

SCANNED

APR 30 2001

State of Idaho

License and Certificate of Water Right

Water License No. 25218

Amount 0.7 second foot

Water District No.

Priority January 16, 1954

THIS IS TO CERTIFY that D. O. BARNES
 of Downey, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated October 8, 1954; that Permit No. 25218
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 1.98 second feet, was issued thereunder on January 9, 1956, showing that said works
 were completed on the 7th day of December, 1955; and that on the 19th
 day of January, 1956,
 D. O. BARNES
 of Downey, 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. 25218 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
 9 of Licenses at page 5690, on the 13th day of April, 1956;
 The right hereby confirmed dates from January 16, 1954;

The Point of Diversion is located at various points as Marsh Creek runs through the land
 in the S $\frac{1}{2}$ ~~1/4~~ ~~3/4~~ Sec. 5, Tp. 12 S., R. 37 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 0.7 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S.	37 E.	5	NE $\frac{1}{4}$ SW $\frac{1}{4}$	12	--
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	12	--
			S $\frac{1}{4}$ SW $\frac{1}{4}$	12	--
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	12	--
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	12	--
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	12	--
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	12	--
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	15.52	--
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	--	15
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	--	15
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	--	5
			Number of Acres Actually Irrigated		

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
 13th day of April, 1956.

(SEAL)

MARK R. KULP
 State Reclamation Engineer.

State of Idaho

License and Certificate of Water Right

Water License No. G-23520

Amount 0.76 second foot

Water District No.

Priority January 6, 1953

THIS IS TO CERTIFY that DAVID OCHSNER
 of Caldwell, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated January 6, 1953; that Permit No. G-23520
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 0.76 second foot, was issued thereunder on April 11, 1956, showing that said works
 were completed on the 14th day of November, 1955; and that on the 14th
 day of November, 1955,

DAVID OCHSNER

of Caldwell, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of two wells
 (subterranean flow), for the purpose of irrigation and dom-
 estic use, under Use Permit No. G-23520 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
 9 of Licenses at page 5689, on the 11th day of April, 1956;
 The right hereby confirmed dates from January 6, 1953;

The Points of Diversion are located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$

~~Section~~ ~~26~~ Sec. 26, Tp. 4 N., R. 3 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 0.76 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	3 W.	26	SE $\frac{1}{4}$ NE $\frac{1}{4}$	16	16
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	22	23
			Number of Acres Actually Irrigated		39

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
 11th day of April, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

29-2356

APPLICATION No. 33061
 PERMIT No. 25218
 DISTRICT No.

Anderson & Anderson
 Box 327
 Pocatello, Idaho

1. Name of Applicant: D. O. BARNES

Postoffice address: Downey

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: 1.98

cubic feet per second.

3. Source of water supply: Marsh Creek, approximately one mile southwest of Downey / which is a tributary of Portneuf River

4. Location of point of diversion: See Remarks

feet distant from the NW

corner of Section 5, T. 12 S., R. 37 E., B.M., and is in the S $\frac{1}{2}$

of Section 5, T. 12 S., R. 37 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: \$ 3,000.00

8. Kind of works: Portable pump, pipe and sprinkler system

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

feet; material used in dam:

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

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

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Three months ~~year~~

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: None

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

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

D. O. BARNES *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. October 8, 1954

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 25218

Recorded in Book 89 Page 25218 Approved October 11, 1954

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 11, 1954 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 **April 11, 1955**

The whole of said work to be completed on or before **October 11, 1955**

Beneficial use of water appropriated in accordance herewith, to be made on or before October 11, 1955

WITNESS My hand this 11th day of October, 1954

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN, Governor of the State of Idaho,

and Ira H. MASTERS, 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 11th

day of October, 19 54.

STATE OF IDAHO

Countersigned:

(SEAL)

By **LEN JORDAN**
Governor.

By IRA H. MASTERS
Secretary of State.

REMARKS: This water to be appropriated by means of a portable pump and sprinklers, the water to be pumped out of Marsh Creek at various points as it runs through the land.

14.

[illegible]

Permit No. 25218
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that D. O. Barnes of Downey, County of Bannock, and State of Idaho, the holder of Permit No. 25218, issued upon Application No. 33061 bearing date of priority of October 8, 1954, authorizing the diversion of one and ninety eight hundredths (1.98) second feet of the waters of Marsh Creek which is a tributary to Portneuf River 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 1.98 second feet of the waters of Marsh Creek; that the point of diversion of said waters is at various points along Marsh Creek as it runs thru the land in S₂, Sec. 5, Twp. 12S. Range 37E B.M. and that the lands proposed to be irrigated by the use of said water are described as follows. to-wit: SE₄¹; SW₄¹; of Sec. 5, (SE₄¹ and SW₄¹) Twp. 12 S of Range 37E B.M.

