

SCANNED
APR 30 2001

State of Idaho License and Certificate of Water Right

Water License No. 23600

Amount 0.02 second foot

Water District No.

Priority January 20, 1953

THIS IS TO CERTIFY that FRED H. BOLINGER
of Pocatello, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 20, 1953; that Permit No. 23600
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.02 second foot, was issued thereunder on June 30, 1953, showing that said works
were completed on the 27th day of June, 1953; and that on the 3rd
day of October, 1953,

FRED H. BOLINGER

of Pocatello, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an un-named
spring, a tributary of East fork Mink Creek, for the purpose of domestic, irrigation and
mink care, under Use Permit No. 23600 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 5520, on the 15th day of July, 1955;

The right hereby confirmed dates from January 20, 1953;

The Point of Diversion is located

in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Tp. 8 S., R. 35 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 one inch or ^{0.02} cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	35 E.	8	NE $\frac{1}{4}$ SW $\frac{1}{4}$	one	Over one

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
15th day of July, 1955.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

29 2327

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho 29-2327

APPLICATION No. 31371
 PERMIT No. 23600
 DISTRICT No.

1. Name of Applicant: FRED H. BOLINGER

Postoffice address: Pocatello

County: Benneock

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 inch

cubic feet per second.

3. Source of water supply: Spring Unnamed

which is a tributary of East fork of Mink Creek

4. Location of point of diversion: 970 ft. West

feet distant from the Center

corner of Section 8, T. 8 S., R. 35 E., B.M., and is in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$

of Section 8, T. 8 S., R. 35 E., B.M., County of Benneock

5. Water is to be used for domestic & irrigation of medium garden and care of 1200 to 1500 mink.

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.

, B.M.

7. Estimated cost of works: \$ 355.50

8. Kind of works: Digging ditch, laying pipe & instelling same.

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 1 $\frac{1}{2}$ & 1" pipe

inches; length of conduit

450 ft.

miles.

Average grade per mile

Level

feet.

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

12 days

years.

13. The time required for the complete application of the water to the proposed use is

5 days

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:

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.

Fred H. Bolinger

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 a.m. January 20, 1953

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 23600

Recorded in Book 84 Page 23600 Approved Jan. 30, 1953

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 March 30, 1953

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 30, 1953

The whole of said work to be completed on or before July 30, 1953

Beneficial use of water appropriated in accordance herewith, to be made on or before July 30, 1953

WITNESS My hand this 30th day of January, 1953

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 30th

day of January, 1953.

STATE OF IDAHO

Countersigned:

(SEAL)

By

LEN JORDAN

Governor.

By IRA H. MASTERS

Secretary of State.

REMARKS: I have 1 1/2" pipe from spring to residence. Water is carried from house to milk yard and garden in 1" pipe by means of automatic pressure system

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
8 S.	35 E.	8	1/4												Total number of acres to be irrigated -				1 A.
AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS																			
(Not to be used when spring is situated on lands owned by applicant.)																			
I, L. A. Lehrbas, of Pocatello, County of Bannock, State of Idaho, do hereby certify that I am atty.-in-fact for the owners of the land on which the spring mentioned in the application of Fred H. Bolinger is located, to-wit: SW1/4 of NE1/4 Sec. 8, T. 8 S., R. 35 E.B.M., Bannock Co. and that I do hereby grant unto the said Fred H. Bolinger permission to file on the said spring as set forth in the foregoing application. Bismarck and Laura Lehrbas are the owners.																			
STATE OF IDAHO			) ss			L. A. LEHRBAS, Attorney in fact for													
County of Bannock.			)			Bismarck Lehrbas and Laura Lehrbas.													
On this 7th day of January, 1953, before me, a Notary Public for the State of Idaho, residing at Pocatello, Idaho, personally appeared L. A. Lehrbas, as attorney in fact for Bismarck Lehrbas and Laura Lehrbas, known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same, as such attorney in fact for said owners.																			
Witness my hand and seal, the day and year in this certificate first above written.																			
(SEAL)																			H. J. SWANSON
My commission expires 18 Nov. 1954.																			Notary Public for Idaho, Residing: Pocatello, Idaho

Permit No. 23600

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that FRED H. BOLINGER of Pocatello, County of Bannock, and State of Idaho, the holder of Permit No. 23600, issued upon Application No. 31371 bearing date of priority of January 20, 1953, authorizing the diversion of one inch of the waters of an un-named spring, tributary to the East fork of Mink Creek, County of Bannock, State of Idaho, for irrigation and domestic and care of milk purposes, has fully complied with the provisions of the laws of the State of Idaho relation 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 one inch of the waters of said un-named spring; that the point of diversion of said waters is 970 feet West from the center of Section 8, Township 8 South, Range 35 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: One acre in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 8 South, Range 35 East, B.M.

WITNESS MY HAND THIS 30th day of June, A.D. 1953

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made June 27, 1953
Certificate of Completion of Works issued- June 30, 1953

ORDER EXTENDING TIME FOR MAKING PROOF

Upon reading, considering and filing the above petition for extension of time in which to make proof of Completion of Works and Beneficial Use of water referred to therein and good cause appearing therefore,

IT IS ORDERED That said petition be, and it hereby is, granted and that the time within which said petitioner may make proof of Completion of Works and Beneficial Use of water, be, and the same hereby is, extended to and including September 1, 1953.

Order entered this 30th day of June, 1953.

MARK R. KULP
State Reclamation Engineer

LICENSE ISSUED FOR 0.02 SEC. FT.

P. 5520

SCANNED

APR 30 2001

December 1, 1981

Ruby Y. Brown
Attorney-At-Law
P. O. Box 4522
Pocatello, ID 83201

Dear Mr. Brown:

As requested in your letter of November 23, 1981, I have researched our records for a water right from a spring located in the SW $\frac{1}{4}$, Sec. 8, T. 8 S., R. 35 E. License 23600/29-2327 issued to Fred H. Bolinger, priority date of January 20, 1953, is for 0.02 cfs from an unnamed spring, tributary of East Fork Mink Creek for domestic use and irrigation of over one acre in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 8 S., R. 35 E.

Since this license is on record with the Department of Water Resources (formerly the Department of Reclamation), it is not necessary to have it recorded with the County Recorder.

Enclosed is a copy of the license. There is a minimum fee of \$1 which you may remit to this office.

If you have any questions or need further assistance, please do not hesitate to contact us.

Sincerely,

Roberta Garrett
Records Supervisor

Enclosure

746 E. Center, #4

~~XXXXXXXXXXXX~~

PHONE 233-2051

RUBY Y. BROWN

ATTORNEY-AT-LAW

P. O. BOX ~~118~~ 4522

POCATELLO, IDAHO 83201

RECEIVED

NOV 27 1981

Department of Water Resources

November 23, 1981

Idaho Department of Reclamation
Statehouse 107
Boise, Idaho 83701

Gentlemen:

I would appreciate your checking on a water permit covering a spring located in the Southwest Quarter of Section 8, Township eight South, Range Thirty Five East, Boise Meridian in Bannock County, Idaho.

