mr. Jones:

Enclosed is the License and Certificate of Water Right issued under Permit No. 26759 confirming the right with priority of January 25, 1957, to the use of 2.72 second feet of water from Marsh Creek, with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, for irrigation of 169 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 27, Township 8 South, Range 36 East, EM.

Enclosed also is departmental receipt #29355 for \$16.00, issued as receipt of the license fee.

Very truly yours,

Geo. E. CARTER
State Reclamation Engineer
By

Chief Clerk

Sikinis
Enc.

26759

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
Pocatello, Idaho

T. D. JONES, DECEASED
G. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.

RECEIVED
NOV 4 1958
Department of Reclamation

November 3, 1958

George N. Carter
State Reclamation Engineer
State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No. 26759
Lew Carlile
Wilda Carlile, Administratrix

Gentlemen:

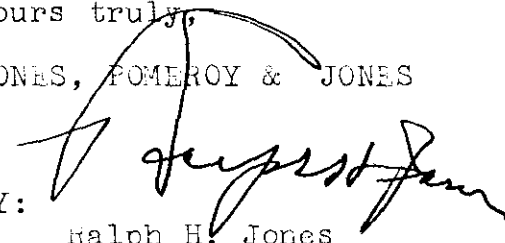
Complying with your letter of October 14, 1958,
we are enclosing herewith Mrs. Carlile's check in the
sum of \$16.00, the statutory fee, referred to in your
letter.

Kindly mail the license and certificate of water
rights to Mrs. Wilda L. Carlile, in care of this office.

Yours truly,

JONES, POMEROY & JONES

BY:


Ralph H. Jones

RHJ ba
encl ch

26759

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

Permit No. 26759

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

1. Name of applicant Lew Carlile - Wilda L. Carlile, Administratrix - McCammon, Idaho

2. Source of water supply: Marsh Creek

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27
T. 8 S. R. 36 E. County of Bannock

4. Describe works as they exist, giving dimensions and capacities of same: Canal 8 to 10' wide out of Marsh Creek. Dam across canal of rocks-earth & ties with 30" outlet thru it. Dam is approx. 20' downstream fr. Marsh Cr. Heavy plank boards 12" wide for gate control. Large irrigation ditch with small ones leading to field. Mostly pasture and flooding with considerable flood irrigation.

5. Water is used for: Irrigation

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

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Township 8 South, Range 36 East, Section 22: SE $\frac{1}{4}$ SW $\frac{1}{4}$ (18a) Section 27: NW $\frac{1}{4}$ NE $\frac{1}{4}$ (15a), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (23a), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (30), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (18a), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (10a), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (13a), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (7a); Section 34: NW $\frac{1}{4}$ NE $\frac{1}{4}$ (2a), making a total of 136 acres.

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

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

Remarks: _____

This examination was made on the 8 day of October, 19 58

(Signed) E. N. Humphrey
Examiner.

Permit No. 26759

Examination for Beneficial Use

County BANNOCK

27-8S-36E

Q₂ 2.72 a.f.s.

S = Marsh Creek

P.L. = SW. SE., Sec. 27, T. 8S. - R. 36E

Use = Irrigation

Went to Ralph Jones

Filed = Jan. 25, 1957

Due = Sept. 1, 1958

RECEIVED
OCT 13 1958

Department of Registration

8' to 10' canal comes out on
East ^{first rocks} ~~concrete~~ heading
and 3' or 30" metal culvert
2" planks for control.

3/8 mi down fr. Bell Mouth

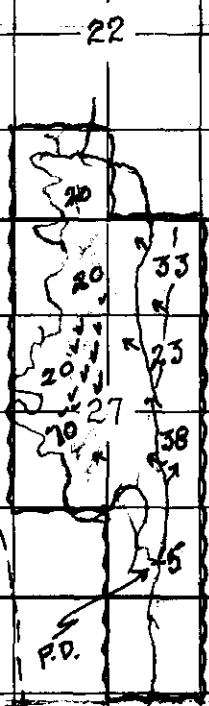
Q₁₀ = 7-24-58

no other rights

S 22 + SE SW = 20
 S 27 - NW NE = 33
 " SW NE = 23
 NE NW = 20
 SE NW = 20
 NE SW = 10
 NW SE = 38
 SW SE = 5
 TL9

R-36 E.

TO NW 1/4



36000
 33000
 30000
 27000
 24000
 21000
 18000
 15000
 12000
 9000
 6000
 3000
 0

Sub = 8
 Area = 169 a.
 Q = 2.72
 59
 136 00

Subdivisions = 8
 Area = 169 acres
 Q = 2.72 cfs.
 136"

T. 8 S.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 26759

REPORT ON PROOF OF BENEFICIAL USE

LEW CARLILE by WILDA L. CARLILE, Administratrix
McCammon, Idaho

Appl. 2.72 c.f.s.

C/W. 2.72 c.f.s.

26759

October 14, 1958

Re: Permit No. 26759
Lew Carlile
Wilda L. Carlile, Administratrix

Mr. Ralph H. Jones
Jones, Pomeroy & Jones
Central Building
Pocatello, Idaho

Dear Mr. Jones:

Our field engineer's report on his inspection of the beneficial use of the water under the terms of Permit No. G-26759 shows that the works are capable of conveying 136 miners inches (2.72 c.f.s.) of water from Marsh Creek and that 169 acres have been irrigated.