Witness my hand this 9th day of January, A. D. 1956.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made December 7, 1955
Certificate of Completion of Works issued January 9, 1956

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 25218

Comes now D. O. Barnes, 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. 25218, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Plus - NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$, All in Section 5, Township 12 South, Range 37 East, B.M., making a total of _____ acres.

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

Signed at Downey, Idaho, this 4th day of April, 1956.

D. O. BARNES

Date of receipt at office of Department of Reclamation April 12, 1956.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, 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. 25218. 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.

MARK R. KULP
State Reclamation Engineer

*License issued for 0.2 sec. 11.
Page # 5690*

SCANNED

APR 30 2001

April 13, 1956

RE: Permit No. 25218

Mr. D. O. Barnes
Downey
Idaho

Dear Mr. Barnes:

We return your application for amendment to the land list in Permit No. 25218 which has been approved by the State Reclamation Engineer and recorded in this department.

We also enclose License and Certificate of Water Right issued under this Permit confirming your right to the use of 0.7 second foot of the waters of Marsh Creek, with point of diversion at various points on Marsh Creek in the S $\frac{1}{2}$ Section 5, Township 12 S., Range 37 East, B.M., with priority of January 16, 1954, for irrigation purposes in the W $\frac{1}{2}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, Township 12 South, Range 37 East, P.M.

We also enclose departmental receipt No. 27907 for the \$6.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

25218

APR 12 1956
Department of Reclamation

Application for Amendment
To Permit to Appropriate the Public Waters
of the State of Idaho, No. 25218

Comes now D. O. Barnes, 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. 25218, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Plus - NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$

All in Section 5, Township 12 South, Range 37 East, B.M.

....., making a total of acres.

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

Signed at Bozeman, Idaho, this 4th day of April, 1956.

D. O. Barnes

Date of receipt at office of Department of Reclamation April 12, 1956

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, 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. 25218. 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.

25218

Mark R. Kulp

Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. 25218

APR 12 1956
Department of Reclamation

Comes now D. O. Barnes, 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. 25218, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Plus - NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$

All in Section 5, Township 12 South, Range 37 East, B.M.

making a total of _____ acres.

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

Signed at Boise, Idaho, this 4th day of April, 1956.

D. O. Barnes

Date of receipt at office of Department of Reclamation April 12, 1956

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, 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. 25218. 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.

25218

Mark R. Kulp

April 3, 1956

RE: Permit No. 25218

Mr. D. D. Barnes
Downey
Idaho

Dear Mr. Barnes:

Enclosed find a form for making amendment on the land description,

As soon as this is properly made out, signed and returned to this department along with the statutory fee of \$6.00 a license will be issued for an amount of 35 inches for use on the NW¹/₄, SW¹/₄, NW¹/₄ and SE¹/₄ NW¹/₄ of Section 5, Township 12 South, Range 37 East, B.M., with points of diversion along Marsh Creek in the same subdivisions.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E.N. Humphrey
Deputy State Reclamation Engineer

H:hll
Enc.

25218

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 25218

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

1. Name of applicant D. O. Barnes
2. Source of water supply: Marsh Creek
Water is to be pumped out of Marsh Creek at various points as it runs thru the land
3. Location of point of diversion: Is in the South $\frac{1}{2}$ of Section 5
T. 12 S. R. 37 E. B.M. County of Bannock

4. Describe works as they exist, giving dimensions and capacities of same: *Irrigation is effected by pumping with a centrifugal pump size 5" x 3" operated by a tractor. There are several lengths of 5" portable ad. pipe thru which water is delivered to any portion of the meadow. Irrigates by wild flooding. Pump and sprinkler system is portable.*

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):

NE $\frac{1}{4}$ SW $\frac{1}{4}$: 12 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$: 12 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$: 12 acres;

SE $\frac{1}{4}$ SW $\frac{1}{4}$: 12 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$: 12 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$: 12 acres;

SW $\frac{1}{4}$ SE $\frac{1}{4}$: 12 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$: 15.52 acres, all in Sec. 5.

Twp. 12 S., Rge. 37 E., B.M.

See map

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

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

Remarks: _____

This examination was made on the 27 day of March, 19 56

(Signed) E. M. Humphrey Examiner.

25218

D. O. Barnes
Downey, Idaho

Permit No. 25218

Examination for Beneficial Use

County Bannock

5-12S.-37E.

Q = 1.98 c.f.s.

S = Marsh Creek

At various points along Marsh
P.D. = Cor. as it runs through the S² of
Sec. 5, T. 12S. - R. 37E.

