

State of Idaho
License and Certificate of Water Right

Water License No. 26551

Amount 5 c.f.s.

Water District No.

Priority August 20, 1956

THIS IS TO CERTIFY that ARTHUR J. FAGNANT
of Lava Hot Springs, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 20, 1956; that Permit No. 26551
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.5, second feet, was issued thereunder on August 28, 1958, showing that said works
were completed on the 21 day of August, 1958; and that on the 2nd
day of October, 1958,

ARTHUR J. FAGNANT

of Lava Hot Springs, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a spring
, a tributary of irrigation canal, for the purpose of irrigation
, under Use Permit No. 26551 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 6824, on the 18 day of November, 1959;

The right hereby confirmed dates from August 20, 1956;

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 29, Tp. 9 S., R. 38 E., B. M. Bannock 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 .5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	38 E.	29	NE 1/4 SW 1/4 SE 1/4 SW 1/4	40 40	15 10
			Total number of acres to be irrigated:		25

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

18 day of November, 1959.

s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

SCANNED

MAY 09 2001

29 2370

29 2370

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 34452
 PERMIT No. 26551
 DISTRICT No.

Arthur J. Fagnant
 Lava Hot Springs
 Idaho

1. Name of Applicant: ARTHUR J. FAGNANT

Postoffice address: Lava Hot Springs

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: 25 inches or 1/2 cubic feet per second.

3. Source of water supply: Spring, flows into Topaz which is a tributary of Irrigation Canal

4. Location of point of diversion: Approx. 1320 feet distant from the SW

corner of Section 29, T. 9 S, R. 38 E, B.M., and is in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$

of Section 29, T. 9 S, R. 38 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: \$ 600.00

8. Kind of works: Dam and sprinkler system

9. Height of dam 6 feet; length of dam at top 8 feet; length of dam at bottom 33

feet; material used in dam: Dirt

10. Size of headgate: Width 10 inches feet; height 4 ft. feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe 10 inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 2 years.

13. The time required for the complete application of the water to the proposed use is -- 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: 10 in. Aug. 1, 1891, Dempsey Creek --
 Remarks.

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.

ARTHUR J. FAGNANT

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. August 20, 1956

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26551
Recorded in Book 94 Page 26551 Approved Oct. 4, 1956
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 December 4, 1956 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 October 4, 1957
The whole of said work to be completed on or before October 4, 1958
Beneficial use of water appropriated in accordance herewith, to be made on or before October 4, 1958

WITNESS My hand this 4th day of October, 1956

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, 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 4th
day of October, 19 56. STATE OF IDAHO

Countersigned:

(SEAL)

By _____ JAS. H. YOUNG

Secretary of State.

By ROBERT E. SMYLLIE

Governor.

REMARKS: There are two decrees from Dempsey Creek one of 10 in. Aug. 1, 1891 and one of 60 in. Mar. 1, 1894 to irrigate approx. 80 acres in the SW $\frac{1}{4}$ and the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec. 29, and the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of S. 32, T 9 S, R. 38 E.B.M.

The 60 in. decree is a high water one and barely irrigates some of the land once. Of the 25 acres I am making application to irrigate, 15 acres is new ground and has no water decree.

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 $\frac{1}{4}$	
9 S	38 E.	29									25								25
Permit No. 26551 Certificate of Completion of Works																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that ARTHUR J. FAQNANT of Lava Hot Springs, County of Bannock, and State of Idaho, the holder of Permit No. 26551, issued upon Application No. 34452 bearing date of priority of August 20, 1958, authorizing the diversion of .50 second feet of waters of Spring, flows into Topaz, tributary of Irrigation Canal, 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 .50 second feet of the waters of Spring (un-named and on own land) that the point of diversion of said waters SE$\frac{1}{4}$SW$\frac{1}{4}$ Section 29, Township 9 South, Range 38 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 25 acres in the SE$\frac{1}{4}$SW$\frac{1}{4}$ of Section 29, Township 9 South, Range 38 East, B.M. Proof of Completion of Works made August 21, 1958 Witness my hand this 28th day of August, A.D. 1958 /s/ Geo. N. Carter State Reclamation Engineer Proof of Completion of Works made: August 21, 1958 Certificate of Completion of Works issued: August 28, 1958																			

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 26551

Comes now ARTHUR J. FAGNANT and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 26551.

That the point of diversion is described in said permit as being located $SE\frac{1}{4}SW\frac{1}{4}$, Sec. 29, T. 9 S., R. 38 E.