Upon receipt of the statutory fee of \$16.00 (fee based at rate of two dollars for each 40-acre subdivision) we will issue the License and Certificate of Water Right confirming the right with priority of January 25, 1957, to the use of 2.72 second feet of water from Marsh Creek, with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, for irrigation of 169 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 27, Township 8 South, Range 36 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls

26759

October 3, 1958

Re: Permit No. 26759

Mr. Lew Carlile
McCammon, Idaho

Dear Mr. Carlile:

Statutes requires a field inspection in connection with the proofs on Permit No. 26759 before license and certificate of water right can be issued.

Such inspection and report on same is required for any and all permits being brought to license within this state.

An inspecting Engineer from this department requests that you or someone familiar with the terms of the permit and representing you be prepared to accompany him on the inspection, on Wednesday, October 8, 1958.

If he cannot get in touch with you by phone or otherwise he will drive to the well location or point of diversion given in the permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

E. N. Humphrey
Deputy

ENH/lw

26759

September 3, 1958

Re: Permit No. 26759
Lew Carlile
Wilda L. Carlile, Administratrix of Estate

Wilda L. Carlile
McCammon
Idaho

Dear Mrs. Carlile:

This acknowledged the de ositions of Holder and two Witnesses and the Affidavit of Publication in the McCammon News in proof of beneficial use under Permit No. 26759.

Before a permit is licensed, the law requires that a field examination be made by an engineer from this department. At this time we cannot say just when this will be made but our field engineer will contact you prior to the time he is to make the inspection so that you can arrange to have someone accompany him.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

ENR:nls

cc: Jones, Pomeroy & Jones
Central Building
Pocatello, Idaho
Attn: Ralph H. Jones

26759

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
Pocatello, Idaho

T. D. JONES, DECEASED
G. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.

SEP 2 1958
Department of Reclamation

August 30, 1958

Mr. George N. Carter
State Dept. of Reclamation
Boise, Idaho

Dear Mr. Carter:

Re: Permit No. 26759,
Estate of Lew Carlile

We are enclosing herewith Affidavit of the McCammon News showing Notice of Proof Application of Water to Beneficial Use was published the length of time required by law, and also the Deposition of Witness (two) and the Deposition of Holder, in respect to the above-captioned permit.

Yours truly,

JONES, POMEROY & JONES

BY: *Ralph H. Jones*
Ralph H. Jones

RHJ ba
encl 4

26759

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 2 1958
Department of Reclamation

Permit No. 26759

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. LEW CARLILE by WILDA L. CARLILE, Administratrix of Estate of Lew Carlile, deceased, McCammon, Idaho

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

Ans.

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

Ans. No. 26759, March 1, 1957 Priority- January 25, 1957

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

Ans. Marsh Creek; diversion - SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 27, Twp. 8 S. R36, E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. 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. ditches and headgates. Size of headgate 2 $\frac{1}{2}$ ft. width; 2 $\frac{1}{2}$ ft. height; Ditch is 4 $\frac{1}{2}$ ft. width at bottom, 7 ft. width at water line; depth of ditch 2 $\frac{1}{2}$ ft; 12 $\frac{1}{2}$ miles length, average grade per mile -10 ft.

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 purposes; 360 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, all in Township 8 South, Range 36, E.B.M.; cultivated land and some natural meadow land.

26759.

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

Ans. _____

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

Ans. At least 1 inch to the acre.

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. Lew Carlile, permit applicant, the estate of Lew Carlile, deceased, now owns the permit.

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

Ans. During the irrigation season at least 2.72 cu. feet of water.

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) Wilde S. Carlile

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 Frederick, County of Bennett,

State of Idaho, on this 30th day of August, A. D. 1958.

My commission expires

June 19, 1959

Walter P. H. Jones
Notary Public for
Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 2 1958
Department of Reclamation

PERMIT NO. 26759

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. R. Fay Facer; 65 years; cafe owner; McCammon, Idaho

Ques. 2. Are you acquainted with Lew Carlile, the holder of Permit No. 26759? How long have you known him and where does he reside?

Ans. Yes; I knew him for 25 years during his lifetime, he died on the 30th day of September, 1957.

Ques. 3. Have you read or heard read said Permit No. 26759, 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. Marsh Creek; place of diversion - SW $\frac{1}{4}$ SE $\frac{1}{4}$ Of Sec. 27, Twp. 8 S. R. 36, E.B.M.; ditches and headgate.

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 2.72 cu. ft.

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; 360 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, Twp. 8 So. Range 36, E.B. M.; cultivated and some natural meadow land. ✓

26759

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

Ans. _____

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

Ans. at least one inch per acre

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. Ever since January, 1957, I have been upon the place several
times, especially during the irrigation season and I have observed
the crops being irrigated.

(Signed) R. Ray Lacro

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 Franklin

County of Bannock, State of Idaho, on this 30th day of August,
A. D. 1958.

August James

Notary Public.

