

State of Idaho  
License and Certificate of Water Right

Water License No. 23140 Amount 0.04 second foot  
Water District No. Priority October 6, 1952

THIS IS TO CERTIFY that BISMARCK M. LEHRBAS  
of Pocatello, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated October 6, 19 52 ; that Permit No. 23140  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
0.04 second foot, was issued thereunder on July 15, 19 54 , showing that said works  
were completed on the 1st day of August, 19 53 ; and that on the 1st  
day of August, 19 53 ,

BISMARCK M. LEHRBAS  
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 irrigation and  
domestic use under Use Permit No. 23140 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 5298, on the 15th day of July, 19 54 ;  
The right hereby confirmed dates from October 6, 19 52 ;  
The Point of Diversion is located

in the NE 1/4 SW 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 0.04 cubic foot per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                   | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|------------------------------------|----------------------------------|---------------------------------|
| 8 S. | 35 E. | 8    | SW 1/4 NW 1/4                      | 1                                | 1                               |
|      |       |      | NW 1/4 SW 1/4                      | 1                                | 3                               |
|      |       |      | Number of Acres Actually Irrigated | -                                | 4                               |

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, 19 54 .

(SEAL)

MARK R. KULP  
State Reclamation Engineer.

State of Idaho  
License and Certificate of Water Right

Water License No. G-22395 Amount 0.04 second foot  
Water District No. Priority October 2, 1951

THIS IS TO CERTIFY that L. E. REID  
of Pocatello, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated October 2, 19 51 ; that Permit No. G-22395  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
0.04 second foot, was issued thereunder on July 15, 19 54, showing that said works  
were completed on the 30th day of April, 19 54 ; and that on the 30th  
day of April, 19 54 ,  
L. E. REID  
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 a well  
~~subterranean~~ (subterranean flow) , for the purpose of domestic and industrial  
use , under Use Permit No. G-22395 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 5297 , on the 15th day of July, 19 54 ;  
The right hereby confirmed dates from October 2, 19 51 ;  
The Point of Diversion is located

in the SW 1/4 NW 1/4, Sec. 6, Tp. 7 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 0.02 cubic foot per second for domestic and 0.02 cubic foot per second for  
industrial use.  
Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                                               | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|----------------------------------------------------------------|----------------------------------|---------------------------------|
|      |       |      | SW 1/4 NW 1/4 Section 6, Twp. 7 South,<br>Range 35 East, B. M. |                                  |                                 |

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, 1954 .  
MARK R. KULP  
State Reclamation Engineer.  
(SEAL)

29-2323 23140

**APPLICATION FOR PERMIT**  
**To Appropriate the Public Waters of the State of Idaho**

APPLICATION No. 30917  
PERMIT No. 23140  
DISTRICT No.

L. A. Lehrbas  
P.O. Box 1444  
Pocatello, Idaho

1. Name of Applicant: **BISMARCK M. LEHRBAS**

Postoffice address: **Pocatello**

County: **Bannock**

State: **Idaho**

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: **Two inches or 0.04** cubic feet per second.

3. Source of water supply: **Un-named spring** which is a tributary of **East fork of Mink Creek**

4. Location of point of diversion: **970 feet West** ~~feet distant from the center~~

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

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

5. Water is to be used for **Irrigation and domestic purposes.** (10 gallons daily for domestic purposes—  
Balance 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: \$ **250.00**

8. Kind of works: **Digging ditch, buying and laying pipe.**

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 **2** inches; length of conduit **700 ft.** miles.

Average grade per mile feet.

12. The time required for the completion of such work is **2 days** after **irrigation starts 1953** / years.

13. The time required for the complete application of the water to the proposed use is **2 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: **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.

*Applicant.*

L. A. Lehrbas

*Agent.*

Date of first receipt at Department of Reclamation: 9:00 A. M. October 6, 1952

Returned to applicant for correction: October 9, 1952

Corrected application received: October 15, 1952

## Approval of State Reclamation Engineer

The number of this permit is 23140

Page 23140

Approved      October 21, 1952

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 21, 1952**

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 21, 1953

The whole of said work to be completed on or before **October 21, 1953**

Beneficial use of water appropriated in accordance herewith, to be made on or before **October 21, 1953**

WITNESS My hand this 21st day of October, 1952

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 21st

day of October, 19 52.

STATE OF IDAHO

**Countersigned:**

(SEAL)  
By IRA H. MASTERS

By

LEN JORDAN

Governor.

*Secretary of State.*

The applicant owns the land the spring is on.

REMARKS: I am using a two inch pipe at the intake, then I have reduced the pipe to  $1\frac{1}{2}$  inches to get more pressure. There is 400 ft. of the above pipe. The other 300 feet I will reduce to  $\frac{3}{4}$  inch and lay on the top of the ground. The first 400 feet is buried. All waste water will go back into the East fork of Mink Creek; 400 feet West of the spring the  $1\frac{1}{2}$  inch pipe will be reduced to a one inch pipe 400 ft. from the spring. 1 lateral pipe  $\frac{3}{4}$  inch will tap the  $1\frac{1}{2}$  inch pipe 370 ft. from the spring and the other  $\frac{3}{4}$  inch pipe will tap the 1 inch pipe 420 ft. from the spring. The spring empties into the East fork of Mink Creek.

| Twp.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 8 S.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 35 E. | 8    |                  |                  |                  |                  | 1                |                  |                  |                  | 1                |                  |                  |                  |                  |                  |                  |                  | 2      |
| Permit No. 23140<br>CERTIFICATE OF COMPLETION OF WORKS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| TO ALL WHOM IT MAY CONCERN:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| This is to certify that BISMARCK M. LEHRBAS of Pocatello, County of Bannock, and State of Idaho, the holder of 23140, issued upon Application No. 30917 bearing date of priority of October 6, 1952, authorizing the diversion of foot 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 purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting the waters of said spring to the place of intended use 0.04 second foot of the waters of said spring; that the point of diversion is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 8 South, Range 35 East, B. M. and that the lands proposed to be irrigated by water are described as follows, to-wit: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 8 South, Range 35 East, B. M. |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| Witness my hand this 15th day of July, A. D. 1954.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| MARK R. KULP<br>State Reclamation Engineer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| Proof of Completion of Works made August 1, 1953<br>Certificate of Completion of Works issued July 15, 1954.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| LICENSE ISSUED FOR 0.04 SEC. FT.<br>Pg. 5298                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

SCANNED

APR 30 2001

July 17, 1954

RE: Permit No. 23140

Mr. L. A. Lehrbas  
Star Route  
Mink Creek Road  
Pocatello, Idaho

Dear Mr. Lehrbas:

We enclose Certificate of Completion of Works, also License and Certificate of Water Right issued under permit No. 23140, confirming the right of Bismarek M. Lehrbas to the use of .04 second foot of water from an un-named spring in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 8, Twp. 8 South, Rge. 35 East, B.M. with priority of October 6, 1952, for irrigation and domestic use on the W $\frac{1}{2}$ SW $\frac{1}{4}$  of said Section 8.