Use = Irrigation

Filed = Oct. 8, 1954
Ans = Oct. 11, 1955

Ans = 1-9-56

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.

To More Cent Pump

with on car axle

Size 5" x 3" out

5" flex hose 15' long
into creek

Driven by tractor

delivers thru 5" tubing
4-20' lengths

R-37E.

T.
12
S.

Subdivisions = Three

Area = 35 acres

② ± 35 inches.

This permit must be amended or
all refiled.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 25218

REPORT ON PROOF OF Beneficial Use

.7 cfs
mre

NW NW = 13a.
SW " = 15a
SE " = 5a.
35"

March 19, 1956

RE: Permit No. 25218

Mr. D. O. Barnes
Downey
Idaho

Dear Mr. Barnes:

State Law requires an inspection on any permit being brought to license within the State of Idaho. Unless hindered by bad weather, I intend to make inspection in connection with your Permit Tuesday morning, March 27, as soon as I can drive from Pocatello.

Please be prepared to accompany me on the inspection.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:h11

25218

February 14, 1956

Anderson & Anderson
P. O. Box 327
Pocatello, Idaho

Re: Permit No. 25218
D. O. Barnes

Dear Sir:

We acknowledge receipt of the depositions of Mr. Barnes, the holder of the Permit and also the two witnesses, together with the affidavit of publication in the McCammon News, all submitted in proof of beneficial use on Permit No. 25218.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
cc:D.O.Barnes

25218

LAW OFFICES OF
ANDERSON & ANDERSON

P. O. BOX 327

POCATELLO, IDAHO

February 11, 1956

WALTER H. ANDERSON
GUS CARR ANDERSON

OFFICES AT:
DOWNEY, IDAHO
PHONE 2491

RECEIVED
Department of Reclamation

Department of Reclamation
State of Idaho
State House
Boise, Idaho

Re: Permit No. 25218
D. O. Barnes

Gentlemen:

Enclosed is Proof of Publication in the above entitled matter as required by your letter of February 6. If you will have the field engineer contact me, I will be glad to make arrangements to have him shown over the field.

Sincerely yours,

ANDERSON & ANDERSON


GUS CARR ANDERSON

GCA:gh

Encl.

25218

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 25218

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. D. O. Barnes; Downey, Idaho; Farmer; Downey, 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. Acting for self.

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

Ans. 25218;

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

Ans. Marsh Creek. At any point along Marsh Creek in the S 1/2 of Section 5, Township 12 South, Range 37 East.

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. Water pumped from creek through pipe. Pipes will put out two second feet.

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. Land described as follows: Twp. 12 S., Range 37 E., Sec. 5.

NE 1/4 SW 1/4: 12 acres; NW 1/4 SW 1/4: 12 acres; SW 1/4 SW 1/4: 12 acres; SE 1/4 SW 1/4: 12 acres; NE 1/4 SE 1/4: 12 acres; NW 1/4 SE 1/4: 12 acres; SW 1/4 SE 1/4: 12 acres; SE 1/4 SE 1/4: 15.52 acres. Natural meadow land.

25218

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

Ans. None.

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

Ans. 1.98 second feet.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

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

Ans. From October 1954 to December 1955 by pump and pipe. About two second feet.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None.

(Sign) D. O. Barnes.

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 Pocatello, County of Bannock,

State of Idaho, on this 19th day of January, A. D. 1956.,

Walter Anderson

NOTARY PUBLIC
Residence: Pocatello, Idaho

My commission expires 21 Nov. 1957

25218

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25218

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. E. D. Phillips; 77; Downey, Idaho; Retired farmer; Downey, Idaho.

Ques. 2. Are you acquainted with D. O. Barnes, the holder of Permit No. 25218? How long have you known him and where does he reside?

Ans. Yes. 50 years. Downey, Idaho.

Ques. 3. Have you read or heard read said Permit No. 25218, 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. At any point along Marsh Creek in the S 1/2 of Section 5, Township 12 South, Range 37 East. Pump and pipe.

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. Two second feet.

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. Land described as follows: Twp. 12 S., Range 37 E., Sec. 5.
NE 1/4 SW 1/4: 12 acres; NW 1/4 SW 1/4: 12 acres; SW 1/4 SW 1/4: 12 acres; SE 1/4 SW 1/4:
12 acres; NE 1/4 SE 1/4: 12 acres; NW 1/4 SE 1/4: 12 acres; S W 1/4 SE 1/4: 12 acres;
SE 1/4 SE 1/4: 15.52 acres. Natural meadow land.

25218

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

Ans. Just irrigation.

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. Meadow land. Two feet.

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

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Five or six times in 1955.

(Signed) E. J. Phillips

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 Pocatello,

County of Bannock, State of Idaho, on this 19th day of January,
A. D. 1956.