My commission expires June 19, 1959.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 2 1958
Department of Reclamation

PERMIT NO. 26759

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. Karl Romriell; 58 years; Farmer; McCammon, Idaho

Ques. 2. Are you acquainted with Lew Carlile, the holder of Permit No. 26759? How long have you known him and where does he reside?

Ans. Yes: I knew him for about 20 years during his life. He passed away on September 30, 1957.

Ques. 3. Have you read or heard read said Permit No. 26759, 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. Marsh Creek; place of diversion - SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 27, Twp8 S. R. 36 E.B.M.; ditches and headgate

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 : 2.72 cu. ft.

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; 360 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34; Twn 8 S. Range 36, E.B.M.; cultivated and some natural meadow land.

26759

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

Ans. _____

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

Ans. At least one inch per acre

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. Ever since January, 1957, I have frequently been to the place,
and have witnessed the irrigation of crops growing thereon.

(Signed) Karl Rommell

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 Butte

County of Bennett, State of Idaho, on this 30th day of August,
A. D. 1958.

My commission expires June 12, 1959.

[Signature]
Notary Public.

RECEIVED
SEP 2 1958

Department of Reclamation

PROOF OF PUBLICATION

STATE OF IDAHO,)
County of Bannock) ss.

E. H. PAYSEN

being first duly sworn, on his oath, deposes and says:

That he is a citizen of the United States of America, over the age of 21 years; that he was at all times herein mentioned the principal Clerk of the McCAMMON NEWS

_____, a weekly newspaper published at _____, County of BANNOCK, State of Idaho, and having a general circulation therein.

That said deponent, during all times mentioned in this affidavit, has had and still has charge of all the advertisements in said newspaper; that the NOTICE OF PROOF _____, of which the annexed is a true printed copy, was published in the said McCAMMON NEWS _____ on the following dates, to wit:

July 27, 28, Aug 1 & 8, 1958

That said newspaper has been consecutively, continuously and uninterruptedly published in said county for a period of 78 weeks prior to publication of said notice, and is a "newspaper" within the meaning of the laws of Idaho.

E. H. PAYSEN

SUBSCRIBED and sworn to before me this 4th day of

Mildred E. Leidenschmitt.
Notary Public, Pocatello, Idaho
McCammmon.

My commission expires: Oct 25 - 1959

26759

the 1990s, the number of people in the world who are under 15 years of age is expected to increase from 1.1 billion to 1.5 billion. The number of people aged 65 and over is expected to increase from 200 million to 400 million. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion.

26759

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

Notice is hereby given that at 11 A. M. on the 30th day of August, 1958,
 at Pocatello, County of Bannock, State of Idaho, before
Ralph H. Jones, Notary Public, proof will be submitted of the
 application to beneficial use of 2.72 cubic feet per second of the waters of Marsh Creek, a
tributary of the
Portneuf River in accordance with the terms and conditions of Permit No. 26759
 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit ~~is~~ is the Estate
of Lewis W. Carlile, also known as Lew Carlile, deceased.

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

The amount applied to beneficial use is 2.72 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
18 acres from the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 22; 15 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 27;
23 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 27; 30 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 27; 18 acres
in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 27; 10 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 27; 13 acres in the
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 27; 7 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 27; 2 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
Sec 34; all located in T8S, R 36 E. B. M.

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

The right to take water from such works is based upon Permit No. 26759.

The source of supply from which such water is diverted is Marsh Creek, a tributary of
the Portneuf River.

The date of priority which said user is prepared to establish is January 25, 1957.

State Reclamation Engineer.

26759

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
Pocatello, Idaho

T. D. JONES, DECEASED
C. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.

RECEIVED
JUL 29 1958
Department of Reclamation

July 25, 1958

Department of Reclamation
State of Idaho
Boise, Idaho

Attention: Geo. N. Carter, Reclamation Engineer

Re: Permit No. 26759 - Lew Carlile

Gentlemen:

In accordance with your letter of July 17, 1958, we are enclosing herewith clipping of first publication of Notice of Proof, Application of Water to Beneficial Use in the above matter.

Yours truly,

JONES, POMEROY & JONES,

BY

Ralph H. Jones

Encl.
mf

26759

GEO. N. CARTER
~~XXXX/XXXX~~

July 24, 1958

Re: Permit No. 26759
Low Carlile

Jones, Pomeroy & Jones
Lawyers
Central Bldg.
Pocatello, Idaho

Attention: Ralph H. Jones

Dear Mr. Jones:

Enclosed is the Certificate of Completion of Works issued under Permit No. 26759 for the diversion of 2.72 second feet of water from Marsh Creek, with the point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, for irrigation of 136 acres in the S $\frac{1}{2}$ SW $\frac{1}{2}$ Section 22; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27; NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, Township 8 South, Range 36 East, B.M.

Enclosed also is departmental receipt #29196 for \$5.00, issued as receipt of the fee for the Certificate of Completion of Works.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

26759

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
Pocatello, Idaho

T. D. JONES, DECEASED
C. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.

July 18, 1958

Department of Reclamation
Reclamation Engineer
Boise, Idaho

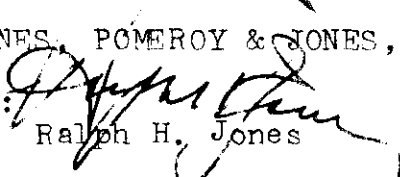
Re: Permit No. 26759 - Lew Carlile

Attention: Edna P. Rutledge

Dear Miss Rutledge:

Enclosed is Proof of Completion of Works which your office returned to us. Thank you for calling the oversight to our attention.