This permit was issued in 1953 to Fred H. Bolinger and Dorothy C. Bolinger, his wife, however Mrs. Bolinger cannot find the permit. Mr. Bolinger is now deceased and Mrs. Bolinger is married to Louis Fuzy. They have their cancelled checks as follows:

Check dated 10/3/53, Mccammon News, \$15.30 for publication of notice.

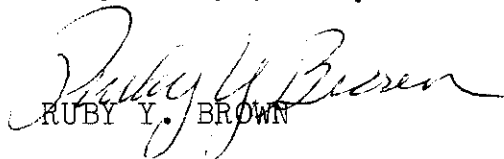
Check dated 10/3/53 to H. J. Swanson \$35.00 for services reference water rights.

The filing was on a spring on the East Fork of Mink Creek in Bannock County.

Does this have to be recorded with the County Recorder of the county or just with the Department of Reclamation.

Will you please forward a duplicate copy of the permit together with your statement.

Very truly yours,


RUBY Y. BROWN

29-2327

May 7, 1957

Re: Permit No. 23600

Mr. H. J. Swanson
Attorney at Law
P. O. Box 1370
Pocatello, Idaho

Dear Mr. Swanson:

Our records show that a license and certificate of water right was issued to Fred H. Bolinger for 0.02 cubic feet per second from a spring in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 8 South, Range 35 East B.M. and is recorded on Page 5520 in the Book of Licenses.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer

MRK/nls

23600

23600
H. J. SWANSON

Attorney at Law

226-7 DIETRICH BUILDING

P. O. BOX 1370

POCATELLO, IDAHO

RECEIVED
MAY 7 1957

May 6, 1957

Department of Reclamation

Mr. Mark Kulp
State Reclamation Engineer
The State Capitol Building
Boise, Idaho

Dear Mr. Kulp:

About four or five years ago a client of this office by the name of Fred H. Bolinger, filed with your office an application for a permit to appropriate the water of a spring located in SW $\frac{1}{4}$ of Section 8 in township 8 South of range 35, EBM in Bannock County, Idaho.

Mr. Bolinger installed the necessary pipes to convey the water from the spring to the places he wanted to use it, and in due time he made application to prove that he had complied with the permit and asked to have the usual certificate issued from your office.

A representative from your office came to Pocatello and went out to the home of Mr. and Mrs. Bolinger and examined the manner in which Mr. Bolinger had installed the pipes and the manner in which he had applied the water to beneficial use.

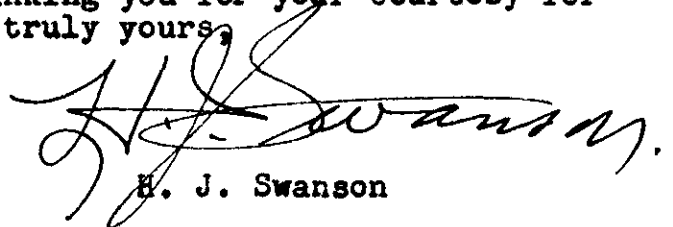
Will you please let me know if your office records show that you issued a certificate showing that he has a water right?

Mr. Bolinger has since passed away, his death occurring the 8th of February, 1955.

Mrs. Bolinger has remarried and her name is now Mrs. Louis P. Fuzy.

She tells me that she has never received any certificate from your office showing that she has a water right out of the spring; and will you please let me know if a certificate or license was ever issued.

Awaiting word from you, and thanking you for your courtesy for an answer to this letter, I am very truly yours,

23600

H. J. Swanson

✓
July 15, 1955

RE: Permit No. 23600

Mr. Fred H. Bolinger
Route 1 South
Pocatello, Idaho

Dear Mr. Bolinger:

We enclose License and Certificate of Water Right issued under Permit No. 23600 for the diversion of one inch or 0.02 second foot of water from an un-named spring tributary to the East Fork of Mink Creek with priority of January 20, 1953, and point of diversion and place of use in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 8 South, Range 35 East, B.M. for domestic, irrigation and milk care.

When we wrote you on July 7, we overlooked the fact that your Certificate of Completion of Works had already been issued, so departmental receipt No. 27435 enclosed, is for the \$5.00 license fee only and we return \$5.00 in currency refund.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

23600

Pocatello, Idaho
Mink Creek Rd.

July 12, 1955

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Sir:

Have received your letter
of July 7th. in regard to
our permit 23600.

I shall enclose check of
\$10.00 for fees.

Sincerely,

Mrs. Fred H. Bahringer

23600

RECEIVED
JUL 13 1955
Department of Reclamation

July 7, 1955

RE: Permit No. 23600

Mr. Fred H. Bolinger
Route 1 SO.
Pocatello, Idaho

Dear Mr. Bolinger:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on your Permit No. 23600.

A Certificate of Completion of Works and License can, therefore, be issued for 1 inch or .02 second foot of water from a spring in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 8 South, Range 35 East, B.M. for domestic, irrigation and care of mink at mink farm in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section.

The fees for Certificate of Completion of Works and License amount to \$5.00 each, or a total of \$10.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1

23600

fe 2-55

If this can be accepted without
republication I recommend it.
There is but one spring.

Leburbas & Bolinger both
rise from it and there is
no trouble or dispute of
any kind as far as I know of.

On the date of inspection there
was very much more water
than both could use.

Water is taken out by pipe lines.

E. H. H.

23600

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

Permit No. 23600

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Fred H. Bolinger, Pocatello, Idaho

2. Source of water supply: Un-named Spring

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8

T. 8 South R. 35 East County of Bannock

4. Describe works as they exist, giving dimensions and capacities of same: _____

Source is a large spring in a barrow pit across the road a very short distance above where the road turns down into the place. There is a pipe line extending from the spring to the house and yard and the mink pens. House has full plumbing.

5. Water is used for: Domestic, irrigation and care of mink

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):

See the map

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 8 South, Range 35 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: _____

This examination was made on the 1st day of June, 19 55

(Signed) E. N. Humphrey Examiner.

23600

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
JUN 22 1955

Department of Reclamation

133R4 POKY.

Permit No. 23600

Examination for Fred H. Bolinger

County Pennock

Q = 1 inch

S. = Spring - East Fk. Mink Cr.

PD = NE SW of S 8 - 8 S - 35 E

Dom & Irrig. For Garden

For 1 acre in SW NE S 8.
8 S 35 E

C/W. issued Je 30-53

Due Sept 1-53. B/u.

Priority = Jan 30-53.

T = 47°F

2 outlets in yard

house full plum.

2 outlets at milk shed

Source = large spring
issuing from bottom of
a rock slide by side of
road on East side in
borrow pit - est. 40"
on Je 1-53.

Piped to house
to yards
to milk sheds.