Walter Anderson

My commission expires 21 Nov. 1957 Notary Public.
Residence: Pocatello, Idaho

25218

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25218

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. W. E. Anderson, 32; Downey, Idaho, Agent for Union Pacific Railroad Co.,

Downey, Idaho.

Ques. 2. Are you acquainted with D. O. Barnes, the holder of Permit No. 25218? How long have you known him and where does he reside?

Ans. Yes. 8 years. Downey, Idaho.

Ques. 3. Have you read or heard read said Permit No. 25218, 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. At any point along Marsh Creek in the S 1/2 of Section 5, Township 12 South, Range 37 East. Pump and pipe.

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. Two second feet.

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. Land described as follows: Twp. 12 S., Range 37 E., Sec. 5.
NE 1/4 SW 1/4: 12 acres; NW 1/4 SW 1/4: 12 acres; SW 1/4 SW 1/4: 12 acres; SE 1/4 SW 1/4:
12 acres; NE 1/4 SE 1/4: 12 acres; NW 1/4 SE 1/4: 12 acres; SW 1/4 SE 1/4: 12 acres;
SE 1/4 SE 1/4: 15.52 acres. Natural meadow land.

25218

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

Ans. Just irrigation.

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. Meadow land. Two feet.

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

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Five or six times in 1955.

(Signed) A. E. Anderson

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 Pocatello,

County of Bannock, State of Idaho, on this 19th day of January,
A. D. 1956.

Walter H. Anderson

My commission expires 21 Nov. 1957 Notary Public.
Residence: Pocatello, Idaho

25218

PROOF OF PUBLICATION

STATE OF IDAHO
COUNTY OF BANNOCK

} SS.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 19th day of January, 1956, at Pocatello, County of Bannock, State of Idaho, before Walter H. Anderson, Notary Public, proof will be submitted of the application to beneficial use of 1.98 cubic feet per second of the waters of Marsh Creek in accordance with the terms and conditions of Permit No. 25218 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 D. O. Barnes, Downey, Idaho.

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

The amount applied to beneficial use is 1.98 cubic feet per second.

The place where said water is used: SE¼; SW¼ Section 5, Township 12 South of Range 37 East Boise Meridian.

The right to take water from such works is based upon Permit No. 25218.

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

The date of priority which said user is prepared to establish is October 8, 1954.

MARK R. KULP
State Reclamation Engineer
1-13-4M

RALPH B. SWISHER

being first duly sworn,

deposes and says that he is the Business Manager

of The McCAMMON NEWS, a weekly newspaper published at

McCammon, Bannock County, in the State of Idaho; that the

NOTICE OF PROOF, a true copy of which is hereto at-

tached, was published in The McCAMMON NEWS for 4

consecutive weeks, first publication having been made on the

23rd day of December, 1955 and the last

publication having been made on the 13th day of

January, 1956

That said paper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of said notice of advertisement, and is a newspaper within the meaning of the laws of Idaho.

RALPH B. SWISHER

Ralph B. Swisher

SUBSCRIBED and SWORN TO before me this 14th

day of January, A. D., 1956

Keith G. Williams
Notary Public

My commission expires March, 1959

25218

February 6, 1956

Re: Permit No. 25218
D. O. Barnes

Messrs. Anderson, Anderson & Owens
P. O. Box 327
Pocatello, Idaho

ATTENTION: Mr. Gus Carr Anderson

Dear Mr. Anderson:

We acknowledge receipt of the depositions of Mr. Barnes, the holder of the above mentioned Permit and the two witnesses, however we have not received the affidavit of publication. If you have the affidavit will you please send it to this office, if not please contact the McCammon News and ask them to send same to us as it must also be submitted in proof of beneficial use on Permit No. 25218.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ERR

25218

WALTER H. ANDERSON

GUS CARR ANDERSON

LAW OFFICES OF

ANDERSON & ANDERSON

P. O. BOX 327

POCATELLO, IDAHO

TELEPHONE 5000

February 2, 1956

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Re: Permit No. 25218
D. O. Barnes

Gentlemen:

Receipt of your letter of February 1st is hereby acknowledged.
We have made the necessary changes as per your letter, and enclose herewith proofs in connection with the above caption.

Yours truly,

ANDERSON & ANDERSON



GUSS CAR ANDERSON

GCA:gh

Encl.

25218

February 1, 1956

RE: Permit No. 25218
D. O. Barnes

Messrs. Anderson, Anderson, & Owens
P. O. Box 327
Pocatello, Idaho

ATTENTION: Mr. Gus Carr Anderson

Dear Mr. Anderson:

We are returning herewith proofs of Application of water to Beneficial Use in the name of D. O. Barnes in connection with the above stated Permit.