That he now requests that the point of diversion be changed to a point located $NE\frac{1}{4}SW\frac{1}{4}$, Sec. 29, T. 9 S., R. 38 E.

That the reason for desiring to make such change is as follows: An error was made in designating the point of diversion. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Lava Hot Springs, Idaho, this 16th day of November, 1959.

/s/ Arthur J. Fagnant

Date of receipt at Department of Reclamation: November 17, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 26551. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

GEO. N. CARTER
State Reclamation Engineer
By

/s/ E.N. Humphrey
Deputy

Recorded: November 17, 1959

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 26551

Comes now ARTHUR J. FAGNANT, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 26551, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

$E\frac{1}{2}SW\frac{1}{4}$, Sec. 29, T. 9 S. Rge. 38 E., B.M..

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Lava Hot Springs, this 16th day of November, 1959

/s/ Arthur J. Fagnant

Date of receipt at office of Department of Reclamation: November 17, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 26551. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

GEO. N. CARTER
State Reclamation Engineer

/s/ E.N. Humphrey
Deputy

Recorded: November 17, 1959

LICENSE ISSUED FOR 0.5 SEC. FT.
Page 6824

November 18, 1959

RE: Permit No. 26551

Arthur J. Fagnant
Lava Hot Springs, Idaho

Dear Mr. Fagnant:

Enclosed are License and Certificate of Water Right, Amendment to the Point of Diversion, and Amendment to the Land List under Permit No. 26551 which have been recorded in this office.

Due to an over-sight you were billed for the fee for completion of works. The Certificate of Completion of Works was issued on August 28, 1958. Therefore we are returning the \$5.00 to you. We enclose departmental receipt No. 29872 in the amount of \$4.00 for the fee for the License and Certificate of Water Right.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:mr
Enc. license
amendments 2
\$5.00
receipt

26551

Statement of Reclamation

26551

Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. 26551

NOV 1 1917
 DEPARTMENT OF AGRICULTURE
 BUREAU OF RECLAMATION

Comes now ARTHUR J. FAGNANT, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 26551, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

E 1/2 Sec. 29, T. 9 S., Rge. 38 E., B. M.
E 1/2 S W 1/4

(1) Amount of water to be used for irrigation
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26551

September 23, 1959

Re: Permit No. 26551

Mr. Arthur J. Fagnant
Lava Hot Springs, Idaho

Dear Mr. Fagnant:

Our engineer's report on his inspection of proof of beneficial use of water under the terms of Permit No. 26551 shows the unnamed spring is capable of conveying 25 miner's inches (.5 c.f.s.) of water for the irrigation of 25 acres.

Upon receipt of the statutory fees of \$9.00 we will issue the Certificate of Completion of works (fee \$5.00) and the License and Certificate of Water Right (fee \$4.00 - based at the rate of \$2.00 for each 40-acre subdivision) confirming the right with priority of August 20, 1956, to the use of 0.5 second feet of surface water, with the point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, for the irrigation of 25 acres in the E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29, T.9 S., R. 38 E., B. M.

We enclose Applications for Amendment of the point of diversion and the land list which should be signed and returned to this office together with fees mentioned above.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew
Enc. amendment (2)

26551

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

Permit No. 26551

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

1. Name of applicant Arthur J. Fagnant, Lava Hot Springs, Idaho

2. Source of water supply: An unnamed spring

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29

T. 9 S. R. 38 E. County of Bannock

4. Describe works as they exist, giving dimensions and capacities of same: Ford Diesel Tractor 42 hp on belt = power unit. Cornell Cent. pump 4" x 3" = pump. 25 nozzle sprinkler line used. This was borrowed from a neighbor and used for one complete 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):

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, Twp. 9 South, Range 38 East, B. M.

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

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

Remarks: Mr. Fagnant along. Water rises on his place, flows into a small holding pond just above the Topaz canal. Water then delivered by sprinkle. He wants the full 25 inches.

This examination was made on the 8 day of Sept, 1959

(Signed) E. M. Humphrey Examiner

26551

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
SEP 22 1959

Department of Reclamation

Arthur J. Fagnant
Lava Hot Springs, Idaho

Permit No. 26551

Examination for Beneficial Use

County Bannock
29-9S.-38E.

Q = 0.5 a.f.s.

S = Spring

P.E. = SE, SW, Sec. 29, T. 9 S. - R. 38 E.

Use = Irrigation

Filed - Aug. 20, 1956

Approved - Oct. 4, 1958

10" 8/1/91 General Cr.