Hand-drawn map on grid paper showing a route from Barnock Highway (surfaced) to Peatello. The route is marked with an arrow and labeled "9 Mi.". A side road is labeled "To Peatello". A point on the route is marked with a cross and labeled "Lehtinen's place". A road crossing the route is labeled "8 East FK Mink Cr.". The map is titled "Home and mink farm." at the bottom.

check Lehrbas filing from
same spring. 19340

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 23600

REPORT ON PROOF OF Completion of Works and Beneficial Use
FRED H. BOLINGER, Pocatello, Idaho

app. one inch

*102 cfs
max*

Mink Creek Road
Pocatillo, Idaho
May 24, 1955

Department of Reclamation
Boise, Idaho.

RECEIVED
MAY 27 1955
Department of Reclamation

Dear Sirs:

I am not familiar with the rules and regulations of your department but a neighbor informs me I should notify you that I am ready to "prove-up" on my water system. The source of which is a spring from which both this neighbor and I benefit.

I'd like to know the date on which to expect your representative so that I will be sure to be at home.

Sincerely,

Mrs Fred H - Balinger

P.S.

Past address was Route 1, So.

23600

November 7, 1953

RE: Permit No. 23600

Mr. H. J. Swanson
Box 1370
Pocatello, Idaho

Dear Mr. Swanson:

We have your letter of October 20, 1953, in regard to the above numbered permit in the name of Fred H. Bolinger.

The entire matter will be held in abeyance until after a field inspection can be made. As it is now so late in the season, this inspection will probably not be made until sometime next spring.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

A:fg

23600

H. J. SWANSON

Attorney at Law

226-7 DIETRICH BUILDING

P. O. BOX 1370

October 20, 1953

POCATELLO, IDAHO

RECEIVED
OCT 21 1953

Department of Reclamation

Hon. Mark R. Kulp
State Reclamation Engineer
c/o Department of Reclamation
State Capitol Building
Boise, Idaho

Dear Sir:

In re: Permit No. 23600. Fred H. Bolinger, holder.

I thank you for your letter of the 8th inst., in which you call attention to the discrepancy as to the point of diversion as it is given in the deposition and as it is recited in the permit.

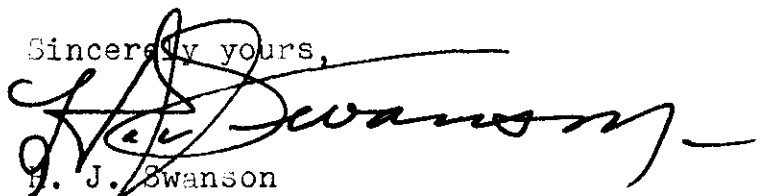
I conferred with Mr. Bolinger last Saturday in my office and then today I conferred with Mr. L. A. Lehrbas who signed the affidavit of permission to file on the spring, in connection with the application for the permit.

In the application the point of diversion is described as 970 feet west from the center corner of section 8, township 8, south range 35 east, and then states that this is in the north-east quarter of the south-west quarter of that section 8. However, on page 2 of the application, in answer to question no. 14, it says the land to be irrigated is in south-west quarter of the north-east quarter in section 8. I went over the matter carefully this morning with Mr. L. A. Lehrbas, and after talking to him it is clear to me, and it was clear to him, that the point of diversion is in the north-east quarter of the south-west quarter of section 8.

The facts are as above stated and I now await your instructions as to what, if anything, can be done in this matter, since the permit gives the point of diversion in the south-west quarter of the north-east quarter of section 1, and the published notice described the place of use as being in the south-west quarter of north-east quarter of section 8.

Please let me hear from you; and thanking you for your patience in this matter, I am,

Sincerely yours,


H. J. Swanson
Writing for Fred H. Bolinger

HJS:mj
c.c. Fred H. Bolinger

23600

October 8, 1953

RE: Permit No. 23600

Mr. H. J. Swanson
P.O. Box 1370
Pocatello, Idaho

Dear Mr. Swanson:

We acknowledge receipt of your letter of October 5th enclosing depositions of Fred H. Bolinger and two witnesses, also affidavit of publication in the McCammon News and your own affidavit in connection with continuance of time for taking proof all submitted in proof of Beneficial Use on Permit No. 23600.

We note that the description of the point of diversion and place of use in all of these depositions is given as the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8 where as the permit gives it as the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section.

If this is a typographical error we can correct it upon your authorization to do so, but if there has been a change in the place of use an application for amendment will have to be filed for approval and record.

We direct attention to the fact that the place of use is described in the published notice as the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 8 South, Range 35 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re
cc/ Mr. Fred H. Bolinger

23600

✓
October 8, 1953

RE: Permit No. 23600

Mr. H. J. Swanson
P.O. Box 1370
Locatello, Idaho

Dear Mr. Swanson:

We acknowledge receipt of your letter of October 5th enclosing depositions of Fred H. Bolinger and two witnesses, also affidavit of publication in the McCammon News and your own affidavit in connection with continuance of time for taking proof all submitted in proof of Beneficial Use on permit No. 23600.

We note that the description of the point of diversion and place of use in all of these depositions is given as the NE 1/4 SW 1/4 Section 8 where as the permit gives it as the SW 1/4 NE 1/4 of said Section.

If this is a typographical error we can correct it upon your authorization to do so, but if there has been a change in the place of use an application for amendment will have to be filed for approval and record.

We direct attention to the fact that the place of use is described in the published notice as the SW 1/4 NE 1/4 Section 8, Township 8 South, Range 35 East, B.M.

Very truly yours,

MARSH R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re
CC/ Mr. Fred H. Bolinger

23600

H. J. SWANSON

Attorney at Law

226-7 DIETRICH BUILDING

P. O. BOX 1370

October 5, 1953

POCATELLO, IDAHO

Mark R. Kulp
State Reclamation Engineer
c/o Department of Reclamation
Boise, Idaho

RECEIVED
OCT 6 1953
Department of Reclamation

Gentlemen:

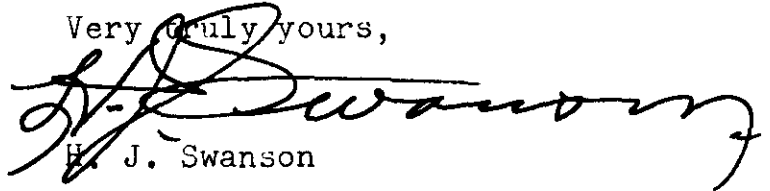
In re: Permit number 23,600. Fred H. Bolinger,
permit holder.

The proofs of application of water to beneficial use in connection with the above permit were taken Saturday, October 3, in my office, and find enclosed the following papers:

1. My own affidavit respecting continuation of the time of taking the proof, which I hope complies with your letter of the 30th of last month.
2. Proof of publication.
3. Deposition of permit holder.
4. Deposition of witness, L. A. Lehrbas.
5. Deposition of witness, George P. Foltz.