We are returning these proofs for correction as to land description under question 6. According to the place of use as shown on the Permit and advertised in the publication notice, this land description should read as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$, 12 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$, 12 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$, 12 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$, 12 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 12 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 12 acres; SW $\frac{1}{4}$ SE $\frac{1}{4}$, 12 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$, 12 acres.

We are also enclosing a sketch map showing the lands and location in Section 5 as shown in the Permit and immediately below we show the land in Section 5 which you have described in your proofs which is incorrect according to our records.

Under Question 4 under the Holders deposition as well as the depositions of the two witnesses, the point of diversion should be stated as follows:

At any point along Marsh Creek in the S $\frac{1}{2}$ of Section 5, Township 12 South, Range 37 East. Please correct same and return to this Department.

Very truly yours,
MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

25218
T:cu
Enc.

LAW OFFICES OF
ANDERSON, ANDERSON & OWENS
P. O. BOX 327
POCATELLO, IDAHO

WALTER H. ANDERSON
GUS CARR ANDERSON
JEDD G. OWENS

January 28, 1956

OFFICES AT:
DOWNEY, IDAHO
PHONE 2491
MALAD, IDAHO
PHONE 699
GRACE, IDAHO
PHONE 9900

RECEIVED
JAN 30 1956

Department of Reclamation
State of Idaho
Boise, Idaho

Department of Reclamation

Gentlemen:

RE: PERMIT No. 25218
D. O. BARNES

Enclosed pursuant to your letter of December 19th, 1955, herewith is the deposition of two witnesses with regard to the proof of application of water to beneficial use, as well as the deposition of the holder.

I believe this completes the matter.

Sincerely,
ANDERSON & ANDERSON

Gus Carr Anderson

GUS CARR ANDERSON

GCA:S
encls

25218

January 9, 1956

Re: Permit No. 25218

Mr. D. O. Barnes
Downey, Idaho

Dear Mr. Barnes:

We enclose Certificate Of Completions of Works issued under Permit No. 25218 for the diversion of 1.98 cubic feet per second of water from Marsh Creek a tributary of Portneuf River with point of diversion at various points along Marsh Creek as it runs through the land in S $\frac{1}{2}$, Sec. 5, Twp. 12S. of Range 37E B.M., with priority of October 8, 1954 for irrigation of land in SE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 5, Twp. 12S of Range 37E B.M.

We also enclose departmental receipt No. 27776 for the \$5.00 Certificate fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By:

Chief Clerk

EPR:
Enclosures

25218

LAW OFFICES OF
ANDERSON, ANDERSON & OWENS
P. O. BOX 327
POCATELLO, IDAHO

WALTER H. ANDERSON
GUS CARR ANDERSON
JEDD G. OWENS

January 5, 1956

OFFICES AT:
DOWNEY, IDAHO
PHONE 2491
MALAD, IDAHO
PHONE 599
GRACE, IDAHO
PHONE 9900

RECEIVED
JAN 11 1956
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Dear Sir:

RE: Permit No. 25218
D. O. Barnes

Herewith Proof of Completion of Works to which
has been added additional description of works
of diversion as you requested.

Very truly yours,
ANDERSON & ANDERSON

Gus Carr Anderson
GUS CARR ANDERSON

GCA:S
encls

25218

December 27, 1955

RE: Permit No. 25218

McCammon News
McCammon
Idaho

Gentlemen:

We have checked the notice on the above numbered Permit of D. O. Barnes appearing in your issue of December 23, 1955, and find same to be correct with one slight typographical error.

The second word in line ten should be "with".

Please make this correction in your subsequent issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1

25218

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 25218

Date: December 20, 1955

McCammon News

McCammon, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to January 19, 1956 the date set for proof, the expense of the publication to be paid by the applicant, D. O. Barnes of Downey Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

25218

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 25218

Date: December 20, 1955

McCammon News

McCammon, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to January 19, 1956 the date set for proof, the expense of the publication to be paid by the applicant, D. O. Barnes of Downey Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

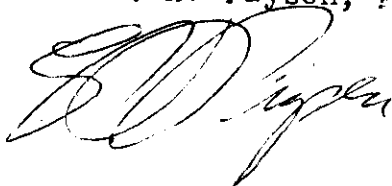
State Reclamation Engineer

By

Jeannie L. Anderson
Chief Clerk

We acknowledge receipt of above order. Publication will be made Dec. 23, Dec. 30, Jan. 6, Jan. 13. Your office is on our mailing list.

E. H. Paysen, Publisher



25218

DEC 27 1955
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 12-16-55

(P. O.) Downey, 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.

D. O. Barnes

D. O. Barnes

(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.