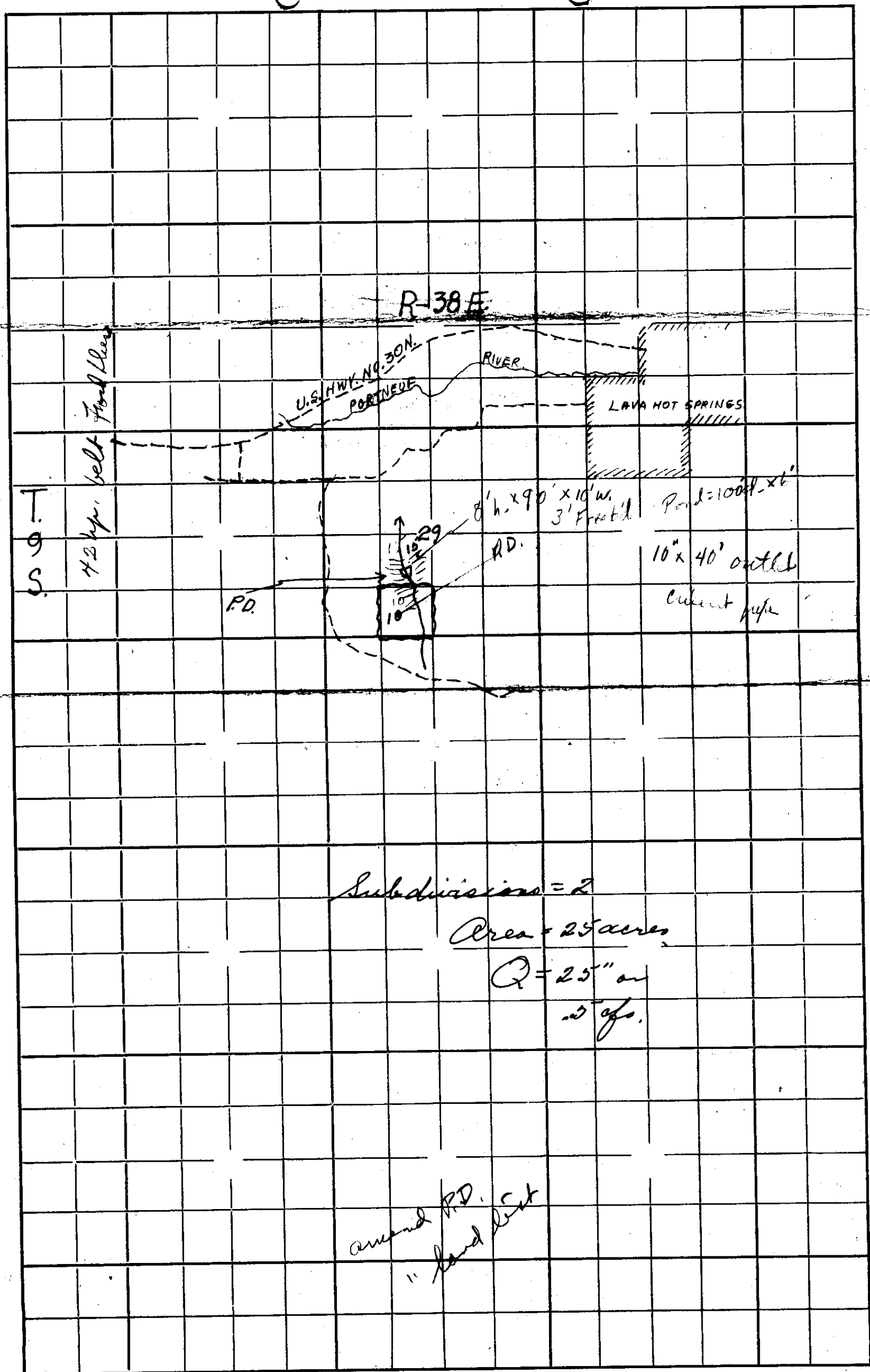
C/W = 8-28-58.

Cornell center.

4" x 3" # 2710

3 RF-6 model

6 R belt drive



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 26551

REPORT ON PROOF OF Beneficial Use

Arthur J. Fagnant, Lava Hot Springs, Idaho

Sept. 1, 1959

Re: Permit # 26551

Mr. Arthur J. Fagnant
Lava Hot Springs, Idaho

Dear Mr. Fagnant:

Statutes requires a field inspection in connection with the proofs on Permit # 26551 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 morning,

September 9, 1959.

