

State of Idaho
License and Certificate of Water Right

Water License No. 20040 Amount One second foot
Water District No. Priority March 27, 1947

THIS IS TO CERTIFY that John T. Sharp
of Downey, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 27, 1947; that Permit No. 20040
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
one second foot, was issued thereunder on January 23, 1948, showing that said works
were completed on the 21st day of January, 1948; and that on the 31st
day of March, 1948,

JOHN T. SHARP
of Downey, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Marsh
Creek, a tributary of Portneuf & Snake/ Rivers, for the purpose of Irrigation
under Use Permit No. 20040 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
8 of Licenses at page 4485, on the 4th day of May, 1949;
The right hereby confirmed dates from March 27, 1947;
The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 5, Tp. 12 S., R. 37 E., B. M. Bennock 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 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12S.	37 E.	4	SW 1/4 SW 1/4	25	22
		5	SE 1/4 SE 1/4	25	28
			Number of Acres Actually Irrigated -	-	- 50

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
4th day of May, 1949.

MARK R. KULP
State Reclamation Engineer

(SEAL)

SCANNED
APR 30 2001

State of Idaho

License and Certificate of Water Right

Water License No. 18180

Amount 2.81 Second feet

Water District No.

Priority September 19, 1935

THIS IS TO CERTIFY that

E. T. HAWKINS

of Logan, Utah

, made application for a permit to appropriate the

public waters of the State of Idaho, dated September 19, 1935; that Permit No. 18180 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 9 second feet, was issued thereunder on January 15, 1941, showing that said works were completed on the 28th day of September, 1940; and that on the 26th day of September, 1942,

E. T. HAWKINS

of Logan

, State of

Utah

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of a well

, ~~tributary to~~

, for the purpose of irrigation and domestic

uses, under Use Permit No. 18180 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

8 of Licenses at page 4486, on the 4th day of May, 1949;

The right hereby confirmed dates from September 19, 1935;

The Point of Diversion is located

in the SE 1/4 SW 1/4, Sec. 24, Tp. 15 S., R. 26 E., B. M. Cassia

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.81 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15S.	26 E.	24	NE 1/4 NE 1/4	40	--
			SW 1/4 NE 1/4	25	--
			SE 1/4 NE 1/4	40	5
			NE 1/4 SE 1/4	40	30
			NW 1/4 SE 1/4	40	25
15 S.	27 E.	19	Lot 1	40	20
			Lot 2	40	49
			Lot 3	40	12
Number of Acres Actually Irrigated -				141	

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

4th day of May, 1949.

MARK R. KULP

State Reclamation Engineer

(SEAL)

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

29-2

Application No. 27627
Permit No. 20040
District No.

1. Name of Applicant: JOHN T. SHARP

Postoffice address: Downey County: Bannock State: Idaho

- I. If applicant is a corporation, give:
- (a) Date and place of incorporation:
 - (b) Amount of capital stock:
 - (c) Amount paid in:
 - (d) Names and addresses of directors:

- II. The financial resources of the applicant are:
- (a) Cash on hand: \$1,000.00
 - (b) Treasury stock:
 - (c) Bonds to be issued:
 - (d) Other resources: Farm land valued at \$10,000.00

2. Quantity of water claimed: One (1) cubic feet per second.

3. Source of water supply: Marsh Creek which is a tributary of Portneuf & Snake Rivers

4. Location of point of diversion: 1200' N., 200' W. feet distant from the Southeast corner of Section 5, T. 12 S., R. 37 E., B.M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T. 12 S., R. 37 E., B.M., County of Bannock

5. Water is to be used for Irrigation

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

- (a) Point of use of water: feet distant from corner of Section T., R., B.M., in the of Section, T., R., B.M.
- (b) Amount of power generated: H.P., under feet head.
- (c) Water is to be returned to at a point distant from the corner of Section, T., R., B.M., in the of Section, T., R., B.M.

7. Estimated cost of works: \$ 1,500.00

8. Kind of works: Pump and pipe line

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

11. Ditch: Width at bottom 1 feet; width at water line 2 feet; depth of water 3/4

dimensions of flume:
Diameter of pipe 8 inches; length of conduit (700') 1/8
Average grade per mile 200 feet.