We also enclose departmental receipt No. 26767 for the \$9.00 fees paid in connection with these proofs.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:br  
Enc.

23140

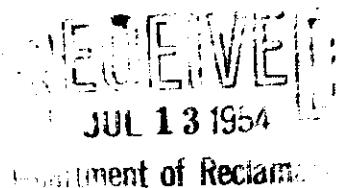
Pocatello-7-12-54.

Dear Sir. Enclosed please find my check for \$ 9.00. as per your  
your letter of 7-7-54.

Do I receive proof of my water right, including date, amount of  
water, & ect, for the purpose of registering same. Yours Truly.

L.A.Lehrbas.

My---Address. Star Route.  
Mink Ck Road.  
Pocatello.Idaho.



23140

23140

✓  
Jul 7, 1934

RE: Permit No. 23140

Mr. Bismarck M. Lehrbas  
Box 1444  
Pocatello, Idaho

Dear Mr. Lehrbas:

We now have on file the report of our field engineer on examination for Completion of Works and Beneficial Use on Permit No. 23140.

Therefore, upon receipt of the statutory fees Certificate of Completion of Works and License can be issued for 2 inches or .04 second foot of water from unnamed spring in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 8, Township 8 South, Range 35 East, B. M.

These fees amount to \$5.00 for Certificate of Completion of Works and \$4.00 license fee or a total of \$9.00.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:br

23140

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

Permit No. 23140.....

This proof is for Completion of Works and Beneficial Use In Water District No. \_\_\_\_\_

1. Name of applicant Bismarck M. Lehrbas, Box 11114, Pocatello, Idaho (L.A. Lehrbas, Agent)
2. Source of water supply: An un-named spring, tributary to East fork Mink Creek
3. Location of point of diversion: Is in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 8  
T. 8 S. R. 35 E. County of Bannock
4. Describe works as they exist, giving dimensions and capacities of same: \_\_\_\_\_

5. Water is used for: Irrigation and domestic purposes.
6. State whether or not water has been turned into works of diversion: \_\_\_\_\_

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

SW $\frac{1}{4}$  NW $\frac{1}{4}$  and NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 8, Twp. 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 24 day of June, 1954

(Signed)

**Examiner.**

23140

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.

Bismarck M. Lehrbas  
Box 1444, Pocatello, Idaho

Permit No. 23140

Examination for Completion of Works and  
Beneficial Use

County Bannock

8-8S-35E.

Q = 0.04.

S = Un-named spring

P.D. = NE, SW, Sec. 8, T. 8S. - R. 35E.

Use = Irrigation & Domestic

Priority = Oct. 6, 1952  
Due = Oct. 21, 1953

87 yrs old.

28' x 2" pipe for spring

30' x 1 1/4" "

420' distance for spring

5 bridge in front of house

12' fall.

4 acres lawn, garden,  
trees 177 trees

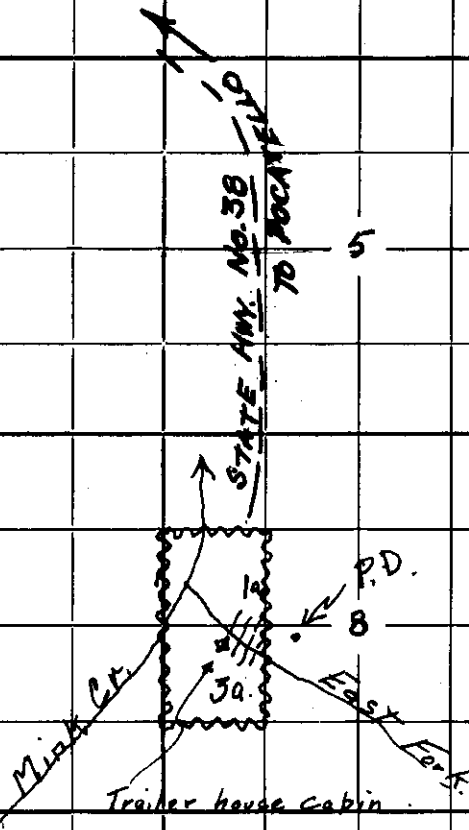
R-35E.

T.  
8  
S.

7

5

8



Subdivisions = Two

Area = 4 acres

Q = 2 inches

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 23140

REPORT ON PROOF OF Completion of Works and Beneficial Use

BISMARCK M. LEHRBAS, Box 1144, Pocatello, Idaho

04 of  
max

app. 2"

11 acres  
2.40's

23140

This place is located on the East Fork of Mink Creek just above the State Highway, a short distance above the confluence with Mink Creek. He irrigates 4 acres, which lies on both sides of the East Fork. Trees, lawn, flowers are irrigated. He has 177 trees, mostly Conifers that he obtained from the University of Idaho. Most of these trees are very small at present. Water is taken from the spring that comes out ~~on the~~ <sup>269 shale slide</sup> land located on the North side of the East Fork, a short distance to the East of the old man's place (87 years old). He states the spring is 480' east of his property. Water is conducted to the place by means of a 2" pipe then reduced to 1 1/2". It is piped throughout the whole of the area there being a number of outlets where he waters the trees by gravity or carries water in a pail to the individual plants.

The old man, who is retired, has a beautiful little place.

Pocatello-8-14-53.

Dear Sir. will you please advise me four or five days before your field Engineer arrives here. I only get to town twice a week for my mail, & I want to make it a point to be here when he arrives. I go to town, Tuesdays, & Fridays, in AM, back at noon. & on August the 22d, I appear as a witness, & will not be home untill about 1.30. PM. the balance of the time I will be at Home.

Yours Truly.

L. A. Lehrbas.

P.O.Box. 1444.

RECEIVED  
AUG 15 1953

Department of Reclamation

23140

August 7, 1953

RE: Permit No. 23140

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

Dear Mr. Swanson:

We acknowledge receipt of your letter of August 4, 1953, enclosing depositions of L. A. Lehrbas and two witnesses also, affidavit of publication in the McCammon News all submitted in proof of Completion of Works and Beneficial Use under Permit No. 23140 in the name of Bismarck M. Lehrbas.