We are also enclosing our check in the sum of \$5.00.

Yours truly,
JONES, POMEROY & JONES,
BY: 
Ralph H. Jones

Encl.
RHJ:mf

26759

July 17, 1958

Re: Permit No. 26759
LEW CARLILE

Jones, Pomeroy & Jones
Lawyers
Central Bldg.
Pocatello, Idaho

Attention: Ralph H. Jones

Dear Mr. Jones:

We return the Affidavit of Proof of Completion of Works under Permit No. G-26759. Question six should be answered by either "were" or "were not". Also, the Affidavit must be signed by Wilda L. Carlile, Administratrix, before a notary.

Please notify the McCammon News that copy of or tear-sheet of the issue of the paper containing the first publication of notice is to be sent to this department.

The fee for the Certificate of Completion of Works is five dollars.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

26759

Permit No. _____

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO
County of Bannock } ss.

Wilda L. Carlile, being first duly sworn, upon his oath deposes and says:
 First: That she is the Administratrix of the estate of Lewis W. Carlile, also known as Lew Carlile, deceased, of that said Estate, State of Idaho, No. 26759, and that his postoffice address is Mc Cammon
 State of Idaho

Second: That the name of the stream from which said water is to be diverted is Marsh Creek, a tributary of the Portneuf River.

Third: That the point of diversion of said water is 3/8 Mi. W. & 1/8 Mi. N. from the SE corner of Sec 27, T8S, R36, E. B. M., in the SW 1/4 SE 1/4 of Sec 27, T8S., R 36, E. B. M., Bannock County, Idaho

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by September 1, 1958.

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

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

I. Kind of Works: Electric pump, Pipes, Ditches and Headgates

(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work: _____

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

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width 2 1/2 feet, height 2 1/2 feet. Pipe 200 feet long, 8 in. wide Ditch is 12 miles long.

(d) Conduit _____ width at bottom _____ 4 feet, width at water line 7 feet

(STATE WHETHER DITCH, FLUME OR PIPE)

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

Seventh: That said works are capable of conducting to the place of intended use 2 1/2 second feet of water.

Eighth: That water appropriated under said permit is available for 136 acres of land described as follows: 18 acres from the SE 1/4 SW 1/4 Sec 22; 15 acres in the NW 1/4 NE 1/4 Sec 27; 23 acres in the SW 1/4 NE 1/4 Sec 27; 30 acres in the NE 1/4 NW 1/4 Sec 27; 18 acres in the SE 1/4 NW 1/4 Sec 27; - - - - -; 10 acres in the NE 1/4 SW 1/4 Sec 27; 13 acres in the NW 1/4 SE 1/4 Sec 27; 7 acres in the SW 1/4 SE 1/4 Sec 27; 2 acres in the NW 1/4 NE 1/4 Sec 34, all located in T8S, R 36E. B. M.

Ninth: Remarks:—That Lewis W. Carlile, also known as Lew Carlile, deceased, died intestate in Bannock County, Idaho on the 30th day of September 1957 and that on the 18th day of October 1957, his widow, Wilda L. Carlile was duly appointed Administratrix of said Estate and ever since that time, has been Administrix of said Estate.

(SIGN HERE)

Subscribed and sworn to before me this 15th day of July, 19 58

NOTARY PUBLIC

My commission expires Nov 19, 1959

267-59

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 15, 1958 Wilda L. Carlile, Administratrix
(P. O.) McCammon, 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

McCammon News of McCammon, Idaho published in

the county in which the works are situated.

Wilda L. Carlile

Wilda L. Carlile
Administratrix

(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.

26759

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

Pursuant to conversation over the telephone, this notice
 is being published in the McCannon News, McCannon, Idaho

Notice is hereby given that at 11 A. M. on the 30th day of August, 1958,
 at Pocatello, County of Bannock, State of Idaho, before
Ralph H. Jones, Notary Public, proof will be submitted of the
 application to beneficial use of 2.72 cubic feet per second of the waters of Marsh Creek, a
tributary of the
Portneuf River in accordance with the terms and conditions of Permit No. 26759
 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is the Estate
of Lewis W. Carlile, also known as Lew Carlile, deceased.

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

The amount applied to beneficial use is 2.72 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
18 acres from the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 22; 15 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 27;
23 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 27; 30 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 27; 18 acres
in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 27; 10 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 27; 13 acres in the
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 27; 7 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 27; 2 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
Sec 34; all located in T8S, R 36 E. B. M.

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

The right to take water from such works is based upon Permit No. 26759.

The source of supply from which such water is diverted is Marsh Creek, a tributary of
the Portneuf River.

The date of priority which said user is prepared to establish is January 25, 1957.

Geo. N. Carter

State Reclamation Engineer.