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

26551

ENH:ew

Form A

October 16, 1958

Re: Permit No. 26551

Mr. Arthur J. Fagnant
Lava Hot Springs
Idaho

Dear Mr. Fagnant:

We have corrected the land list as described in your proofs of Beneficial Use on Permit No. 26551, in accordance with your request, to show SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, Twp. 9 South, Range 38 East, B. M.

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

We cannot say just when this examination can be made, but our Field Engineer will try and contact you at the time set for inspection, so that you may arrange to show him over the project.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

A

Chief Clerk

26551



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

GEO. N. CARTER, STATE RECLAMATION ENGINEER

BOISE

October 10, 1958

Re: Permit No. 26551

OCT 16 1958

Mr. Arthur J. Fagnant
Lava Hot Springs, Idaho

Dear Mr. Fagnant:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the McCamson News, all submitted in proof of Beneficial Use under Permit No. 26551.

In checking these depositions, we note that Question 6 gives the place of use as in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, Twp. 9 South, Range 38 East, R. M., whereas the permit, and the published notice describe the place of use as in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of this section.

Perhaps this is a typographical error in the depositions, as the spring itself is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29. If it is an error, we can correct it in the depositions, with your permission.

On the other hand, if the correct place of use is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ instead of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, it will be necessary to amend the permit accordingly, and we shall be glad to furnish the necessary form of application for such amendment, upon request.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By *Edna P. Rutledge*
Chief Clerk

A

*Mr. Geo. N. Carter,
State Reclamation Engineer,
Boise, Idaho:*

With reference to the above letter, will state that the description given in the permit No. 26551 and the public notice is correct. The place of use is in the SE $\frac{1}{4}$ -SW $\frac{1}{4}$ of S 29 T 9 South R 38 E. Please change error on deposition. Arthur J. Fagnant

26551

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 7 1958
Department of Reclamation

Permit No. 26551

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Arthur J. Fagant, 700 N. Hot Springs Lake
Farmer, Hot Springs Lake

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

Ans. _____

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

Ans. Permit No 26551, Oct 4, 1956 Oct. 4, 1956

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

Ans. Spring, approx 1300 ft. distant from the SW corner
of S. 29, T. 11, R. 38 E. BM. in SE 1/4-SW 1/4 S. 29, T. 11, R. 38 E
Burnett 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. Spring flows into dam
14 nozzles with about 60 lbs pressure.

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 10 Acres new sage ground
and 15 Acres stubble ground
15 A in NE 1/4-SW 1/4 sec 29 T. 11 R. 38 E
10 A in NE 1/4-SW 1/4 sec 29 T. 11 R. 38 E

26551

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

Ans. Irrigation only.

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

Ans. 25 inches

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. Sept. 15th, 1958, Sprinkler system, 40 inches
water used.

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. 15 acres occasionally watered for when water available
from turnoff & high water - past 20 yrs.

(Sign)

Arthur J. Feynart

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 Lava Hot Springs, County of Bannock, State of Idaho, on this 2nd day of October, A. D. 1958.

My commission expires

March 1, 1962

26551

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 26551

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. Doc F Bailey 29 Lava Hot Springs Ida Farmer
Lava Hot Springs Ida.

Ques. 2. Are you acquainted with Arthur L. Fagmont, the holder of Permit No. 26551? How long have you known him and where does he reside?

Ans. Yes 3 years Lava Hot Springs Ida.

Ques. 3. Have you read or heard read said Permit No. 26551, 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. Spring approx 1320 ft from SW corner of Sec 29,
T92 R38E in SW 1/4 - SW 1/4 Sec 29 T92 R38E
Bannock County

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. Several feet, safely, about .5 cu ft when sprinkled

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

10 A 2 new ground in NE 1/4 - SW 1/4 - S 29, T92, R 38 E
15 A similar in NE 1/4 - SW 1/4 S 29, T92 R 38 E

26551

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

Ans. Irrigation only.

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

Ans. 25 inches

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. Sept. 15th, 1958, Sprinkler system, 40 inches water used.

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. 15 acres occasionally watered for when water available from runoff & high water - past 20 yrs.

(Sign)

Arthur J. Fagman

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 Lava Hot Springs, County of Bannock, State of Idaho, on this 2nd day of October, A. D. 1958.

My commission expires

March 1, 1962

26551

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 26551

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. Dec 7 Bailey 29. Lava Hot Springs' Ida Farmer
Lava Hot Springs' Ida.

Ques. 2. Are you acquainted with Arthur J. Fagmont, the holder of Permit No. 26551? How long have you known him and where does he reside?