Before final action is taken the law requires a field examination by an engineer from this Department after which the applicant will be notified as to the proper amount of fees.

We cannot tell at this time just when this field inspection will be made, but our field engineer will contact Mr. Lehrbas in order that arrangements may be made to show him over the ground.

Very truly yours,

MARK R. RULF  
State Reclamation Engineer  
by

Chief Clerk

m:pj  
cc: Mr. L. A. Lehrbas

23140

H. J. SWANSON

Attorney at Law

226-7 DIETRICH BUILDING

P. O. BOX 1370

August 4, 1953

BOZATELLO, IDAHO  
RECEIVED  
AUG 5 1953  
Department of Reclamation

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

Dear Mr. Kulp:

In re: Permit No. 23140  
Bismarck M. Lehrbas

Final proof was made before myself, notary public, last Saturday here in my office, and please find enclosed the following papers:

1. Proof of publication of notice of proof by the McCammon News.
2. Deposition of holder made on behalf of holder by his attorney in fact, L. A. Lehrbas.
3. Deposition of witness, Fred H. Bolinger.
4. Deposition of Dorothy C. Bolinger.

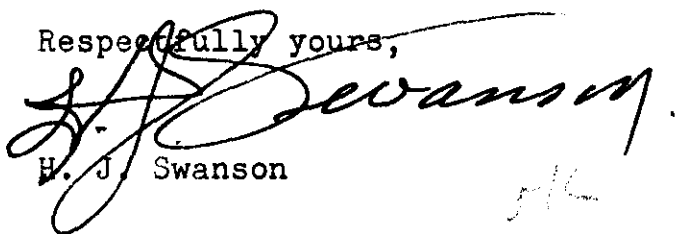
I trust you find all of this is in order, and that it may be accepted as sufficient proof.

There will probably be a certificate issued approving the proof submitted and permanently granting the water right with priority of October 6 last year.

I do not find in any of your letters or other information I have here as to whether or not there is any more fee owing your office, but if there is please let me know and I shall send it forward in due time.

Awaiting word from you, I am,

Respectfully yours,

  
H. J. Swanson

HJS:bd

Enclosures as listed

23140

# PROOF OF PUBLICATION

STATE OF IDAHO  
COUNTY OF BANNOCK

SS.

## NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at seven o'clock a. m., on the 1st day of August, 1953, at Pocatello, Idaho, the undersigned, State Reclamation Engineer, will be submitting to the commission the proof of completion of the works of diversion and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is two cusecs at the said point of diversion.

1. The name and postoffice address of the person or corporation holding said permit are Elmer M. Lantieri, Box 1444, Pocatello, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is two cusecs at the said point of diversion.

3. The use to which said water has been applied is domestic and irrigation purposes, and the amount applied to beneficial use is 2 cusecs at the said point of diversion.

4. The place where said water is used is in NW 1/4 of NW 1/4 and in the NW 1/4 of the SW 1/4, in Sec. 8, Twp. 8 N., R. 35 E., S. 2 E., Bannock County, Idaho.

5. The date of priority which said water is entitled to establish is October 1, 1902.

ELMER M. LANTIER  
State Reclamation Engineer

Ed Payson being first duly sworn,  
deposes and says that he is the publisher  
of The McCAMMON NEWS, a weekly newspaper published at  
McCammom, Bannock County, in the State of Idaho; that the  
notice, a true copy of which is hereto at-  
tached, was published in The McCAMMON NEWS for four  
consecutive weeks, first publication having been made on the  
3rd day of July, 1953 and the last  
publication having been made on the 24th day of  
July, 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 29th  
day of July, A. D., 1953

Elmer E. Lerach  
Notary Public.

My commission expires 1 Aug, 1954

23140

# PROOF OF PUBLICATION

STATE OF IDAHO  
COUNTY OF BANNOCK

SS.

## NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at Eleven o'clock a. m., on the 1st day of August, 1953, at Pocatello, County of Bannock, State of Idaho, before H. J. Swanson, notary public, in his law office, 226-7 Dietrich Building, in Pocatello, Idaho, proof will be submitted of the completion of works for the diversion of 2 miner's inches, being two-fiftieths of one cubic foot per second of waters of an UNNAMED SPRING a tributary of East Fork of Mink Creek, the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 23140 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Bismark M. Lehnbas, Box 1444, Pocatello, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is two-fiftieths of one cubic foot per second.

3. The use to which said water has been applied is domestic and irrigation purposes, and the amount applied to beneficial use is 2 miner's inches being two-fiftieths of one cubic foot per second.

4. The place where said water is used is in SW $\frac{1}{4}$  of NW $\frac{1}{4}$  and in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , in Sec. 8, TWP. 8, S., R. 35, E. B. M., Bannock County, Idaho.

5. The date of priority which said user is prepared to establish is October 6, 1952.

MARK R. KULP  
State Reclamation Engineer  
7-24-4M

*E. J. Raym* 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

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

consecutive weeks, first publication having been made on the  
*3rd* day of *July*, 195*3* and the last

publication having been made on the *24th* day of  
*July*, 195*3*.

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.

*E. J. Raym*  
SUBSCRIBED and SWORN TO before me this *29th*  
day of *July*, A. D., 195*3*

*Gene E. Erickson*  
Notary Public.

My commission expires *Aug*, 195*4*

23140

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Permit No. 23-140.....

**Proof of Application of Water to Beneficial Use**  
**and Completion of Works**

**Deposition of Holder**

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

Ans. Bismarck M. Lehrbas, Pocatello, P. O. Box 1444, Bannock County, Idaho, by occupation engaged in the Forest Service of the United States Government.

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. None

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

Ans. 23140 October 21, 1952, priority October 6, 1952.

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

Ans. An unnamed spring a tributary of East Fork of Mink Creek Bannock County, Idaho. Diversion point 970 feet West, 90 ft. So. from center corner Sec. 8, Twp. 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 containing 900 ft. of pipe 2 inches in diameter at the intake for 30 ft. and then reduced to 1½ in. diameter for 370 ft. and ¾ in. pipe for 165 ft. and 100 ft. ½ in. Also I have additional 1 in. pipe about 205 ft. Amount of water conveyed is what will flow by continuous flow through the pipes above described by gravity flow. I claim 2 miner's inches of continuous flow or 2/50 of 1 cubic foot per second.