26759

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
Pocatello, Idaho

T. D. JONES, DECEASED
G. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.

RECEIVED
JUL 16 1958
Department of Reclamation

July 15, 1958

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

Dear Sir:

Pursuant to our conversation over the telephone today in respect to Permit #26759 issued to Lew Carlile, we are enclosing herewith Proof of Completion of Works, duly executed by Wilda L. Carlile, administratrix of the Estate of Lewis W. Carlile, also known as Lew Carlile, deceased.

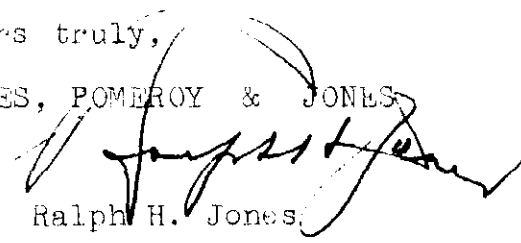
Please also find enclosed the Notice of Proof Application of Water to Beneficial Use. We wish to say that Wilda L. Carlile has this day delivered to the McCammon News, at McCammon, Idaho, a copy of said Notice of Proof Application of Water to Beneficial Use with instructions to said paper to publish the same notice once a week for four weeks consecutive weeks.

If there are any fees due your office in connection with this matter, kindly have your secretary advise me and I will forward a check.

Yours truly,

JONES, POMEROY & JONES

BY:


Ralph H. Jones

RHJ:ba
Enc. 2

26759

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

July 15, 1958

~~Wilda L. Carlile, Administratrix~~
Address

~~McCammon, Idaho~~
City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my
expense in the McCammon News McCammon, Idaho

_____ published in the county in which the works are
situated.

Wilda L. Carlile
Wilda L. Carlile
Administratrix

By _____

(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

26759

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
Pocatello, Idaho

T. D. JONES, DECEASED
C. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.

RECEIVED
JAN 17 1958
Department of Reclamation

January 16, 1958

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Mr. Roy W. Thompson

Gentlemen:

Thank you for your letter of January 10, 1958, enclosing
Extension of Time Form for the Estate of Lewis W. Carlile
concerning his water application.

We are enclosing herewith the completed form and would
appreciate an extension for Mrs. Carlile.

Yours truly,

JONES, POMEROY & JONES,

BY: *Ralph H. Jones*
Ralph H. Jones 7

Encl.
mf

26759

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
Pocatello, Idaho

T. D. JONES, DECEASED
C. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.

RECEIVED
JAN 10 1958
Department of Reclamation

January 9, 1958

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Mr. Mark R. Kulp, State Reclamation Engineer

Re: Permit 26759 - Lew Carlile

Gentlemen:

In reply to your letter of January 1, 1958, pertaining to the above captioned matter stating that proof of completion of works must be made on or before March 1, 1958, kindly be advised that Lew Carlile died on the 30th day of September, 1957, and his widow Wilda L. Carlile was duly appointed administratrix of his estate by the Probate Court of Bannock County, State of Idaho, on the 8th day of October, 1957, and qualified as such administratrix on said day and ever since said time has been and now is the duly appointed, qualified and acting administratrix of the estate of Lew W. Carlile, also known as Lew Carlile and we would like to know what your regulations are in respect to making proof of completion in accordance with the permit filed by Lew Carlile during his life time.

Wish to say that Mrs. Carlile is contemplating going to California the early part of February but she will be back in time to complete this matter by the 1st of March, 1958 and we would like to have the Notice of Proof of Application of Water for Beneficial Use published as soon as possible and also the affidavit of Proof of Completion of the Works executed as soon as possible in order that we can get all of these preliminary matters out of the way prior to the actual date of proof.

Will say that in your letter of January 1, 1958, you enclose blank notice for proof of application of water for beneficial use under said permit which we understand must be filed and returned to your office at least 40 days before the date upon which Carlile's estate wishes to make proof. You also enclosed Form No. 11 to be executed, authorizing you to have the notice of proof published in the designated county newspaper at the expense of Carlile, so I suppose we have all of the information we need except how the notice should be executed. It occurs to us it probably should be the estate of Lew W. Carlile also known as Lew Carlile, by

26759

Permit No. 26759

Application for Extension of Time
FOR COMPLETION OF WORKS

RECEIVED
JAN 17 1958
Department of Reclamation

Wilda L. Carlile

McCammon, Idaho

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

Lewis W. Carlile, deceased

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho

No. 26759

Under the terms and conditions of said permit, construction work thereunder was required to be completed by March 1, 1958

That he has heretofore performed the following work described under said permit

That he, Lewis W. Carlile, also known as Lew Carlile, during his life time has heretofore performed the following work under said permit: In excess of 95% of the work to be performed.

costing \$

That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

That because of the frost, snow and weather conditions, it is difficult for the

Administratrix of said estate to determine at this time whether all of the work

that should be done has been completed but that if the estate is granted to

September 1, 1958 to complete said work, all of the work can be done by that time.

WHEREFORE, He asks that the ~~Commissioner of~~ State Reclamation/extend the time for the completion of works under said permit to Wilda L. Carlile 9-1, 1958

Subscribed and sworn to before me this 15th day of January, 1958

My commission expires June 19, 1959

Notary Public.