Ans. Yes 3 years Lava Hot Springs' Ida.

Ques. 3. Have you read or heard read said Permit No. 26551, 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. Spring approx 1320 ft from SW corner of Sec. 29, T92 R38E in SW 1/4 - SW 1/4 Sec. 29 T92 R38E
Bannock County

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. Several feet safely, about .5 cu ft when sprinkled

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
10 A of new ground in NE 1/4 - SW 1/4 - S 29 T92 R38E
15 A Shrub in NE 1/4 - SW 1/4 S. 29 T92 R38E
SW 1/4

26551

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. 10 A. Sage land broken 1" water 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. 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. Helped install & test sprinkling system on or about 15th Sept., 1958

(Signed) Lee R. Bailey

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 Lava Hot Springs, County of Bannock, State of Idaho, on this 2nd day of October, A. D. 1958.

My commission expires March 1, 1962

Thurman Hall
Notary Public.

26551

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 26551

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. Mike Maher 64 Lava Hot Springs farmer
Lava Hot Springs Idaho

Ques. 2. Are you acquainted with Arthur J. Fagant, the holder of Permit No. 26551 yes? How long have you known him and where does he reside?

Ans. Yes 42 years Lava Hot Springs Ida.

Ques. 3. Have you read or heard read said Permit No. 26551, 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. Spring approx 1320 ft from S.W. corner of S 29
T9 R 38 E in S.E. 1/4 - S.W. 1/4 of Sec 29 T9 R 38 E
Bannock County

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. Several feet safely, about .5 cu ft. at time of writing

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. 10 Acres of new ground in NE 1/4 - SW 1/4 S 29 T9 R 38 E
15 acres of stubble in NE 1/4 - SW 1/4 S 29 T9 R 38 E
Irrigation S.E. SW

26551

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

Ans. No

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. 10 acres new ground } 25 inches
15 acres cultivated partially irrigated }

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. 15th September, 1958. Observed installation of
irrigation system & dam.

(Signed) Mike Maher

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 Lava Hot Springs, Ida, County of Bannock, State of Idaho, on this 2nd day of October, A. D. 19 58.

[Signature]

Notary Public.

My commission expires March 1, 1958/62

26551

PROOF OF PUBLICATION

STATE OF IDAHO,)
) ss.
County of Bannock)

[Signature]

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 The Bannock News, a weekly newspaper published at McLammon, 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 attest of proof, of which the annexed is a true printed copy, was published in the said The Bannock News on the following dates, to wit:

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.

Aug 27, Sept. 5, 12, 19

SUBSCRIBED and sworn to before me this 2nd day of

October

1955

[Signature]

Mildred E. Lindenschmidt
Notary Public, Bocatello, Idaho

My commission expires: Oct. 25-1959

26551

PROOF OF PUBLICATION

STATE OF IDAHO,)
) ss.
County of Bannock)

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 2nd day of October, 1958, at Lava Hot Springs County of Bannock, State of Idaho, before Terrell Hall, Lava Hot Springs, proof will be submitted of the application to beneficial use of .5 cubic feet per second of the waters of Spring in accordance with the terms and conditions of Permit No. 26551, 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 Arthur Fagnant, Lava Hot Springs, Ida.

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

The amount applied to beneficial use is .5 cubic feet per second.

The place where said water is used (if for irrigation give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of S. 29, T 9S, R. 38E., B. M. Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29., Twp. 9 S., Rge. 38 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 Sprinkler System from Dam.

The right to take water from such works is based upon Permit No. 26551.

The source of supply from which such water is diverted is Spring.

The date of priority which said user is prepared to establish is August 20, 1956.

GEO. N. CARTER,
State Reclamation Engineer
9-19-4M

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 Lava Hot Springs, a weekly newspaper published at Lava Hot Springs, 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 second of July, of which the annexed is a true printed copy, was published in the said Lava Hot Springs on the following dates, to wit:

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.

Aug 4, Sept 5, 12, 19
SUBSCRIBED and sworn to before me this 2nd day of

October 1958,
Terrell E. Hall
Notary Public, Pocatello, Idaho

My commission expires: Oct. 25-1959

26551

~~RECEIVED~~ CARTER

August 28, 1958

Re: Permit No. 26551

Mr. Arthur J. Fagnant
Lava Hot Springs
Idaho

Dear Mr. Fagnant:

Enclosed is the Certificate of Completion of Works issued under Permit No. 26551 for the diversion of .50 second foot of water from a spring, with the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, for irrigation of 25 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, Township 9 South, Range 38 East, B.M.