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. Ten gallons per day for domestic purposes daily. Balance of flow for irrigation of one acre in SW¼ of NW¼ and one acre in NW¼ of SW¼ Sec. 8, Township 8 South, Range 35 E.B.M. Land irrigated is cultivated, mostly used for garden, lawn, trees, and for growing flowers.

23140

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

Ans. For irrigation and domestic use.

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

Ans. 2 miner's inches continuous flow, being 2/50 of 1 cu. ft. of water is what I have used.

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. None.

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

Ans. I have used this water since about 1939. Approximately 2 miner's inches continuous flow, and since obtaining permit I have continued to use the same amount.

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.

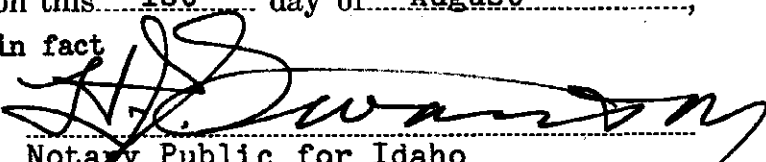
Ans. I have not used other water. I have only used water as described in answer to No. 10.

✕ Bismarck M. Lehrbas  
By L. A. Lehrbas  
(Sign) His Attorney in Fact.

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 1st day of August

A. D. 1953, by L. A. Lehrbas, attorney in fact  
for Bismarck M. Lehrbas.

  
Notary Public for Idaho

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

(Seal)

23140

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 23-140

**Proof of Application of Water to Beneficial Use**  
**Deposition of Witness** and Completion of Works

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. Dorothy C. Bolinger, over 21 years, Route #1 South, Pocatello, Idaho. House wife.

Ques. 2. Are you acquainted with Bismarck M. Lehrbas, the holder of Permit No. 23140? How long have you known him and where does he reside?

Ans. Yes, since about 1948. He is stationed in New Orleans, Louisiana employed in the Forest Service.

Ques. 3. Have you read or heard read said Permit No. 23140, 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. Diversion point 970 ft. West and 90 ft. South from the center corner, Section 8, Township 8 South, Range 35 E.B.M. Water conveyed by pipes some covered over and some on top of the ground.

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. 2 miner's inches continuous flow.

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. Some in house, balance to irrigate about 2 acres of land for garden for growing trees, lawn and flowers. Place of use in SW $\frac{1}{4}$  of NW $\frac{1}{4}$  and in NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 8, Township 8 South, Range 35 E.B.M. A small garden has been developed, trees have been planted and successfully grown, lawn has been built up and flowers are successfully growing.

23140

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

Ans. None

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. Dry land is what has been reclaimed. I estimate about 2 miner's inches continuous flow is required for profitable cultivation.

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 have lived neighbors to the property of Bismarck M. Lehrbas for over three years and almost daily I have witnessed the use of the water above described before October of 1952. The pipes flow continuously to their full capacity about two miner's inches continuous flow.

(Signed)

Dorothy C. Bolinger

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 1st day of August

A. D. 1953.

H. J. Swanson

Notary Public.  
for Idaho.

My commission expires November 18, 1954.

Residence: Pocatello, Idaho.

23140

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 23-140

**Proof of Application of Water to Beneficial Use**  
**Deposition of Witness** and Completion of Works

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. Fred H. Bolinger, age, 52, Route #1 South, Pocatello, Idaho. Mink farmer and also employed at Naval Ordnance Plant.

Ques. 2. Are you acquainted with Bismarck M. Lehrbas, the holder of Permit No. 23140? How long have you known him and where does he reside?

Ans. Yes, since about 1948. He is stationed in New Orleans, Louisiana employed in the Forest Service.

Ques. 3. Have you read or heard read said Permit No. 23140, 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. Diversion point 970 ft. West and 90 ft. South from the center corner, Section 8, Township 8 S. R. 35 E.B.M. Water conveyed by pipes some covered over and some on top of the ground.

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. 2 miner's inches continuous flow.

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. Some in the house, balance to irrigate about 2 acres of land for garden for growing trees, lawn and flowers. Place of use in SW $\frac{1}{4}$  of NW $\frac{1}{4}$  and in NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 8, Township 8 South, Range 35 E.B.M. A small garden has been developed, trees have been planted and successfully grown, lawn has been built up and flowers are successfully growing.

23140

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

Ans. None

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. Dry land is what has been reclaimed. I estimate about 2 miner's inches continuous flow is required for profitable cultivation.

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 have lived neighbors to the property of Bismarck M. Lehrbas for over three years and almost daily I have witnesses the use of the water above described before October of 1952. The pipes flow continuously to their full capacity about two miner's inches continuous flow.

(Signed)

Fred H. Bolinger

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 1st day of August,

A. D. 1953.

[Signature]  
Notary Public.  
for Idaho

My commission expires November 18, 1954

Residence: Pocatello, Idaho.

23140

July 28, 1953

RE: Permits Nos. 21994 and 23140

McCarmon News  
McCarmon  
Idaho

Gentlemen:

We thank you for the copy of your issue of July 17, 1953, containing notices for publication.

The notice on Permit No. 21994 of Arnold W. Nielson we find to be correct, but the notice on Permit No. 23140 of Bismarck M. Lehrbas has a slight typographical error.

In the 14th line after the words "Link Creek" the words "and of" are omitted.

Please make this correction in your subsequent issues.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg

23140

# The McCammon News

THE DOWNEY COMET - THE GRACE HERALD

MCCAMMON, IDAHO

7/26/53

Dept. of Reclamation,  
State of Idaho  
Boise, Idaho

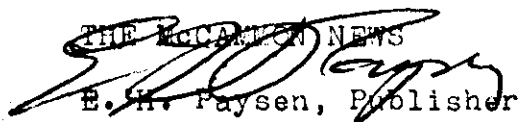
Attn. Jeanne L. Anderson

Gentlemen:

We have just discovered a regrettable oversight in failure to acknowledge your order for advertisement and sent you proofs in connection with Permit No. 23140 and Permit No. 21994.

We enclose a copy of The McCammon News containing both of these notices. The person attending to office details in our absence mis-read the instructions in your order, and disregarded your letter of July 15.

Very truly yours

  
E. H. Paysen, Publisher

23140

July 15, 1953

RE: Permits Nos. 21994 and 23140

McCarmon News  
McCarmon  
Idaho

Gentlemen:

On June 23, 1953, we sent you notice for completion of works and beneficial use proof on Permit No. 23140 in the name of Bismarck H. Lehrbas, and on June 26, we sent you notice for beneficial use proof on Permit No. 21994 in the name of Arnold W. Nielson.