Date of receipt at office of Department of Reclamation January 17, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

MARK R. KULP

I, ~~Commissioner of~~ State Reclamation/Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 26759 to

September 1, 1958

Witness my hand this 17th day of January, 1958

26759

Mark R. Kulp
State Reclamation Engineer

Department of Reclamation
Page Two
January 9, 1958

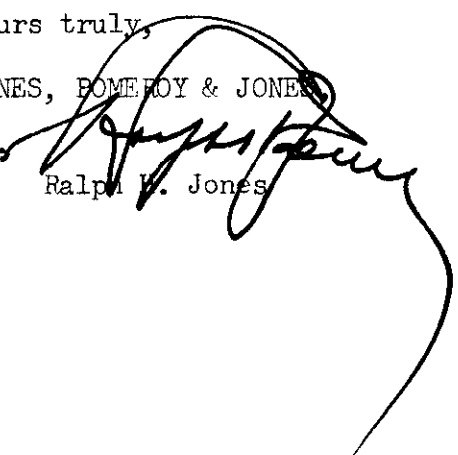
Wilda L. Carlile, as administratrix of said estate, but we wanted to have this matter verified before we return any of the documents to you.

Yours truly,

JONES, POMEROY & JONES

BY:

Ralph W. Jones



RHJ:mf

26759

January 10, 1958

Re: Permit No. 26759
Lew Carlile

Jones, Pomeroy & Jones
Lawyers
Central Building
Pocatello, Idaho

Attention: Ralph H. Jones

Dear Mr. Jones:

We wish to thank you for your letter of January 9, 1958 explaining the circumstances of the Lew Carlile estate.

In answer to your request for information in connection with the publication notice and state that providing the final distribution of the estate has not been settled the publication notice should show the name of Lew Carlile estate, signed by Wilda L. Carlile, as administratrix, also the Proofs of Completion of Works and Application of Water to Beneficial Use will be acceptable to this department signed in the same manner.

If Mrs. Carlile wishes the license to be issued in her name, it will be necessary for her to furnish this department with a copy of the distribution of the decree. In all probability, license cannot be issued until late in the fall of 1958, after the engineer from this department makes the inspection of her water supply and so forth. Due to a back log of inspections in the department, the delay on our part may allow enough time in order to have time for filing distribution of the estate papers.

We are enclosing a form for an extension of time which will automatically extend the time for Application of Water to Beneficial Use. Extension of time can be extended from one to four years on this permit, providing it would be to the advantage of the applicant.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls. Extension of Time

26759

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

RE: Permit No. 26759

BOISE

January 1, 1958

Mr. Lew Carlisle
McCammon, Idaho

Dear Sir:

Under the terms of your permit No. 26759 you are required to complete your diversion works and make proof of beneficial use on or before March 1, 1958.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public or 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.

We 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 March 1, 1958, 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.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

26759

March 18, 1957

Re: Permit No. 26759

Mr. Lew Carlile
McCannon, Idaho

Dear Mr. Carlile:

We wish to thank you for your letter of March 15 recieved this morning and appreciate calling this to our attention. However, we have already recorded this permit and it was in order to be returned today.

In your original copy of permit sent in, we notice that you are ready to make proof of completion of works and beneficial use on the above numbered permit.

Proof of completion of works should be made on Form 6 enclosed and returned to this department with the fee of \$5.00 required in connection therewith.

Proof of beneficial use requires publication once a week for four weeks in a county newspaper. This notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom the proof is to be made.

The proof may be made at McCannon or any place convenient for you and your two witnesses and the time must be set far enough ahead to allow for four weeks' publication.

Both copies of Form 10 to be returned to this department together with Form 11 which is authorization for us to have the notice published at your expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the forms of depositions to be executed by yourself and two disinterested witness in making the proof.

Departmental receipt No. 28449 (enclosed with your permit mentioned above) was issued covering the \$5.50 filing fee received February 13, 1957.

Yours very truly,

MARK R. KULP
State Reclamation Engineer

Chief Clerk

ER:ab

Enclosures (5)

Permit enclosed

26759

26759

Mr. Cammon Hale

Mar 10 - 57

Bureau of Reclamation
Boise Idaho

RECEIVED
MAR 18 1957

Department of Reclamation

Gentlemen

Some time ago I sent you a filing
on 135 ins. of water from Marsh Creek.
The filing was returned to me for
correction. and same was returned by
me to the Bureau of Reclamation.