Awaiting word from you as to whether or not these papers are in order and that they comply with your rules and with best wishes to you, I am,

Very truly yours,


H. J. Swanson

HJS:mj

Enclosures as listed.

23600

PROOF OF PUBLICATION

STATE OF IDAHO
COUNTY OF BANNOCK

SS.

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 A. M. on the 25th day of September, 1953, at Pocatello, County of Bannock, State of Idaho, before H. J. Swanson, Notary Public, will be submitted to the application to beneficial use of one miner's inch of the waters of an unnamed spring tributary to East fork of Mink Creek in accordance with the terms and conditions of Permit No. 23,600 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are Fred H. Swanson, P. O. No. 1, Pocatello, Idaho.

The use to which said water has been applied is irrigation, domestic, and the care of mine.

The amount applied to beneficial use is One Miner's Inch.

The place where said water is used: Approximately one acre in the SW 1/4, Section 3, Township 3 South, Range 35 East, N. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is: A pipe placed in a ditch, 1 inch in diameter, extended from a 1 1/2 inch pipe which heads into a spring, the means of which the water is carried to the place of use.

The right to take water from such works is based upon Permit No. 23,600.

The source of supply from which such water is diverted is an unnamed spring tributary to East fork of Mink Creek.

The date of priority which said user is prepared to establish is January 20, 1953.

MARK R. KULE
State Reclamation Engineer

W. D. Wagon being first duly sworn,
deposes and says that he is the publisher

of The McCAMMON NEWS, a weekly newspaper published at
McCammon, Bannock County, in the State of Idaho; that the

notice, a true copy of which is hereto attached, was published in The McCAMMON NEWS for four

consecutive weeks, first publication having been made on the

28th day August, 1953 and the last

publication having been made on the 18th day of

September, 1953

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.

SUBSCRIBED and SWORN TO before me this 28

day of September A. D., 1953

Chas. E. Kaul
Notary Public.

My commission expires 2/1, 1954

23600

PROOF OF PUBLICATION

STATE OF IDAHO
COUNTY OF BANNOCK

SS.

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A. M. on the 25th day of September, 1953, at Pocatello, County of Bannock, State of Idaho, before H. J. Swanson, Notary Public, proof will be submitted of the application to beneficial use of one miner's inch of the waters of an un-named spring tributary to East fork of Mink Creek in accordance with the terms and conditions of Permit No. 23,600 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are Fred H. Bolinger, R. F. D. No. 1, South, Pocatello, Idaho.

The use to which said water has been applied is irrigation, domestic, and the care of mink.

The amount applied to beneficial use is One Miners Inch.

The place where said water is used: Approximately one acre in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 8 South, Range 35 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is: A pipe placed in a ditch, 1 inch in diameter, extended from a 1½ inch pipe which heads into a spring, by means of which the water is carried to the place of use.

The right to take water from such works is based upon Permit No. 23,600.

The source of supply from which such water is diverted is an un-named spring, tributary to East fork of Mink Creek.

The date of priority which said user is prepared to establish is January 20, 1953.

MARK R. KULP
State Reclamation Engineer
9-18-4m

..... being first duly sworn,
deposes and says that he is the
of The McCAMMON NEWS, a weekly newspaper published at
McCammon, Bannock County, in the State of Idaho; that the
....., a true copy of which is hereto at-
tached, was published in The McCAMMON NEWS for
consecutive weeks, first publication having been made on the
..... day 195..... and the last
publication having been made on the day of
....., 195.....

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.

SUBSCRIBED and SWORN TO before me this

day of A. D., 195.....

Notary Public.

My commission expires 195.....

2160

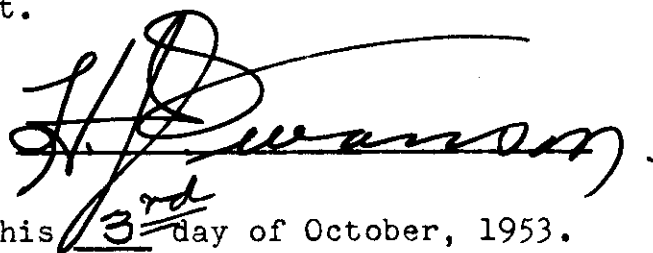
AFFIDAVIT

STATE OF IDAHO)
 ss.
COUNTY OF BANNOCK)

H. J. Swanson, being duly sworn, says that he is of lawfull age and is a Notary Public commissioned under the Law of the State of Idaho to act as such, and that he maintains a law office in the Dietrich Building in Pocatello, Idaho, and has done so since the year 1916. That he is the same person as the H. J. Swanson mentioned in the notice of proof of application of water to beneficial use which is hereto annexed before whom proofs were taken on this October 3, 1953.

That at 11 o'clock A. M. on September 25, 1953, the time set out in said notice for making proof, this affiant's office was open and this affiant was in his office from 9o'clock in the forenoon until 1 o'clock in the afternoon, continuously, of said date; that no protests were filed against the making of the proofs to be taken as specified in the said notice and that thereupon the matter of taking proof was postponed to Saturday, October 3, 1953, at 11 o'clock A. M.

Further this affiant sayeth not.


Subscribed and sworn to before me this 3rd day of October, 1953.


Notary Public for Idaho
Residence and P. O. Address:
Pocatello, Idaho
My Comm. Exp. May 22, 1956.

NOTARIAL SEAL)

23660

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 23,600.....

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Fred H. Bolinger, R.F.D. #1, South, Pocatello. Mink farmer, and employee of Naval Ord. Plant.

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. 23,600- dated Jan. 30, 1953, priority as of Jan. 30, 1953.

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

Ans. An unnamed spring, tributary of east fork Mink Creek. Point of diversion is 970 feet distant, west from center corner of Sec. 8, T. 8 S. R. 35 E.B.M., in NE 4 of SW 4 - Sec. 8, T. 8, S. R. 35 E.B.M.

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

Ans. A dug ditch, with 125 feet 1½ inch pipe; and 325 feet, 1 inch pipe, covered over. Total length of pipe 450 feet. I do not know gallons of flow per hour; but I have used enough for domestic use in our residence; and have irrigated one (1) acre of ground, being 1/8 acre lawn; and garden 7/8 acres; and also enough water for 1200 to 1500 mink.

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. Used to irrigate 1/8 acre lawn; 7/8 acre garden; and for domestic use for our residence; and water for mink yard, and 1200 to 1500 mink. All in NE 4 of SW 4 of Sec. 8, T. 8, S. R. 35 E.B.M. The land has been made productive by the use of the water; and our residence convenient and livable; and my mink farm developed with use of the water.

23600

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

Ans. For domestic use in our residence, and for use of mink animals numbering 1200 to 1500.

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

Ans. 1 1/2 inches of continuous flow.

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. Sufficinet for domestic use in our residence; sufficient for 1200 to 1500 mink; and to irrigate 1/8 acre lawn, and 7/8 acre garden.