25218

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

Notice is hereby given that at 10 A. M. on the 19th day of January, 1956,
at Pocatello, County of Bannock, State of Idaho, before
Walter H. Anderson, Notary Public, proof will be submitted of the
application to beneficial use of 1.98 cubic feet per second of the waters of Marsh Creek
in accordance with the terms and conditions of Permit No. 25218
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 _____

D. O. Barnes, Downey, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 1.98 cubic feet per second

The place where said water is used ~~and irrigation, given to the~~

SE $\frac{1}{4}$; SW $\frac{1}{4}$ Section 5, Township 12 South of Range 37

East Boise Meridian

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

The right to take water from such works is based upon Permit No. 25218

The source of supply from which such water is diverted is Marsh Creek, a tributary of

Portneuf River

The date of priority which said user is prepared to establish is October 8, 1954

25218

MARK R. KULP

State Reclamation Engineer.

December 19, 1955

RE: Permit No. 25218

Messrs. Anderson, Anderson and Owens
P. O. Box 327
Pocatello, Idaho

ATTENTION: Mr. Gus Carr Anderson

Dear Mr. Anderson:

We have your letter of December 16 enclosing affidavit of D. O. Barnes in proof of completion of works on Permit No. 25218, also notice of beneficial use proof to be made January 19, 1956, together with your check for the \$5.00 fee in connection with completion of works proof.

We return the affidavit of completion of works in order that the works may be more definitely described. In other words, give the kind and power of the pump, the length and size of the pipes, and also describe the sprinkler system as to number of pipes, etc.

We shall send to the McCammon News copy of notice for beneficial use proof with instructions to publish it once a week for four weeks prior to January 19, 1956, and to send Mr. Barnes the affidavit of publication together with statement of costs.

At the time set, the Permit Holder should appear before Mr. Walter H. Anderson, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

25218

A:hll

Enc.

LAW OFFICES OF
ANDERSON, ANDERSON & OWENS
P. O. BOX 327
POCATELLO, IDAHO

WALTER H. ANDERSON
GUS CARR ANDERSON
JEDD G. OWENS

December 16, 1955

OFFICES AT:
DOWNEY, IDAHO
PHONE 2491
MALAD, IDAHO
PHONE 699
GRACE, IDAHO
PHONE 9900

State of Idaho
Department of Reclamation
Boise, Idaho

DEC 19 1955

Department of Reclamation

Dear Sir:

RE: D. O. BARNES
Permit No. 25218

Enclosed herewith you will find the following:

Check No. 762 in amount \$5.00.
Proof of completion of works
signed by D. O. Barnes
Letter of authorization to publish
notice in McCammon News
Original and one copy of Notice of
Proof of Completion of Works and
application of water to beneficial
use.

all in connection with Water Permit No. 25218.
Hearing date is January 19, 1956 at 10:00 a.m. at
Pocatello, Idaho.

Very truly yours,
ANDERSON & ANDERSON


GUS CARR ANDERSON

GCA:S
encls

25218

Permit No. 25218

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of BANNOCK

ss.

D. O. Barnes, 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. 25218, and that his postoffice address is Downey
State of Idaho

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

Third: That the point of diversion of said water is At various points as it runs through the land

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October 11, 1955

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: Portable pump, pipe and sprinkler system
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

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

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

feet, depth of water 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
1.98 cubic feet per second of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows: SE $\frac{1}{4}$; SW $\frac{1}{4}$ Section 12, Township 12 South of Range 37 East Boise Meridian

Ninth: Remarks: That This water is to be appropriated by means of a portable pump and sprinklers, the water to be pumped out

of Marsh Creek at various points as it runs through the land
Portable pump operated from power takeoff on John Deere Tractor Model A, 240 feet of 6 inch portable pipe; flood irrigation.

D. O. Barnes

(Sign Here) D. O. BARNES

Subscribed and sworn to before me this 7 day of October, 1955

My commission expires 4 Feb. 1956

Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Mr. D. O. Barnes

August 1, 1955

Downey, Idaho

Dear Sir:

Under the terms of your permit No. 25218 you are required to complete your diversion works and make proof of beneficial use on or before October 11, 1955.

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 October 11, 1955, 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

25218

October 15, 1954

RE: Permit No. 25218

Messrs. Anderson & Anderson
Box 327
Pocatello, Idaho

ATTENTION: Mr. Gus Carr Anderson

Dear Mr. Anderson:

We enclose Permit No. 25218 in the name of D. O. Barnes and direct his 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. 26976 for the \$5.25 filing fee.