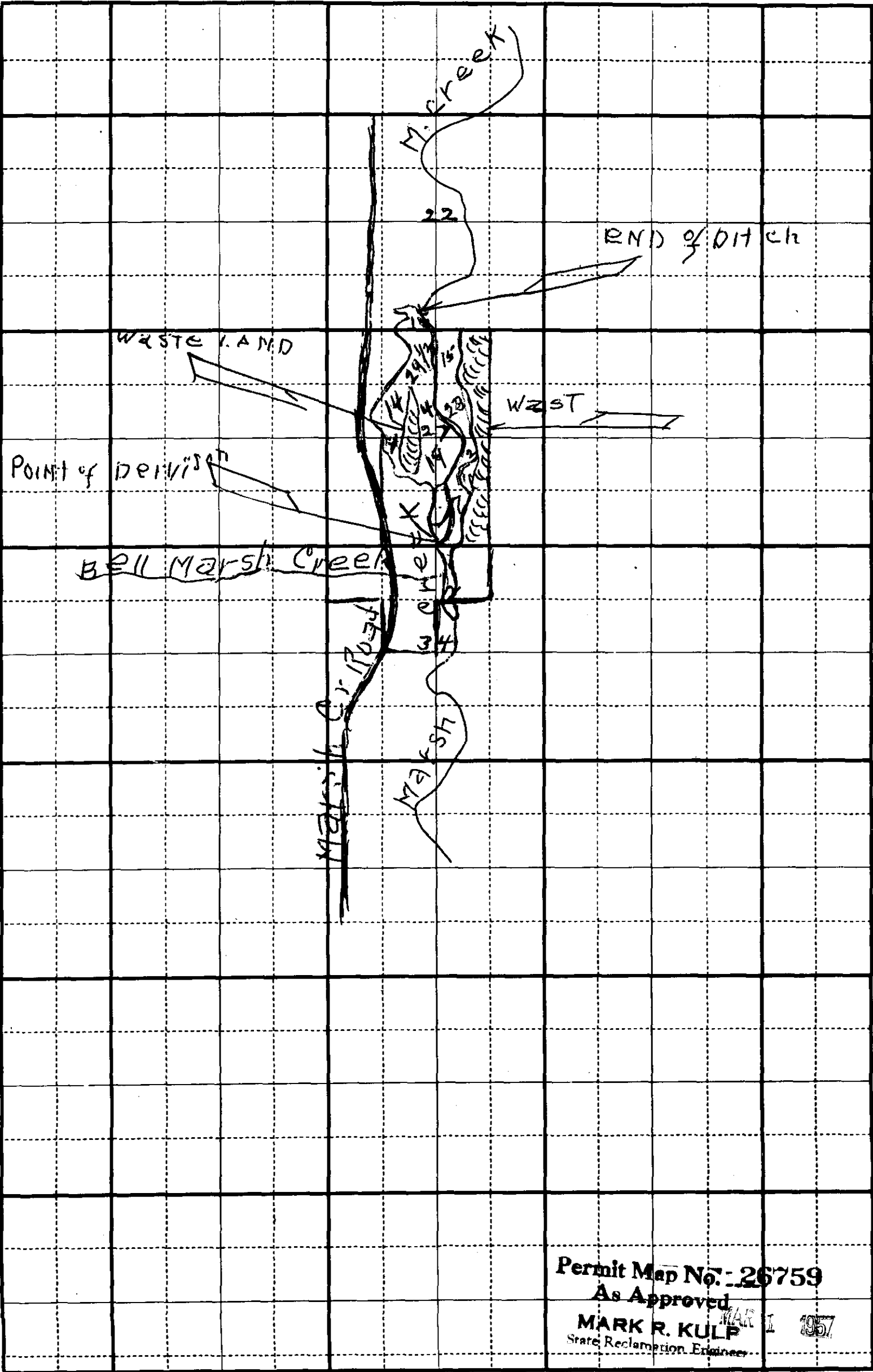
I have heard nothing more from your
office. And am wondering if you rec.
the filing?

Yours very truly
Pete Carlisle

will go out today 3-18-57
EX

26759

Leel Carlile



Permit Map No. 26759
As Approved
MARK R. KULP
State Reclamation Engineer

26759

McCammmon Ida.
2/8/57

RECEIVED
FEB 1 11 1957
Department of Reclamation

Dep. of Reclamation
5 ~~lot~~ House
Boise Ida.

Gentlemen;

Thank you for your filing permit: which
I have signed and am returning

Yours very truly
Lew Cassile

26759

January 28, 1957

Mr. Lew Carlile
McCammon
Idaho

Dear Mr. Carlile:

We acknowledge receipt of your Application for Permit to file on the waters of Marsh Creek, Bannock County.

Accordingly with your request to re-copy your permit, we have taken the liberty to copy it for you and have enclosed it for your signature.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:nls
Encl: (1)

26759

OK Am 15-2

Copy

Address all communications to

(Form No. 1)

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. _____

Permit No. _____

District No. _____

1. Name of applicant: Paul Carlile
Post office address McCarrison County Bannock 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: _____ cubic feet per second

3. Source of water supply: Marsh Creek
which is tributary of Portney River

4. Location of point of diversion: 1/4 Mile East feet distant from the S.W. corner of Section 27, T. 8 S R. 36 E, B. M., and is in the S E 1/4 of Section 27, T. 8 S R. 36 E, B. M., County of Bannock

5. Water is to be used for: Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: _____ feet distant from _____ corner of Section _____ T. _____, R. _____, B. M., in the _____ of Section _____, T. _____, R. _____, B. M.

(b) Amount of power generated: _____ H. P., under _____ feet head.

(c) Water is to be returned to _____ at a point _____ feet distant from the _____ corner of Section _____, T. _____, R. _____, B. M., in the _____ of Section _____, T. _____, R. _____, B. M.