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) *Fred H. Kellogg*

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 3rd day of October

A. D. 1953.,

H. J. Swanson
Notary Public for Idaho
Residence: Pocatello, Idaho

My commission expires Nov. 18, 1954.

(SEAL)

23600

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 23,600

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. George P. Foltz; 49 years old; about 8½ miles South of Pocatello, Idaho; Naval Ordnance Plant at Pocatello; P. O. address 1443.

Ques. 2. Are you acquainted with Fred H. Bolinger, the holder of Permit No. 23,600? How long have you known him and where does he reside?

Ans. I have known him about two years. He resides about two miles from where I reside, South of Pocatello, Idaho.

Ques. 3. Have you read or heard read said Permit No. 23,600, 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. An unnamed spring tributary of east fork of Mink Creek 970 feet distant, west from center corner Sec. 8, township 8, south range 35 E.B.M., and works consisting of dug ditch in which has been laid 1½ inch pipe and also 1 inch pipe 450 feet.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. I do not, in second feet; there is a continuous flow through the the pipes above mentioned.

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. Water used in residence of permit holder for domestic use and for watering mink owned by permit holder and for irrigating 1/8 acre of lawn and 7/8 acres garden, all used in northeast quarter of southwest quarter Sec. 8, township 8, south range 35 E. B. M. improvements made are developing lawn and developing garden so each is productive and developing raising of mink and making a living in residence convenient.

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

Ans. Water not used for power.

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. Arid land and water needed in reclaiming same. I estimate amount of water used 1 inch to 1½ inch continuous flow.

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. I live about two miles from permit holders residence and frequently visit at his home and I have seen him install the pipe and I have seen the water applied as above stated.

(Signed)

George P. Felt

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 3rd day of October,
A. D. 1953.

H. J. Swanson
Notary Public.

My commission expires Nov. 18, 1954
Residence: Pocatello, Idaho

23600

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 23,600

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. L. A. Lehrbas, 85 years, Route #1 South, Pocatello, Idaho
Retired, P.O. same as residence.

Ques. 2. Are you acquainted with Fred H. Bolinger, the holder of Permit No. 23,600? How long have you known him and where does he reside?

Ans. Yes, I have known him for 9 years. He resides at Route #1 South and is my nearest neighbor.

Ques. 3. Have you read or heard read said Permit No. 23,600, 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. An unnamed spring tributary of east fork of Mink Creek 970 feet distant, west from center corner Sec. 8, township 8, south range 35 E.B.M., and works consisting of dug ditch in which has been laid 1½ inch pipe and also 1 inch pipe 450 feet.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. I do not know in second feet; but there is a continuous flow through the pipes above mentioned.

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. Water used in residence of permit holder for domestic use and for waterint mink owned by permit holder and for irrigation 1/8 acre of lawn and 7/8 acres garden, all used in northeast quarter of southwest quarter Sec. 8, township 8, South range 35 E.B.M. improvements made are developing lawn and developing garden so each is productive and developing raising of mink and making a living in residence convenient.

23600

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

Ans. Water not used for power.

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. Arid land and water needed in reclaiming same. I estimate amount of water used 1 inch to 1½ inch continuous flow.

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

Ans. None.

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

Ans. I live in adjoining residence about 450 feet distance from home of permit holder and frequently visit his home and I have seen the water applied to beneficial use.

(Signed) L. A. Lehrbar

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 3rd day of October
A. D. 1953.

[Signature]
Notary Public.

My commission expires Nov. 18, 1954.
Residence: Pocatello, Idaho

(SEAL)

23600

September 30, 1953

RE: Permit No. 23600

Mr. H. J. Swanson
Box 1370
Pocatello, Idaho

Dear Mr. Swanson:

We have your letter of September 29, 1953, requesting the necessary forms of deposition for making beneficial use proof on Permit No. 23600 in the name of Fred H. Bolinger.

We note your statement that this proof is to be made October 3, 1953, but the published notice sets the date for making this proof as September 25, 1953. If the proof was not made on September 25, the depositions should be accompanied by your affidavit that your office was open at the time set in the published notice, that is September 25, 1953, that no protests were filed and that the matter was postponed to October 3.

Our files further show that a set of forms were sent you on July 2, 1953, but we are glad to enclose additional forms herewith as per your request.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

23600

H. J. SWANSON

Attorney at Law

226-7 DIETRICH BUILDING

P. O. BOX 1370

POCATELLO, IDAHO

29th Sept. 1953.

Hon. Mark R. Kulp,
State Reclamation Engineer,
Department of Reclamation,
State Capitol Building,
Boise, Idaho.

Dear Mr. Kulp:

In re: Permit No. 23600, Fred H. Bolinger,
Permit Holder.

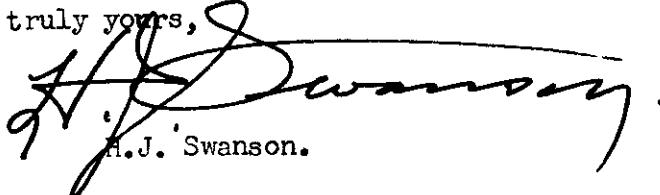
Proof of application of water to beneficial use, is to be taken
before me, next Saturday, Oct. 3rd., at 11 o'clock A.M.

I need from your office, two blank forms of DEPOSITION OF HOLDER of
the Permit; and also, I need ~~from~~ ^{four} blank forms of Deposition of Witness.

Can you please send me these blank forms so that I will get them by
Saturday morning?

Thanking you herein, I am,

Very truly yours,


H. J. Swanson.

HJS:ers.

RECEIVED
SEP 30 1953
Department of Reclamation

23600



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, RECLAMATION ENGINEER

BOISE

September 9, 1953

RE: Permit No. 23,600

McCammon News
McCammon, Idaho

Gentlemen:

On August 21, 1953 we sent you notice for publication on Permit No. 23,600 in the name of Fred H. Bolinger.

To date we have not received any acknowledgement of this notice and we shall appreciate receiving a copy of your first issue containing same.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer

By

Jeanne L. Anderson
Chief Clerk

A:re

We acknowledge receipt of the order referred to above, and enclose a copy of the notice as it appears.

E. H. Payson
E. H. Payson, Publisher

23600

✓
August 21, 1953

RE: Permit No. 23600

Mr. H. J. Swenson
P.O. Box 1370
Pocstello, Idaho

Dear Mr. Swenson:

Is my face red. In checking the file on Permit No. 23600 of Fred H. Bolinger, I find that the notice of Beneficial Use to be made on August 22, 1953, was never sent to the McCammon News.

We are very sorry about this and will send the notice at once so the first publication can start on August 28th and the proof made September 25.

Meanwhile, extension of time for making Beneficial Use proof will be allowed to October 15, 1953.