Enclosed also is departmental receipt #29256 for \$5.00, issued as receipt of the fee for the Certificate.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

26551

Permit No. 26551STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
AUG 22 1958
Department of Reclamation

STATE OF IDAHO

County of Bannock

ss.

Arthur J. Fagnant, 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. 26551, and that his postoffice address is Lava Hot Springs State of Idaho.Second: That the name of the stream from which said water is to be diverted is An named spring on own land.Third: That the point of diversion of said water is Approx 1320 ft from the D.W. corner of S. 29 in the SE 1/4 of SW 1/4 of T. 9 N. R. 38 E. B.M. Bannock Co.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Oct. 4, 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 (~~or were not~~) fully completed and consisted of the following:I. Kind of works: Dam & Sprinkler system
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 6 feet, length of dam at top 8 feet, length of dam at bottom 33 feet. Material used in construction Dirt

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 1.3 acre feet.(c) Size of headgate: Width 10 feet, height 4 feet.(d) Conduit Pipe width at bottom — feet, width at water line —
(State whether ditch, flume or pipe)feet, depth of water — feet; diameter of pipe 10 inches, average grade per mile is — feet. Length of conduit is 0.2 miles.Seventh: That said works are capable of conducting to the place of intended use 0.5 second feet of water.Eighth: That water appropriated under said permit is available for 2.5 acres of land described as follows: SE 1/4 of the SW 1/4 of S. 29 T. 9 N. R. 38 E. B.M. Bannock CountyNinth: . Remarks: That A sprinkler is used to irrigate the land,Arthur J. Fagnant
(Sign Here)Subscribed and sworn to before me this 21st day of August, 1958My commission expires March 1, 1962 Thos. C. Hayes Notary Public.

26551

August 22, 1958

RE: Permit No. 26551

Mr. Arthur J. Fagnant
Lava Hot Springs, Idaho

Dear Mr. Fagnant:

This acknowledges the Notice of Proof of Beneficial Use under Permit No. 26551, to be made at 10:00 A. M. On the 2nd day of October, 1958, before Terrell Hall, Notary Public.

As of this date we have mailed the Notice to The McGasmon News, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then to mail the affidavit of publication and statement of costs to you.

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

In returning the depositions to this office, be sure that all copies have been signed, the 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

Chief Clerk

RFR

cc: Terrell Hall
Lava Hot Springs, Idaho

26551

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

DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: August 22, 1958

RE: Permit No. 26551

The McCannon News
McCannon, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to October 2, 1958 the date set for proof;
the expense of the publication is to be paid by the applicant

 Arthur J. Fagnant of Lava Hot Springs, 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
By

Chief Clerk

** 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.

26551

RECEIVED
AUG 20 1958
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Aug 20, 1958
(P. O.) Lata Hot Springs, Ida

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

The McComman News of McComman, Ida published in
the county in which the works are situated.

Arthur J. Fugman

(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.

26551

RECEIVED

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

Department of Reclamation

Notice is hereby given that at 10 A. M. on the 2 day of October, 1958,
 at Lara Hot Springs, County of Bannock, State of Idaho, before
Terrell Hall Lara Hot Springs, proof will be submitted of the
 application to beneficial use of 5 cubic feet per second of the waters of Spring
 in accordance with the terms and conditions of Permit No. 26551
 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

Arthur J. Lysman, Lara Hot Springs

The use to which said water has been applied is

Irrigation

The amount applied to beneficial use is

5 cubic feet per second

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

SE 1/4 of the NW 1/4 of S 29 T 9 S 38 E B M

Bannock County

Point of Diversion: SE 1/4 SW 1/4 of Sec. 29., Twp. 9 S., Rge. 38 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

✓ Sprinkler System from Dam

The right to take water from such works is based upon Permit No. 26551

The source of supply from which such water is diverted is

Spring

August 20, 1956

The date of priority which said user is prepared to establish is

August 20, 1956

Geo. H. Carter

State Reclamation Engineer.

26551

7.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

RE: Permit No. 26551

Date August 1, 1958

Arthur J. Fagnant
Lava Hot Springs
Idaho

Dear Sir:

Under the terms of your Permit No. 26551 you are required to make proofs of completion of works and application of water to beneficial use on or before October 4, 1958.

We enclose Form 6 to be filled in and sworn to by you before a Notary Public, and returned to this department on or before the above date, for making proof of completion under the permit. Upon receipt of this affidavit, provided same satisfactorily shows the completion of 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 enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated--by 40-acre legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

Also enclosed is Form 11, which is the authorization for us to have the Notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper will will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Enc.