7. Estimated cost of works: \$ _____

8. Kind of works: Ditch
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam _____ feet; length of dam at top _____ feet; length of dam at bottom _____ feet; material used in dam 5

10. Size of headgate: Width 32" feet; Height 32" feet

11. Ditch: Width at bottom 4' feet; Width at water line 6' feet; Depth of water 18" feet;

Dimensions of flume 12' long; Diameter of pipe 32" inches;

Length of conduit _____ miles. Average grade per mile 2 per 100 ft. feet.

26759

12. The time required for the completion of such work is work is completed years.
13. The time required for the complete application of the water to the proposed use is not additional years.
14. The land to be irrigated is described in the following tabulation:
(Give irrigable acreage in each 40-acre subdivision)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8	36	22				X			X										18
~~8~~	~~36~~	~~27~~		~~X~~			~~X~~												~~15~~
~~8~~	~~36~~	~~24~~																	~~29 1/2~~
8	36	27		X			X												15-
			X					X											29 1/2
						X					X								14
						X					X								4
					X						X								23
			X						X										19
	<i>also</i>							X		X									
8	~~36~~	34						X		X									2
					X					X									7
	<i>also</i>				~~X~~					~~X~~									~~4~~
			X		X														4

Total Number of Acres to be Irrigated 135 1/2

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: _____

26757

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: _____

Remarks: All works on ditch except head gates
were completed prior to the year of
1924

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.

Paul Carlisle

Applicant.

By L.C., Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, _____, of _____, County of _____, State of _____, do hereby certify that I am the owner of the land on which the spring mentioned in the application of _____ is located, to-wit: _____

and that I do hereby grant unto the said _____ permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO
County of _____ } ss.

On this _____ day of _____, 195____, before me, a Notary Public for the State of Idaho, residing at _____, personally appeared _____ known to me to be the person whose name _____ subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires _____

Notary Public.

26759

Approval of State Reclamation Engineer

The number of this permit is _____

Recorded in Book _____ Page _____ Approved _____

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 before _____

Work to begin on or before _____, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before _____

The whole of said work to be completed on or before _____

Beneficial use of water appropriated in accordance herewith, to be made on or before _____

Witness my hand this _____ day of _____, 195_____.

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, _____ Governor of the State of Idaho, and _____, 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 _____ day of _____, 195_____.

Countersigned:

STATE OF IDAHO

By _____
Secretary of State.

By _____
Governor.

No. _____	
PERMIT	
Date of first receipt at office of State Reclamation Engineer 9/10/57 11/25/57	
Returned to applicant for correction	
Corrected application received	
Fees, \$ 5.50	
FILING FEES FOR USE PERMIT:	
For the first Sec. Ft. \$5.00	
For each additional Sec. Ft. or Fraction	
Thereof 25	

26757

1/22/57

RECEIVED
JAN 25 1957
Department of Reclamation

Dep. of Reclamation
State House
Boise Idaho

Gentlemen I am enclosing my check
for \$5.50 and am filing on 135" of water from
Marsh Creek

I would like to recopy if you will please
send me a blank. as I have made several
mistakes

Yours very truly
Pue Carlile

26759

against the capital stock of the Dempsey Irrigating Company and \$4.00 per share against the capital stock of the Topaz Irrigation Company.

Said assessments are now due and are payable on or before July 19th, 1958, to John H. Roberts.

Any stock upon which these assessments remain unpaid on the 19th day of July, 1958, will become delinquent and will be advertised for sale at public auction unless payments are made before August 19th, 1958, will be sold on that date to pay delinquent assessments and cost of advertising and expense of sale.

Dated this 30th day of June, 1958.

JOHN H. ROBERTS
Secretary
7-18-58M

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

NOTICE IS HEREBY GIVEN that at 11 A. M. on the 30th day of August, 1958, at Pocatello, County of Bannock, State of Idaho, before Ralph H. Jones, Notary Public, proof will be submitted of the application to beneficial use of 2.72 cubic feet per second of the

The McCammon News, McCammon, Idaho

Friday, July 18, 1958

waters of Marsh Creek, a tributary of the Portneuf River in accordance with the terms and conditions of Permit No. 26759 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is the Estate of Lewis W. Carlile, also known as Lew Carlile, deceased.

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

The amount applied to beneficial use is 2.72 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) 18 acres from the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22; 15 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27; 23 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27; 30 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27; 18 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27; 10 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27; 13 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27; 7 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27; 2 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34; all located in T8S, R 36 E. B. M.

The name of the canal or ditch

or other works by which said water is conducted to such place of use is Marsh Creek.

The right to take water from such works is based upon Permit No. 26759.

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

Creek, a tributary of the Portneuf River.

The date of priority which said user is prepared to establish is Jan 25, 1957.

GEO. N. CARTER
State Reclamation Engineer
8-8-58M

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

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

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GEO. N. CARTER

State Reclamation Engineer
8-3-4M

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The name of the canal or ditch

Creek, a tributary of the Portneuf River.

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GEO. N. CARTER

State Reclamation Engineer
8-3-4M

LEGAL NOTICES

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

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GEO. N. CARTER
State Reclamation Engineer
8-8-4M

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State Reclamation Engineer
8-8-4M