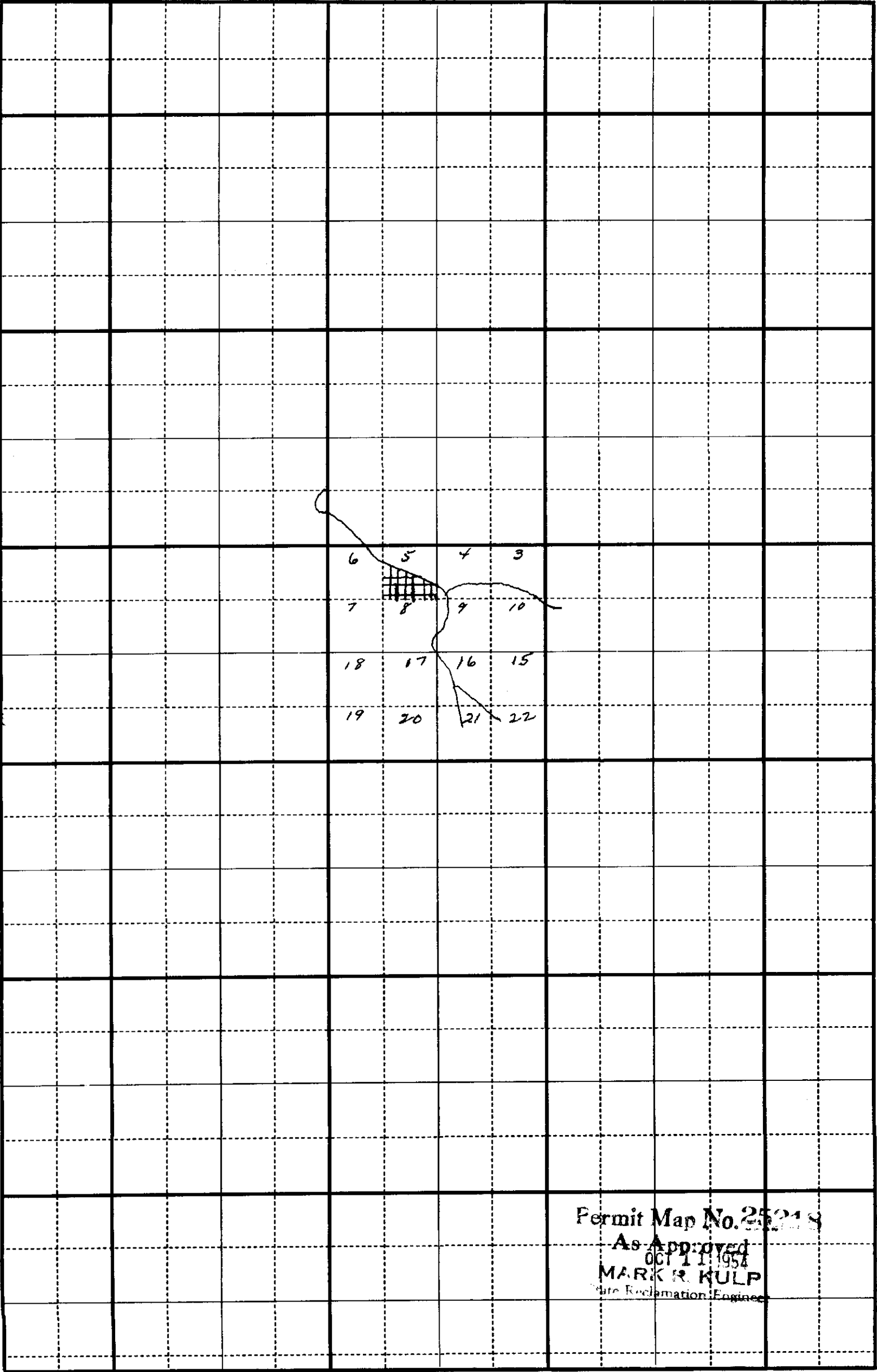
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

25218



GUS CARR ANDERSON

WALTER H. ANDERSON

LAW OFFICES OF

ANDERSON & ANDERSON

P. O. BOX 327

POGATELLO, IDAHO

TELEPHONE 5000

October 6, 1954

RECEIVED
OCT 8 1954
Department of Reclamation
gaw

Department of Reclamation
State of Idaho
State House
Boise, Idaho

Re: D. O. Barnes
Application for permit

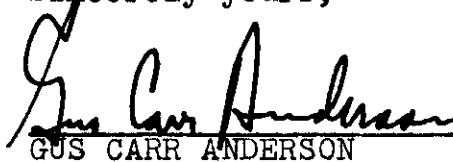
Gentlemen:

Enclosed please find application for permit to appropriate the public waters of the State of Idaho for Mr. D. O. Barnes.

We are enclosing our check in the amount of \$5.25 to cover fees. If this amount is not correct please advise us and we will forward the balance to you.

We would appreciate receiving approval of this permit as soon as possible.