Very truly yours,

PARK R. LIP
State Reclamation Engineer
By

Chief Clerk

A:pj

23600

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 23,600

Date: August 21, 1953

McCammon News

McCammon, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **September 25, 1953** the date set for proof, the expense of the publication to be paid by the applicant, **Fred H. Bolinger** of **Rt. 1 South, Pocatello, 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

23600

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

Notice is hereby given that at 11:00 A. M. on the 25th day of September, 1953,
at Pocatello, County of Bannock, State of Idaho, before
H. J. Swanson, Notary Public, proof will be submitted of the
application to beneficial use of one miner's ¹/₂ inch cubic feet per second of the waters of an un-named spring
tributary to East fork Mink Creek in accordance with the terms and conditions of Permit No. 23,600
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
Fred H. Bolinger, R.F.D. # 1, South, Pocatello, Idaho.

The use to which said water has been applied is irrigation, domestic and care of mink.

The amount applied to beneficial use is One Miner's inch.

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

Approximately one acre in the SW ¹/₄ NE ¹/₄ Section 8, Township 8 South,
Range 35 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is
A pipe placed in a ditch, 1 inch in diameter, extended from a 1 ¹/₂ inch pipe which
heads into the spring by means of which the water is carried to the place of use.

The right to take water from such works is based upon Permit No. 23,600.

The source of supply from which such water is diverted is An un-named spring, tributary to
East fork of Mink Creek.

The date of priority which said user is prepared to establish is January 20, 1953.

MARK R. KILP

State Reclamation Engineer.

23600

H. J. SWANSON

Attorney at Law

226-7 DIETRICH BUILDING

P. O. BOX 1370

August 20, 1953

POCATELLO, IDAHO

RECEIVED
AUG 21 1953
Department of Reclamation

Hon. Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
State Capitol Building
Boise, Idaho

Dear Mr. Kulp:

In re: Permit No. 23600. Fred H. Bolinger
Permit Holder.

The matter of taking proof of completion of works in the above matter is set for Saturday, August 22.

Under date of July 2, 1953, your office wrote me a letter that you were sending the notice to the McCammon News to be published in that paper once a week for four weeks. Please see copy of letter in your files.

In preparation for taking this proof in this office, I yesterday wrote McCammon News asking it to send me proof of publication with their invoice, and this morning the Publisher, Mr. Payson, called me on the phone saying that their office had never received a copy of notice to be published. Consequently, no notice has been published.

Will you please check your files and see whether you may have overlooked mailing notice to the McCammon News in the above entitled matter to be published, and if you find you did not mail it, it will be necessary to prepare a new notice and fix a new date. If this has to be done, could the hearing be had for Saturday, October 3 next, at 11 A. M. in my office? Probably now you could prepare the new notice in your office, fix the date of making proof for Saturday, October 3 next, at 11 A. M., and mail one notice to the McCammon News with instructions to publish and mail one copy to this office so that I may be advised.

McCammon News is published on Friday, so the first publication could be had August 28, then September 4, September 11, September 18, and September 25, which would be a sufficient number of publications to comply with the law.

The present time for making proof expires September 1, but

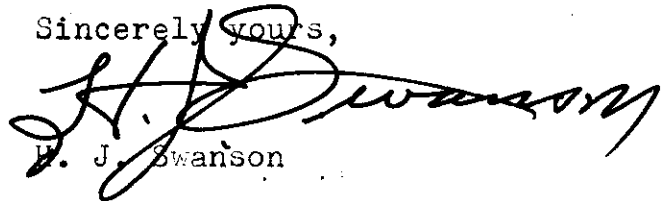
(over)

23600

will your office please extend this time to say October 15, 1953?

Awaiting word from you and with best wishes, I am,

Sincerely yours,


H. J. Swanson

HJS:mj

23600

July 2, 1953

RE: Permit No. 23600

Mr. H. J. Swanson
Box 1370
Pocatello, Idaho

Dear Mr. Swanson:

We acknowledge receipt of your letter of June 29, 1953, with enclosures as stated.

If we understand your letter correctly, Fred H. Bolinger is prepared to make proof of completion of works at this time but desires an extension of time for making proof of beneficial use. We therefore enclose Certificate of Completion of Works issued under this permit for the diversion of 1 inch of water from an unnamed spring, tributary to the East fork of Mink Creek, for irrigation and domestic use and the care of mink on 1 acre of land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 8 South, Range 35 East, B.M.

We also enclose departmental receipt No. 26025 for the \$5.00 fee paid in connection with proof of completion of works.

We also enclose approval of the State Reclamation Engineer of Mr. Bolinger's application for extension of time for making proof of beneficial use until September 1, 1953, and we shall send to the McCammon News notice of this proof to be made August 22, 1953, with instructions to publish it once a week for four weeks prior to that date and to send Mr. Bolinger the affidavit of publication together with statement of costs.

Meanwhile, we enclose the forms of deposition to be used in making this proof and at the time set Mr. Bolinger should appear before you together with two disinterested witnesses who are familiar with the terms of the permit and the work completed thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

23600

H. J. SWANSON

Attorney at Law
226-7 DIETRICH BUILDING

P. O. BOX 1370

POGATELLO, IDAHO

June 29, 1953

Mr. Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
State Capitol Building
Boise, Idaho

RECEIVED
JUN 30 1953
Department of Reclamation

Dear Mr. Kulp:

In re: Permit No. 23600. Fred H.
Bolinger, Permit Holder.

I thank you for your letter of the 17th inst., with the information and the forms you enclosed and I now send the following to your office in connection with making final proof of application of water to beneficial use under the above numbered permit:

1. Petition for extension of time to make final proof and form of order extending time for making proof indorsed on the second page. I enclose 1 duplicate of the petition, and if it meets with your approval will you please sign and return the duplicate copy to me here for my files.

2. I enclose form No. 6 being affidavit of Mr. Bolinger that he has completed the work required and has made application of the water to beneficial use.

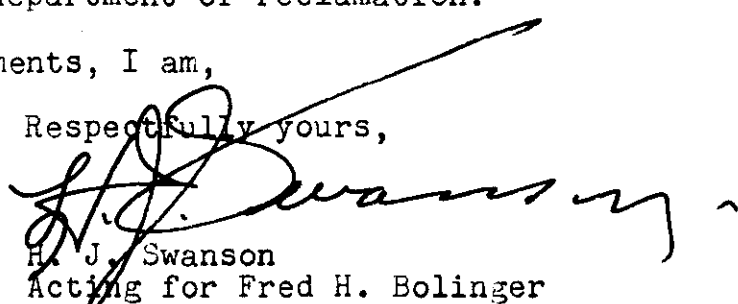
3. I enclose form No. 10 notice for publication in duplicate which I trust has been filled out as you require.

4. Also there is enclosed form No. 11 requesting publication of the notice in the McCammon News.

5. Also check of Mr. Bolinger dated 27th of this month in the sum of \$5 made out to the department of reclamation.

Awaiting your further comments, I am,

Respectfully yours,


H. J. Swanson
Acting for Fred H. Bolinger

HJS:bd

Enclosures as listed:

P.S. Please send me 3 blank forms your #16; and 6 blank forms of your #17.