26551

October 11, 1956

RE: Permit No. 26551

Mr. Arthur J. Fagnant
Lava Hot Springs
Idaho

Dear Mr. Fagnant:

We enclose Permit No. 26551 and 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. 28177 for the \$5.00 filing fee.

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

26551

NAME OF APPLICANT

Arthur J. Fagnant

Form No. 0

29

10A ~~10~~ 15A

Permit Map No. **26551**
As Approved
MARK R. KULP JUN 4 1956
State Reclamation Engineer

September 18, 1956

Mr. Arthur J. Fagnant
Lava Hot Springs
Idaho

Dear Mr. Fagnant:

We acknowledge receipt of your letter of September 6, 1956, regarding specifications and information in regard to the reservoir which you proposed to construct in connection with the Application for Permit which you submitted August 20, 1956.

From the specifications which you give it will not be necessary for you to file a reservoir storage permit for the reservoir water in addition to the water filed on in the spring.

Therefore, we are returning your check in the amount of \$10.00 and ask you to replace it with a check in the correct amount of \$5.00.

Please give this matter your immediate attention so that the processing of this Permit can be started at once.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

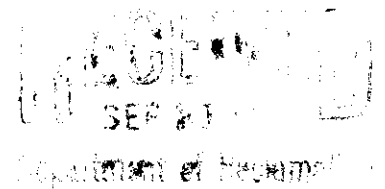
Chief Clerk

EPR
Enc.



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER
BOISE



September 18, 1956

Mr. Arthur J. Fagnant
Lava Hot Springs
Idaho

Dear Mr. Fagnant:

We acknowledge receipt of your letter of September 6, 1956, regarding specifications and information in regard to the reservoir which you proposed to construct in connection with the Application for Permit which you submitted August 20, 1956.

From the specifications which you give it will not be necessary for you to file a reservoir storage permit for the reservoir water in addition to the water filed on in the spring.

Therefore, we are returning your check in the amount of \$10.00 and ask you to replace it with a check in the correct amount of \$5.00.

Please give this matter your immediate attention so that the processing of this Permit can be started at once.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A handwritten signature in cursive script, reading "Edwin F. Rutledge".

Chief Clerk

EPR
Enc.

26551

Lava Hot Spring, Idaho

Sept. 5, 1956

Department of Reclamation
Boise, Idaho

RECEIVED
SEP 6 1956
Department of Reclamation

Gentlemen:

In answer to your letter of Aug 27th asking for more information regarding the Reservoir I propose to construct, will say that it is practically an over night dam.

The crest will be approx. 6 ft. The dept of the water will be from 1 to 4 ft, about an average of 2 ft. over an area of about $\frac{1}{2}$ acre. I intend to fill same from the flow of the spring, also what waste water enters from land irrigated above.

It is my intention to use this reservoir in times when not using the 25 inches directly on the land in order to get a larger head for the sprinkler system, if necessary.

My check for \$10.00 included \$5.00 filing fees for storage rights if necessary.

Resp.

Arthur J. Fagnant.

26551

August 27, 1956

Mr. Arthur J. Fagnant
Lava Hot Springs
Idaho

Dear Mr. Fagnant:

We wish to acknowledge receipt of your application for Permit to appropriate the water from a spring which you state now flows into Topaz Irrigation Canal.

We are returning said application for the reason that you inadvertently forgot to sign same. Also, we need additional information in regard to your reservoir which you propose to construct in connection with said permit.

We would like to know the capacity of said reservoir, also how you intend to fill same. Is the water applied for under this permit from the spring to be used in filling said reservoir or is it to be filled from other sources of supply? Also, is it the intention of the applicant to use this reservoir in times when not using the 25 inches directly on the land and in order to get a larger head for said sprinkler system? We desire this information for the reason that it may be necessary that you file a reservoir storage permit for the reservoir water in addition to the water filed on in the spring.

Please give us all the necessary information that you can regarding the use of said reservoir.

Also please answer No. 7 in the application and also answer question 15, sign same and return to this department.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:vm
Enc.

26551

Lana Hot Springs Idaho
Aug 17, 1956.

Department of Reclamation
State House.
Boise Idaho.

RECEIVED
AUG 20 1956
Department of Reclamation

Gentlemen:

Attached please find application for
water permit also check for \$10.00
\$5.00 for permit of 25 inches of spring
water and \$5.00 for small storage
dam of less than 250 cu. ft

Resp.