To date, we have received no acknowledgement of these notices nor have we received a copy of your paper containing same as requested.

Please advise if the notices are being published and if so send us a copy.

Very truly yours,

MARK R. KULF  
State Reclamation Engineer  
By

Chief Clerk

A:fg

23140  
~~21994~~

June 24, 1953

RE: Permit No. 23140

Mr. L. A. Lehrbas  
Box 1444  
Pocatello, Idaho

Dear Mr. Lehrbas:

We have sent to the McCammon News notice for completion of works and beneficial use proof to be made on permit No. 23140 on August 1, 1953, with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication, together with statement of costs.

At the time set, you should appear before Mr. H. J. Swanson, 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

A:pj

23140

23140

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Date: June 23, 1953

**McCammon News**

**McCammon, Idaho**

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 1, 1953** the date set for proof, the expense of the publication to be paid by the applicant, **Bismarck M. Lehrbas** of **Box 11111, C/o L. A. Lehrbas** **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**

23140

NOTICE OF PROOF OF COMPLETION OF WORKS  
and  
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at Eleven o'clock A. M., on the 1st day of August, 1953, at Pocatello, County of Bannock State of Idaho, before H.J. Swanson, notary public, in his law office, 226-7 Dietrich Building, in Pocatello, Idaho, proof will be submitted of the completion of works for the diversion of 2 miner's inches of continuous flow, being 2/50ths of one East Fork of Mink Creek cubic ~~foot~~ per second of the waters of an unnamed spring a tributary of and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 23 140 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Bismarck M. Lehrbas, Box 1444, Pocatello, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 2/50ths of one cubic ~~foot~~ per second.

3. The use to which said water has been applied is domestic and irrigation purposes, and the amount applied to beneficial use is 2 miner's inches of continuous flow being 2/50ths of one cubic ~~foot~~ per second.

4. The place where said water is used is in SW $\frac{1}{4}$  of NW $\frac{1}{4}$  and in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , in Sec. 8, TWP. 8, S., R. 35, E.B.M., Bannock County, Idaho.

5. The date of priority which said user is prepared to establish is 6, October 5~~th~~ 1952.

MARK R. KULP  
State Reclamation Engineer

23140

June 3, 1953

RE: Permit No. 23140

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

Dear Mr. Swanson:

We acknowledge receipt of your letter of June 2, 1953, enclosing notice for completion of works and beneficial use proof on Permit No. 23140 in the name of Bismarck M. Lehrbas, to be made before you as Notary Public on August 1, 1953.

A copy of the notice will be sent to the McCammon News with instructions to publish it once a week for four weeks prior to that date and to sent Mr. Lehrbas the affidavit of publication together with statement of costs.

We enclose the necessary forms of deposition to be used in making these proofs and at the time set they should be executed by the permit holder and two disinterested witnesses.

Since Mr. L. A. Lehrbas has been acting as attorney-in-fact for his son, he may sign the deposition of the holder as such attorney-in-fact.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

23140

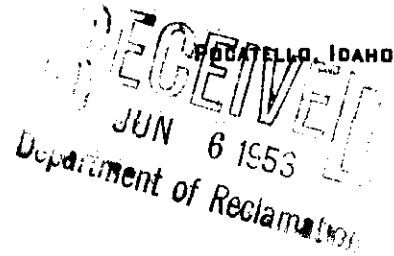
**H. J. SWANSON**

*Attorney at Law*

226-7 DIETRICH BUILDING

P. O. BOX 1370

June 2, 1953



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

In RE: Application number 30917. Permit number  
23140, Bismarck M. Lehrbas, Applicant

Dear Mr. Kulp:

I am assisting Mr. L. A. Lehrbas, who is the Attorney-in-Fact for his son, Bismarck M. Lehrbas, in connection with the above numbered application and permit; and he has brought to my office your letters of October 29, 1952, February 4, 1952, and May 11, 1953.

Mr. L. A. Lehrbas has signed an affidavit of first proof of completion of works herewith enclosed; and also he signed form number 11 asking publication and place of making proof to be published in the weekly edition of McCammon News. And also I have filled out for him the duplicate form number 36 which is herewith enclosed.

He has elected to have the proofs taken here in my office before myself acting as notary public. The witnesses are Fred H. Bollinger and Dorothy C. Bollinger. Both reside near Pocatello.

Do you have in your office forms which can be filled in, in taking the necessary testimony of the two witnesses and the testimony of Mr. L. A. Lehrbas, giving to your office the necessary evidence required by section 42-214 Idaho Code? If you have such forms already made up and which can be filled in, will you please send me such forms in triplicate?

Thanking you herein for your helpful cooperation and wishing you continued success as State Reclamation Engineer, I am,

Respectfully yours,

*H. J. Swanson*  
H. J. Swanson

HJD:mj  
Enclosures as listed

23140

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Pocatello, Idaho, June 2nd 1953.

(P. O.) P.O. Box 1444, Pocatello, 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  
Mc Cammon News of weekly edition published in  
the county in which the works are situated.

*L. A. Lehrbas*  
P.O. Box 1444, 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.

23140

FIRST PROOF OF COMPLETION OF WORKS.

In the matter of making proof to  
appropriate the public waters of the  
State of Idaho to beneficial use

M.  
Bismarck Lehrbas, Pocatello, Idaho,  
P.O. Box 1444.

State of Idaho )  
Bannock County. ) ss L.A. Lehrbas, of Pocatello, Idaho, being of  
lawful age, and a citizen of the United  
States, and a citizen and resident of Idaho, and residing near  
Pocatello, Idaho, and being the Attorney-in-fact for Bismarck M.  
Lehrbas, my son, and being first duly sworn, deposes and says:  
I am the person who signed, for the applicant, the Application for  
Permit to appropriate the Public Waters of the State of Idaho, appli-  
cation #30-917, for Permit No. 23-140, for use for domestic pur-  
poses and also for irrigation purposes, in the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  and in  
the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , in Sec. 8, TWP 8. S., R. 35 E.B.M. claiming the  
use of 2 miner's inches of continuous flow (2/50ths of 1 Cu. ft) per  
second of time, the source of the water being an unnamed spring which  
is a tributary of the East Fork of Mink Creek, all in Bannock County  
Idaho. Said affiant further says that said water has been applied  
continuously, to the beneficial use set forth in said application  
for permit; that the pipe has been fully installed, and the ditch  
has been dug, and the works have been completed; and applicant is  
now ready to make the proof, through the undersigned, his attorney  
in fact, and the necessary witnesses. That this affidavit is made  
as a first proof of completion of said works. FURTHER THIS AFFIANT  
SAYETH NOT.