23600

Permit No. 23,600

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bannock

ss.

Fred H. Bolinger

, 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. 23,600, and that his postoffice address is Pocatello

State of Idaho, R.F.D. No. 1, South.

Second: That the name of the stream from which said water is to be diverted is an un-named spring which is a tributary of East Fork of Mink Creek, in Bannock County, Idaho,

Third: That the point of diversion of said water is 970 ft. West from the center corner of Sec. 8, Twp. 8, S., R. 35 E.B.M. and is in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Sec. twp and R.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 30, 1953.

Fifth: That the use for which said water is intended is domestic and irrigation of a medium small garden; and a small lawn area, total of ground about 1 acre

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: a ditch with a pipe laid in it for 450 ft. more or less
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: pipe 1 $\frac{1}{2}$ in. and 1 in. pipe

(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

second feet of water. As much water as will flow thru a 1 in. pipe, under pressure, continuously, for dwelling house and lawn, and also pipe to garden and mink yard.

Eighth: That water appropriated under said permit is available for a medium small garden, less than an acre; all ground irrigated about one acre.
acres of land described as follows: a medium small garden, less than an acre, in SW $\frac{1}{2}$ of NE $\frac{1}{4}$, Sec. 8, Twp. 8 S., Range 35, E.B.M., Bannock County, Idaho; also a small lawn, total ground to be irrigated about one acre, 7/8th acre for a garden; and about 1/8th acre for lawn. Besides water for domestic use, for my dwelling house, and also water for mink at Mink Yard.

Ninth: Remarks: That water is to be used in a small residence, for domestic use, and for the care of 1200 to 1500 mink, since I now operate a mink farm, and also for the irrigation of a small garden. and also for a small lawn area, total land to be irrigated estimated about one acre

Fred H. Bolinger
(Sign Here)

Subscribed and sworn to before me this 27th day of June, 1953.

My commission expires Nov. 18, 1954.

H. J. Swanson
Notary Public
for Idaho.
Res: Pocatello, Idaho.

In the Matter of Making Proof)
of Application of Water to)
Beneficial Use by Fred H. Bolinger) PETITION FOR EXTENSION OF
Route #1 South, Pocatello, Idaho) TIME TO MAKE FINAL PROOF.
Under Permit No. 23600)

23600

STATE OF IDAHO)
 ss.
COUNTY OF BANNOCK)

Fred H. Bolinger, being duly sworn says that he signed the foregoing petition and that he is the holder of permit No. 23600 mentioned therein; that he has read the foregoing petition, knows the contents thereof and says that the allegations therein contained are true as he verily believes.

Fred H. Bolinger

Subscribed and sworn to before me this 27th day of June, 1953.

H. J. Swanson
Notary Public for Idaho

Residence: Pocatello, Idaho

My comm. expires: 18 Nov. 1954

(Notarial Seal)

ORDER EXTENDING TIME FOR MAKING PROOF

Upon reading, considering and filing the above petition for extension of time in which to make proof of completion of works and beneficial use of water referred to therein and good cause appearing therefore,

IT IS ORDERED That said petition be, and it hereby is, granted and that the time within which said petitioner may make proof of completion of works and beneficial use of water, be, and the same hereby is, extended to and including September 1, 1953.

Order entered this _____ day of June, 1953,

MARK R. KULP
State Reclamation Engineer

23600

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 27th June, 1953.

(P. O.) Pocatello, Idaho, R F D #1, South.

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Mc Cammon News, of Mc Cammon, Idaho, published in
the county in which the works are situated.

Fred H. Bolinger

Fred H. Bolinger, RFD #1, South, Pocatello,
Idaho.

(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.

23600

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

Notice is hereby given that at 11 A. M. on the 22nd day of August, 1953,
at Pocatello, County of Bannock, State of Idaho, before

H.J. Swanson, a notary public for Idaho, proof will be submitted of the
application to beneficial use of 1 ~~miner's inch~~ inch of continuous flow of
which is a tributary of the East Fork of Mink Creek, in Bannock County, Idaho,
in accordance with the terms and conditions of Permit No. 23,600

heretofore issued by the State Reclamation Engineer, Mark R. Kulp, of the State of Idaho.

The name and postoffice address of the person ~~or corporation~~ holding said permit are Fred H. Bolinger,
R.F.D. #1, South, Pocatello, Idaho,

The use to which said water has been applied is domestic; and for irrigation of a lawn and
of a small garden; and supplying water for a mink yard of from 1200 to 1500 mink

The amount applied to beneficial use is 1 miner's inch of continuous flow of
springs; being as much water as will flow, continuously through a 1 in. pipe.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
in dwelling house of the holder of above numbered permit; and for his mink yard, and for
irrigation of a small lawn, and a small garden, the ground being about 1 acre in extent
all situated in SW $\frac{1}{4}$ of NE $\frac{1}{4}$, in Sec. 8, Twp. 8, Range 35, E.B.M. in Bannock County, Idaho.
Total length of pipe used about 450 ft. (450 ft.)

The name of the canal or ditch or other works by which said water is conducted to such place of use is
a pipe placed in a ditch, 1 in., in diameter, extended from a 1 $\frac{1}{2}$ in. pipe which heads
into the spring, by means of which the water is carried to the place on use.

The right to take water from such works is based upon Permit No. 23,600

The source of supply from which such water is diverted is an unnamed spring, a tributary of
East Fork of Mink Creek, in Bannock County, Idaho

The date of priority which said user is prepared to establish is January 30th, 1953.

State Reclamation Engineer.

23600

✓
June 17, 1953

RE: Permit No. 23600

Mr. H. J. Swanson:
Box 1370
Pocatello, Idaho

Dear Mr. Swanson:

We have your letter of June 11 stating that Mr. Fred H. Bolinger is ready to make proof of application of water to beneficial use under Permit No. 23600 and requesting the necessary forms.

Proof of completion of works and beneficial use on this permit are both due on or before July 30, 1953, as per notice sent Mr. Bolinger May 1st, enclosing the necessary forms.

However, we enclose other forms herewith.

Proof of completion of works to be made on Form 6 and returned to this Department with the statutory fee of \$5.00.

Notice for beneficial use proof should be made in duplicate on Form 10, setting the time and place and naming the Notary Public before whom the proof is to be made. The proofs may be made at any place convenient for the permit holder and two witnesses, and the date should be set sufficiently far ahead to allow for the statutory four weeks publication.

Both Copies of Form 10 to be returned to this Department together with Form 11 which is authorization for us to have the notice published at permit holder's expense in the designated county newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cp
Enc.