Arthur Fagnant.

26551

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

Notice is hereby given that at 10 A. M. on the 2nd day of October, 1938, at Lava Hot Springs, County of Bannock, State of Idaho, before Terrell Hall, Lava Hot Springs, proof will be submitted of the application to beneficial use of 5 cubic feet per second of the waters of Spring in accordance with the terms and conditions of Permit No. 26551 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 Arthur Egan, Lava Hot Springs, Ida.

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

The amount applied to beneficial use is 5 cubic feet per second.

The place where said water is used (if for irrigation give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of S. 29, T 9S, R. 33E., B. M. Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29., Twp. 9 S., Rge. 33 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 Sprinkler System from Dam.

The right to take water from such works is based upon Permit No. 26551.

The source of supply from which such water is diverted is Spring.

The date of priority which said user is prepared to establish is August 20, 1938.

8/29 GEO. N. CARTER
State Reclamation Engineer

9-19-4M

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

Notice is hereby given that at 10 A. M. on the 2nd day of October, 1938, at Lava Hot Springs, County of Bannock, State of Idaho, before Terrell Hall, Lava Hot Springs, proof will be submitted of the application to beneficial use of 5 cubic feet per second of the waters of Spring in accordance with the terms and conditions of Permit No. 28551 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 Arthur Fagnant, Lava Hot Springs, Ida.

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

The amount applied to beneficial use is 5 cubic feet per second.

The place where said water is used (if for irrigation give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of S. 29, T. 9S, R. 33E., B. M. Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29., Twp. 9 S., Rge. 33 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 Sprinkler System from Dam.

The right to take water from such works is based upon Permit No. 28551.

The source of supply from which such water is diverted is Spring.

The date of priority which said user is prepared to establish is August 20, 1906.

8/29
GEO. N. CARTER,
State Reclamation Engineer

9-19-4M

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

Notice is hereby given that at 10 A. M. on the 2nd day of October, 1908, at Lava Hot Springs, County of Blaine, State of Idaho, before Terrell Hall, Lava Hot Springs, proof will be submitted of the application to beneficial use of 5 cubic feet per second of the waters of Spring in accordance with the terms and conditions of Permit No. 26551 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 Arthur Fegant, Lava Hot Springs, Ida.

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

The amount applied to beneficial use is 5 cubic feet per second.

The place where said water is used (if for irrigation give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of S. 29, T. 9S, R. 38E, B. M. Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29, Twp. 9 S., Rge. 38 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 Sprinkler System from Dam

The right to take water from such works is based upon Permit No. 26551.

The source of supply from which such water is diverted is Spring.

The date of priority which said user is prepared to establish is August 20, 1908. ✓

GEO. N. CARTER, ✓

State Reclamation Engineer

9/5

9-19-08

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

Notice is hereby given that at 10 A. M. on the 2nd day of October, 1956, at Lava Hot Springs County of Bannock, State of Idaho, before Terrell Hall, Lava Hot Springs, proof will be submitted of the application to beneficial use of 5 cubic feet per second of the waters of Spring in accordance with the terms and conditions of Permit No. 28551 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 Arthur Fagnant, Lava Hot Springs, Ida.

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

The amount applied to beneficial use is 5 cubic feet per second.

The place where said water is used (if for irrigation give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of S. 29, T 9S, R. 36E., B. M. Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29., Twp. 9 S., Rge. 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 Sprinkler System from Dam.

The right to take water from such works is based upon Permit No. 28551.

The source of supply from which such water is diverted is Spring.

The date of priority which said user is prepared to establish is August 20, 1956.

GEO. N. CARTER,
State Reclamation Engineer

9-19-4M

LEGAL NOTICES

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 2nd day of October, 1956, at Lava Hot Springs, County of Bannock, State of Idaho, before Terrell Hall, Lava Hot Springs, proof will be submitted of the application to beneficial use of .5 cubic feet per second of the waters of Spring in accordance with the terms and conditions of Permit No. 26551, theretofore 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 Arthur Fagnant, Lava Hot Springs, Ida.

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

The amount applied to beneficial use is .5 cubic feet per second.

The place where said water is used (if for irrigation give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of S. 29, T. 9S, R. 38E., B. M. Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29., Twp. 9 S., Rge. 38 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 Sprinkler System from Dam.

The right to take water from such works is based upon Permit No. 26551.

The source of supply from which such water is diverted is Spring.

The date of priority which said user is prepared to establish is August 20, 1956.

GEO. N. CARTER,
State Reclamation Engineer

7/12/58 9-19-AM