Subscribed and sworn to before me this 2 day of June, 1953.

(Notarial Seal.)

Notary public for Idaho; residence: Po-  
catello, Idaho; my comm. exp. Nov. 18, 1954.

WITNESS

WITNESS

23140

May 11, 1953

RE: Permit No. 23140

Mr. L. A. Lehrbas  
Box 1444  
Pocatello, Idaho

Dear Mr. Lehrbas:

We have your letter of May 8, 1953, advising that you have completed your irrigation system and it is now in operation, and requesting the forms for making the proofs.

We assume that you refer to Permit No. 23140 in the name of Bismarck M. Lehrbas, and that you are prepared to make both the proofs of completion of works and beneficial use.

Before this is done the statutes require publication of a notice once a week for four weeks in a county newspaper. This notice should be made in duplicate on Form 36 enclosed, setting time and place and naming the Notary Public before whom proof is to be made.

The time should be set sufficiently far ahead to allow for four weeks publication and the proof can be made at any place convenient for you and your two witnesses. Both copies of Form 36 to be returned to this department together with Form 11 which authorization for us to have the notice published at permit holder's expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the necessary forms of deposition to be used in making this proof.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

23140

Pocatello-5-8-53.

Dear Sir. I have completed my irrigation system, & it is in operation. have you any blank forms for the purpose of reporting same, & the advertising of same, & ect?. if so, please mail me a copy.

Yours Truly.

L. A. Lehrbas.

P.O.Box. 1444.

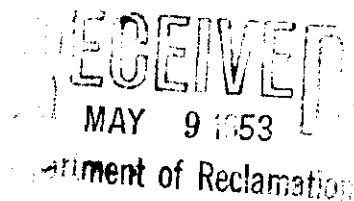
Pocatello.Idaho.

14340

23140

Pocatello M. S. —

94k 10-21-53.



23140

✓  
December 2, 1952

RE: Permit No. 23140

Mr. L. A. Lehrbas  
Box 1444  
Pocatello, Idaho

Dear Mr. Lehrbas:

We have your letter of December 1, 1952, in regard to the priority to be established under Permit No. 23140 in the name of your son, Bismarck M. Lehrbas.

The priority date to be established through this department on any permit is the date the formal application is filed in this department.

While it is true that you wrote us last February requesting an application for permit, which was sent you on February 4, 1952, it is also true that on February 18, you wrote that you would fill out the application and return it as soon as you were advised, by the government, in regard to the acreage your son had applied for; also that on October 1, 1952, you advised us that you had just been notified in regard to this by the Forest Service, and on October 6, the application was received, which would make the priority date October 6, 1952, as mentioned in our letter addressed you on November 26, 1952.

Very truly yours,

MARK R. EULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg

23140

Pocatello-12-1-53.

Dear Sir. Received your letter in regard to my priority date,  
I made my application for a water right last February, on the  
spring located on my Son's land , & a short time later, I received  
a letter advising me that my priority took effect at that time,  
but your letter now states that my priority date is Oct 6th,  
I am unable to understand why my priority date was changed.  
please advise.

Yours Truly

L.A. Lehrbas.

Box 1444.

Pocatello.

RECEIVED  
DEC 2 1952  
Department of Reclamation

23140

November 26, 1952

RE: Permit No. 23140

Mr. L. A. Lehrbas  
Box 1444  
Pocstello, Idaho

Dear Mr. Lehrbas:

In reply to your letter of November 25, 1952, the priority date on Permit No. 23140 in the name of Bismarck Lehrbas is October 6, 1952, the date on which the application was filed in this department.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg

23140

Pocatello-11-25-52.

Dear Sir. Will you please advise my priority date, in regard to my filing on the spring for a water right, which is located on my Son's land, on the East Fork of Mink Creek. you gave me the date last February, or March, in a letter. but I have misplaced or lost same. thanking you in advance. I remain. Yours Truly.

L. A. Lehrbas.

P.O.Box. 1444.

RECEIVED  
NOV 26 1952

Department of Reclamation

23140

10-6-52

23140

October 29, 1952

RE: Permit No. 23140

Mr. L. A. Lehrbas  
Box 1444  
Pocstello, Idaho

Dear Mr. Lehrbas:

We enclose Permit No. 23140 in the name of Bismarck M. Lehrbas together with departmental receipt No. 25008 for the \$5.00 filing fee.

This application states that you will be prepared to make the statutory proofs of completion of works and beneficial use within two days after irrigation starts in 1953. We have allowed one year or until October 21, 1953, within which to make these proofs.

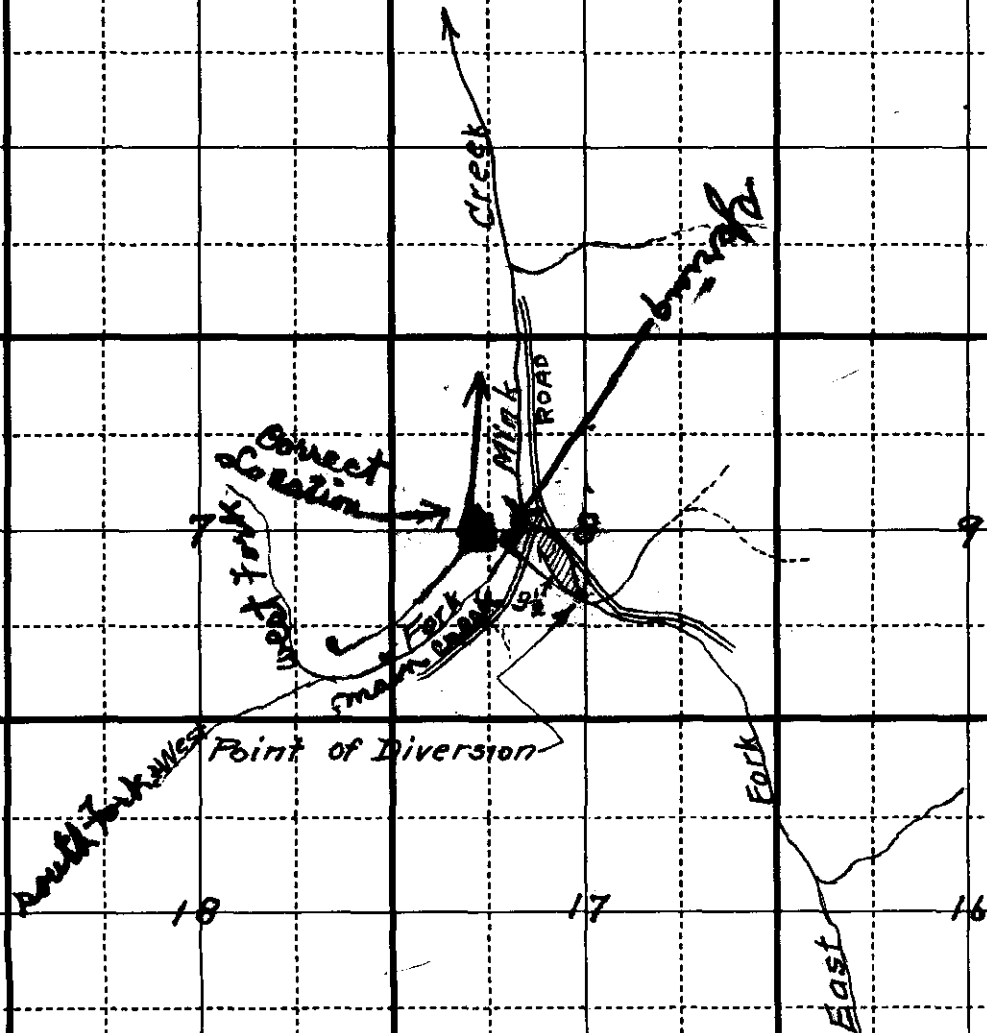
Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