23600

H. J. SWANSON

Attorney at Law
226-7 DIETRICH BUILDING

P. O. BOX 1370

POCATELLO, IDAHO

JUNE 11, 1953

RECEIVED
JUN 13 1953

Department of Reclamation

Hon. Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Dear Mr. Kulp:

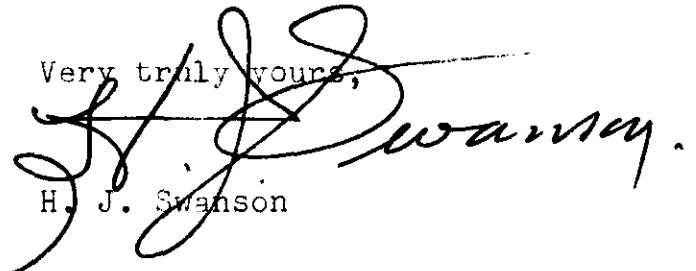
In RE: Permit No. 23600. Fred H. Bolinger, Applicant.

Mr. Bolinger has advised me that he is ready to make the necessary proof of application of water to beneficial use under the permit number above set out; so will you please forward to this office the necessary forms for him to fill out, looking to publication of notice to make the necessary proof; and other forms required to be signed?

Please forward them to this office, because he wants me to help him in making the proof.

Awaiting word from you and thanking you in advance for your usual cooperation, I am,

Very truly yours,


H. J. Swanson

HJS:mj

23600

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Mr. Fred H. Bolinger
Rt. 1 South
Pocatello, Idaho

BOISE

May 1, 1953

Dear Sir:

Under the terms of your permit No. 23600 you are required to complete your diversion works and make proof of beneficial use on or before

July 30, 1953.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public of 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 July 30, 1953, 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

23600

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 23600

Date February 14, 1953

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

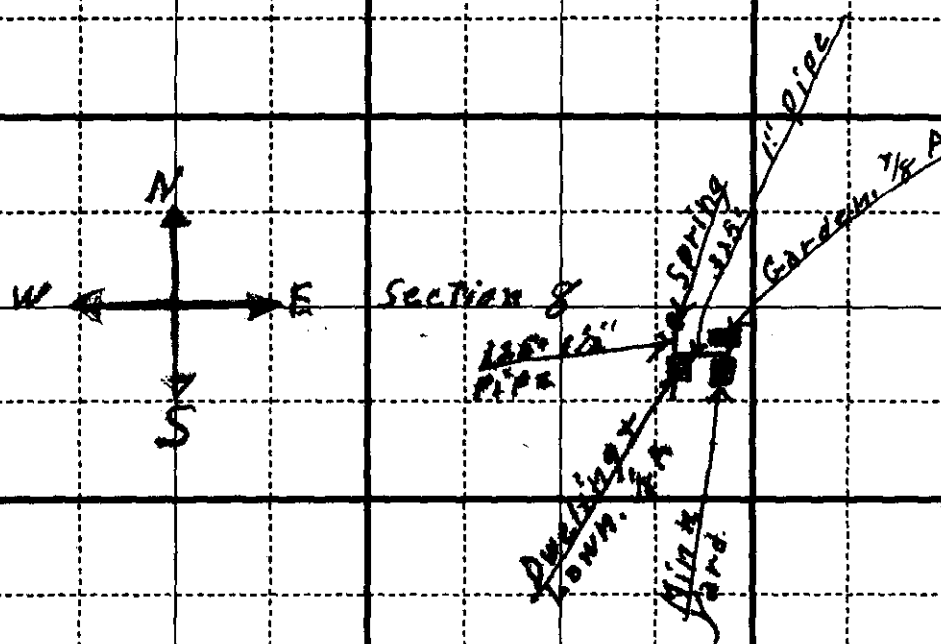
Mr. Fred H. Bolinger
Route 1 South
Pocstello, Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental receipt No. 25431 for \$5.00 filing fee.

23600

Freatia salingeri

Form No. 0

As Approved
JAN 30 1952
MARK R. KULP
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

23600



LEN JORDAN
GOVERNOR

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

BOISE

January 12, 1953

RECEIVED
JAN 20 1953
Department of Reclamation

Mr. Fred H. Bolinger
Pocatello, Idaho

Dear Mr. Bolinger:

We acknowledge receipt of your application for permit to appropriate one inch of water from an unnamed spring.

However, you failed to enclose the filing fee of \$5.00 and two sketch maps are also required. These sketch maps should be made in duplicate on the forms enclosed showing location of the spring and the East Fork of Mink Creek, and the land to be irrigated should be colored or cross-hatched.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannette L. Anderson
Chief Clerk

JA/veg
encl.

Pocatello Idaho
P. L. Sa.
Jan 19-1953

Department of Reclamation
Boise Idaho

Dear Sir

Inclosed find \$5.00 money order for \$5.00 as requested for filing fee. + maps of location of land to be irrigated

Respectfully

Fred H. Bolinger

23606

December 12, 1952

Mr. Fred H. Bolinger
Route 1 South
Pocatello, Idaho

Dear Mr. Bolinger:

In reply to your request of December 9, 1952, we enclose a form of application for permit to appropriate the public waters of the State of Idaho together with a pamphlet giving regulations and instructions in regard to filing same.

Your special attention is directed to Paragraph 11 in regard to filing on a spring, and since your statement is that the spring is located on land belonging to someone other than yourself, the affidavit of permission on the bottom of the third page should be executed by the owner of the land on which this spring is located.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

23606

Pocatello, Idaho
Route 1, So
December 9, 1952

Department of Reclamation
State House
Boise, Idaho

Dear Sirs:

I hereby make application
for water rights on Spring
located on East Fork of Mink Creek,
Bannock County, Idaho. This Spring
is on land owned by Bismark
Lehrbas located in North East $\frac{1}{4}$
of the South-West $\frac{1}{4}$ of Section 8,
Township 8 So. South range 35 East
of Boise Meridian.

Thank you.

Sincerely,

Fred H. Bolinger

23600

RECEIVED
DEC 11 1952

Department of Reclamation

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

Notice is hereby given that at 11:00 A. M. on the 25th day of September, 1953, at Pocatello, County of Bannock, State of Idaho, before H. J. Swanson, Notary Public, proof will be submitted of the application to beneficial use of one miner's inch of the waters of an un-named spring tributary to East fork of Mink Creek in accordance with the terms and conditions of Permit No. 23,600 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are Fred H. Bolinger, R. F. D. No. 1, South, Po-

catello, Idaho.

The use to which said water has been applied is irrigation, domestic, and the care of mink.

The amount applied to beneficial use is One Miners Inch.

The place where said water is used: Approximately one acre in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 8 South, Range 35 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is: A pipe placed in a ditch, 1 inch in diameter, extended from a 1 $\frac{1}{2}$ inch pipe which heads into a spring, by means of which the water is carried to the place of use.

The right to take water from such works is based upon Permit No. 23,600.

The source of supply from which such water is diverted is an unnamed spring, tributary to East fork of Mink Creek.

The date of priority which said user is prepared to establish is January 20, 1953.

MARK R. KULP
State Reclamation Engineer
9-18-53