Sincerely yours,


GUS CARR ANDERSON

vh

encl.

23218

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

Notice is hereby given that at 10 A. M. on the 19th day of January, 1956, at Pocatello, County of Bannock, State of Idaho, before Walter H. Anderson, Notary Public, proof will be submitted of the application to beneficial use of 1.98 cubic feet per second of the waters of Marsh Creek in accordance with the terms and conditions of Permit No. 25218 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 D. O. Barnes, Downey, Idaho.

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

The amount applied to beneficial use is 1.98 cubic feet per second.

The place where said water is used: SE¼; SW¼ Section 5, Township 12 South of Range 37 East Boise Meridian.

The right to take water from such works is based upon Permit No. 25218.

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

The date of priority which said user is prepared to establish is October 8, 1954.

MARK R. KULP
State Reclamation Engineer

1-13-4M

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

Notice is hereby given that at 10 A. M. on the 19th day of January, 1956, at Pocatello, County of Bannock, State of Idaho, before Walter H. Anderson, Notary Public, proof will be submitted of the application to beneficial use of 1.98 cubic feet per second of the waters of Marsh Creek in accordance with the terms and conditions of Permit No. 25218 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 D. O. Barnes, Downey, Idaho.

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

The amount applied to beneficial use is 1.98 cubic feet per second.

The place where said water is used: SE¼; SW¼ Section 5, Township 12 South of Range 37 East Boise Meridian.

The right to take water from such works is based upon Permit No. 25218.

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

The date of priority which said user is prepared to establish is October 8, 1954.

MARK R. KULP
State Reclamation Engineer

1-13-4M

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

Notice is hereby given that at 10 A. M. on the 19th day of January, 1956, at Pocatello, County of Bannock, State of Idaho, before Walter H. Anderson, Notary Public, proof will be submitted of the application to beneficial use of 1.98 cubic feet per second of the waters of Marsh Creek in accordance with the terms and conditions of Permit No. 25218 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 D. O. Barnes, Downey, Idaho.

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

The amount applied to beneficial use is 1.98 cubic feet per second.

The place where said water is used: SE¼; SW¼ Section 5, Township 12 South of Range 37 East Boise Meridian.

The right to take water from such works is based upon Permit No. 25218.

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

The date of priority which said user is prepared to establish is October 8, 1954.

MARK R. KULP
State Reclamation Engineer

1-13-4M

Notice is hereby given that at 10 A. M. on the 10th day of January, 1904, at Pocatello, County of Bannock, State of Idaho, before Walter H. Andersen, Notary Public, proof will be submitted of the application to beneficial use of 1.98 cubic feet per second of the waters of Marsh Creek in accordance with the terms and conditions of Permit No. 26218 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 D. O. Barnes, Downey, Idaho.

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

The amount applied to beneficial use is 1.98 cubic feet per second.

The place where said water is used: SE 1/4, SW 1/4 Section 5, Township 12 South of Range 27 East Boise Meridian.

The right to take water from such works is based upon Permit No. 26218.

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

The date of priority which said user is prepared to establish is October 3, 1894.

MARK R. KULP
State Reclamation Engineer
1-13-AM

Notice is hereby given that at 10 A. M. on the 10th day of January, 1904, at Pocatello, County of Bannock, State of Idaho, before Walter H. Andersen, Notary Public, proof will be submitted of the application to beneficial use of 1.98 cubic feet per second of the waters of Marsh Creek in accordance with the terms and conditions of Permit No. 26218 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 D. O. Barnes, Downey, Idaho.

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

The amount applied to beneficial use is 1.98 cubic feet per second.

The place where said water is used: SE 1/4, SW 1/4 Section 5, Township 12 South of Range 27 East Boise Meridian.

The right to take water from such works is based upon Permit No. 26218.

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

The date of priority which said user is prepared to establish is October 3, 1894.

MARK R. KULP
State Reclamation Engineer
1-13-AM

NOTICE OF PROOF APPLICATION FOR PERMIT TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 10th day of January, 1904, at Pocatello, County of Bannock, State of Idaho, before Walter H. Andersen, Notary Public, proof will be submitted of the application to beneficial use of 1.98 cubic feet per second of the waters of Marsh Creek in accordance with the terms and conditions of Permit No. 26218 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 D. O. Barnes, Downey, Idaho.

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

The amount applied to beneficial use is 1.98 cubic feet per second.

The place where said water is used: SE 1/4, SW 1/4 Section 5, Township 12 South of Range 27 East Boise Meridian.

The right to take water from such works is based upon Permit No. 26218.

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

The date of priority which said user is prepared to establish is October 3, 1894.

MARK R. KULP
State Reclamation Engineer
1-13-AM