23140



Permit Map No. 23140  
As Approved  
OCT 21 1952  
MARK R. KUEP  
Reclamation Engineer

Pocatello-10-14-52

RECEIVED  
OCT 15 1952

Your letter of Oct 7th at hand, & contents noted. I have been using 1, of the 2 inch heavy lined squares, for a Section, because, on the bottom it says scale, 2 inches to the mile, which makes the Section. am enclosing the completed map, as per your instructions, I think you will find this map, reasonably close to correct.

the solid spot in black ink, is the land to be irrigated, I have X ed the location of the spring. have also given you the location of the East Fork of the Mink Creek road, & the East fork of Mink Creek, & the main Mink Creek, & State Hi-Way # 38.

the spring is located on the applicants land.

you have the application in your Office.

Yours Truly.

Bismarck M. Lehrbas

By L.A. Lehrbas.

23140

Dear Sir. Your letter of Oct 6th at hand, & contents noted, in reply will say, that on account of my age, (84.) I was unable to take care of all of the S.W. 1/4 of Sect 8.T.S.8.S.R.35.E.B.M. & sold the same to F.H. Bollinger, with the exception of 2 acres which I reserved for my home, later I acquired the 1 acre, that the spring in question, is located on. when I made the application for the 3 1/2 acres to be irrigated, I think I was awarded 7-10th of an inch of water, but that water went with the sale of the land, & has nothing to do with the application I am now making, that I know of.

I am now making application for water to irrigate 1 of the 2 acres I reserved for my home, which is located in the N.W. 1/4 of the S.W. 1/4 of Sect 8.T.S.8.S. R.35.E.B.M. & for 1 of the 2 acres, I acquired from the Forest Dept, which is located in the S.W. 1/4 of the N.W. 1/4 of Sect 8.T.S.8.S.R.35.E.B.M. & my filing is on an unnamed spring, which is on the land owned by the applicant. Bismarck M. Lehrbas. & is located in the N.E. 1/4 of the S.W. 1/4 of Sect 8.T.S.8.S.R.35.E.B.M. the enclosed map, is off by about 1,000 feet. I have penciled the correct ~~location~~ location. have also shown the land to be irrigated in red. ~~on~~ on the map. map enclosed.

P.S. I would be pleased to meet your field Engineer ) Yours Truly.  
in Pocatello, & take him out, & bring him back to town  
free of charge, if notified, when, & where I can meet) L.A. Lehrbas.  
him.

OCT 11 1952

Department of Reclamation

P.O. Box. 1444.

23140

October 9, 1952

Mr. Bismarck M. Lehrbas  
Box 11111  
Pocatello, Idaho

Dear Mr. Lehrbas:

We are in receipt on your application for permit to appropriate 2 miners inches of water from the East fork of Mink Creek.

The application states that the point of diversion is in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 8, Township 8 South, Range 35 East, B.M., while the sketch map accompanying the application states that the spring is in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8, if we read the sketch map correctly. If one large square represents Section 8, the way you have your map marked for descriptions North, East, South, and West, the location of the spring is in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8.

According to the sketch map, the place of use would show one acre in the SE $\frac{1}{4}$  NW $\frac{1}{4}$  and one acre in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ . We suggest that you show your exact land location upon the enclosed sketch map which we have prepared.

Also, please state under remarks, on the third page of the application, if the spring is located upon your own land, government land, or deeded land owned by another party. If the spring is located on land owned by parties other than yourself, it will be necessary to have the owner of the land upon which the spring is located fill out the affidavit on the third page of the application, giving you permission to file on said spring.

Please correct and return to this department.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Roy W. Thompson  
Supervisor of Water Distribution

RWT:fg  
Enc.

23140

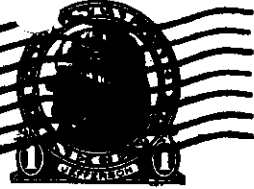
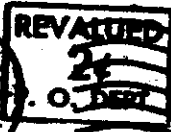
Po. Hello-9-30-52.

Dear Sir. I have just been notified by the Forest Dept here, ~~that~~ the exchange of land between my Son, & the Forest Dept has been favorably acted on, I will there for, fill out the application for the water permit, & mail to your Office in a few days.

Yours Truly.  
L.A. Lehrbas.  
P.O. Box. 1444.

23140

RECEIVED  
OCT 1 1952  
Department of Reclamation



THIS SIDE OF FOLDING FOR ADDRESS

Dept of Reclamation.

State House.

Boise. Idaho.

23140

Pocatello-2-15-5

Dear Sir. Received the application to file on the spring O.K. will fill same out, & mail it to your Office, as soon as I am advised by the Government, about the two acres of land my Son has made application for. UNCLE SAM is pretty slow.

YOURS TRULY.

L. A. LEHRBAS.

P.O.BOX.1444.

Pocatello.Idaho.

RECEIVED  
FEB 18 1952

Department of Reclamation

23140

February 4, 1952

Mr. L. A. Lehrbas  
Box 1444  
Pocatello, Idaho

Dear Mr. Lehrbas:

In reply to your letter in regard to obtaining a water right on land owned by your son, we enclose a form of application for permit together with a pamphlet giving regulations and instructions in regard to filing same.

We note your statement that the spring is located on their own land, and this should be definitely stated under "Remarks" on the third page of the application.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right, two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense, and at the time set for proof, depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under Question 13 of the application.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

23140

NAME OF APPLICANT Bismarck M. Lehrbaa

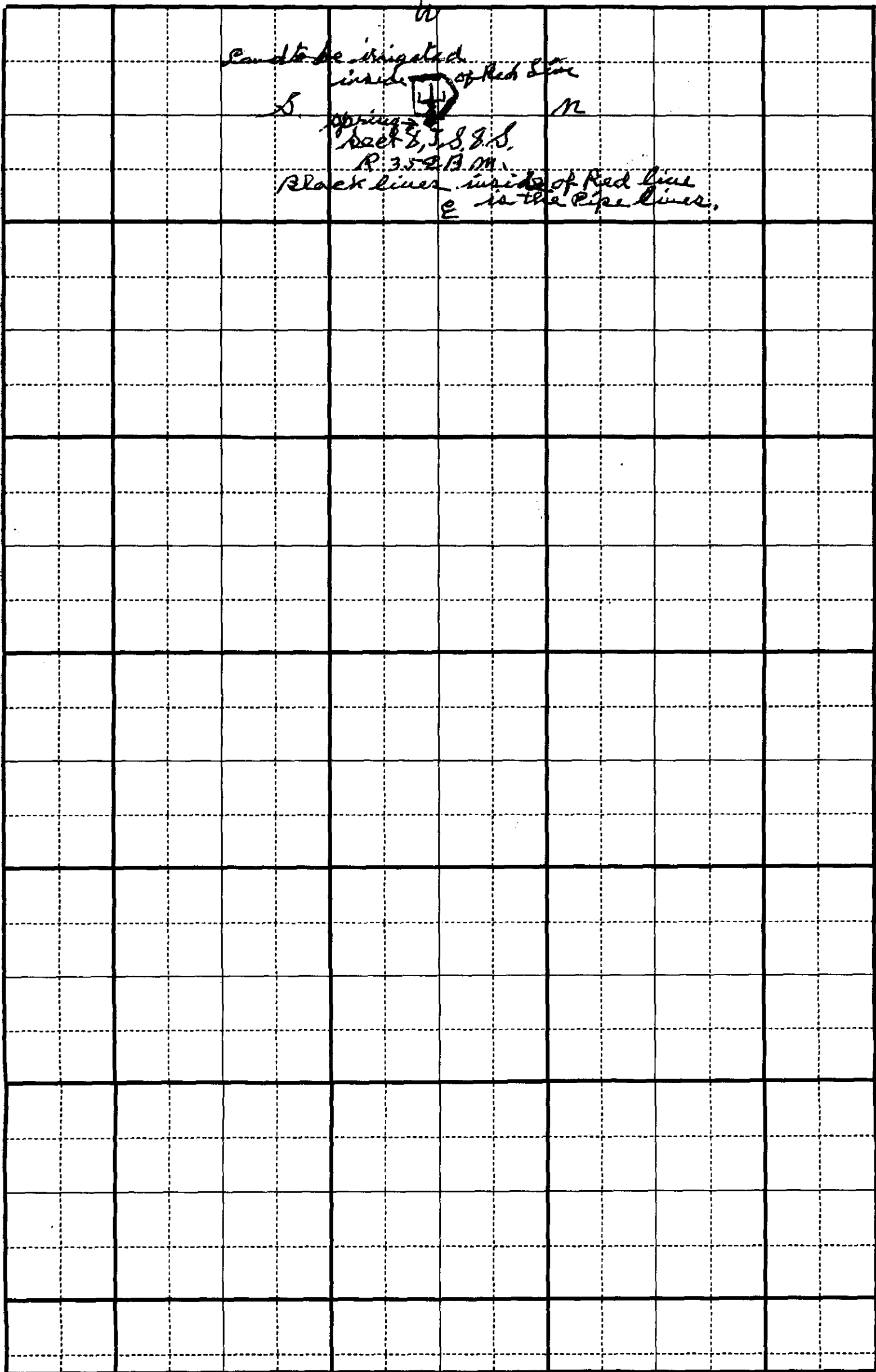
Form No. 0

(Road to be irrigated)  
(inside of Red line)  
Spring to Black line is the  
Red Pipe line  
Oct 8, 1888.  
R. J. E. D. M.

E

NAME OF APPLICANT Bismarck M. Lebrun

Form No. 0



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

23140

Pocatello-3-1-52.

Dear Sir. My Son, Bismarck M. Lehrbas. & his wife, Laura R. Lehrbas. own three acres of land in the S.W.  $\frac{1}{4}$  of Sect 8-T.S.S.S- R.35-E.B.M. I am living on the land, & am their Atty in fact, (recorded in Bannock Co) they request me to make application, to file on a spring that is on their land. they are also acquiring two acres more from the Government in the N.W.  $\frac{1}{4}$  of Sect 8-T.S.S.S-R.35- E.B.M. the water to be used for irrigation purposes. if there is any further information you desire, please advise.

RECEIVED  
FEB 4 1952

Department of Reclamation

Yours Truly.

L.A. Lehrbas.

P.O.Box 1444.

Pocatello.Idaho.

23140

**NOTICE OF PROOF OF COM-  
PLETION OF WORKS and AP-  
PLICATION OF WATER TO  
BENEFICIAL USE**

Notice is hereby given that at Eleven o'clock a. m., on the 1st day of August, 1953, at Pocatello, County of Bannock, State of Idaho, before H. J. Swanson, notary public, in his law office, 226-7 Dietrich Building, in Pocatello, Idaho, proof will be submitted of the completion of works for the diversion of 2 miner's inches, being two-fiftieths of one cubic foot per second of waters of an UNNAMED SPRING a tributary of East Fork of Mink Creek, the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 23140 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Bismark M. Lehnbas, Box 1444, Pocatello, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is two-fiftieths of one cubic foot per second.

3. The use to which said water has been applied is domestic and irrigation purposes, and the amount applied to beneficial use is 2 miner's inches being two-fiftieths of one cubic foot per second.

4. The place where said water is used is in SW $\frac{1}{4}$  of NW $\frac{1}{4}$  and in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , in Sec. 8, TWP. 8. S., R. 35, E. B. M., Bannock County, Idaho.

5. The date of priority which said user is prepared to establish is October 6, 1952.

MARK R. KULP  
State Reclamation Engineer

7-17

7-24-4M