12. The time required for the completion of such work is One (1) years.

13. The time required for the complete application of the water to the proposed use is None additional y

14. The land to be irrigated is described in the following tabulation: See remarks.

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Early flood water available until June 15, some years,

15. (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 waters of the State of Idaho as herein set forth.

JOHN T. SHARP *Applicant.*

By _____ *Agent.*

Date of first receipt at Department of Reclamation: 9:00 A. M. March 27, 1947

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20040
Recorded in Book 72 Page 20040 Approved March 31, 1947
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho,
and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before May 31, 1947 and to continue diligently and uninterruptedly to completion,
unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before September 30, 1947
The whole of said work to be completed on or before March 31, 1948
Beneficial use of water appropriated in accordance herewith, to be made on or before March 31, 1948

Witness my hand this 31st day of March, 1947

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho,
and J. D. "CY" PRICE, 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 31st
day of March, 19 47

STATE OF IDAHO

STATE OF IDAHO

Countersigned: _____
 (SEAL) By J. D. "CY" PRICE _____
Secretary of State.

By C. A. ROBINS _____
Governor.

Remarks: Beginning at a point about 1/2 mile below the point of diversion, and extending for about thirty miles down stream a flood condition exists and land owners have been asking the Army Engineers to approve a drainage project to dispose of sur In many years the water prevents the harvesting of hay on the native meadows adjacent to Marsh Creek below the proposed pump

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 $\frac{1}{4}$	
12 S.	37 E.	4 5																	25 25
			Total Number of Acres to be Irrigated								-	-	-	-					50
			PERMIT NO. 20040 Certificate of Completion of Works To All Whom it may Concern: This is to certify that JOHN T. SHARP, of Downey, County of Bannock, and State of Idaho, the holder of Permit No. 2 issued upon Application No. 27627, bearing date of priority of March 27, 1947, authorizing the diversion of One (1) second of the waters of Marsh Creek, a tributary of Portneuf & Snake Rivers, County of Bannock and State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the of intended use One (1) second foot of the waters of Marsh Creek; that the point of diversion of said waters is 1200 ft. and 200 ft. West from the Southeast corner of Section 5, Township 12 South, Range 37 East, B.M., and in the SE$\frac{1}{4}$ SE$\frac{1}{4}$ of said Section 5; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW$\frac{1}{4}$ SW$\frac{1}{4}$ Section 4, and SE$\frac{1}{4}$ SE$\frac{1}{4}$ Section 5, Township 12 South, Range 37 East, B. M. Witness my hand this 23rd day of January, A. D. 1948. Proof of completion of works made January 21, 1948 Certificate of completion of works issued January 23, 1948 MARK R. KULP State Reclamation Engineer																
			1.0 SEC. FT. 7p. 4485																

AMERICAN LAND TITLE COMPANY

312 WEST CENTER
P.O. BOX 1176
Phone 232-6163
POCATELLO, IDAHO
ZIP CODE 83201

May 22, 1980

Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Sirs:

Please find enclosed an Assignment of Permit on Carl E. Barnes. Please note this in your file, sign and return this form to Farmers Home Administration or American Land Title at your earliest convenience.

If you have any questions, please call.

Sincerely,



Ann Driever
Closing Department

SCANNED

APR 30 2001

ad

Enclosure

*Per teletex
w/ ANN D. This
day she will be
checking w/ FHA
on proper procedure
for getting possession
of this wtr right for loan
security. Jim 5/29/80*

RECEIVED

MAY 28 1980

Department of Water Resources

RECEIVED

MAY 22 1980

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Carl E. Barnes & Anavoe, hereby assign to Farmers Home Administration
of 250 South 4th, Pocatello, Idaho
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 29-2268
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40-acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 22nd day of May, 19 80.

Carl E. Barnes
Permit Holder

Anavoe Barnes
Spouse of Permit Holder

State of Idaho)
County of Bannock) ss.

On this 22nd day of May, 19 80, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

My commission expires:
3-19-84

Ann Dineen
Notary Public residing at
Pocatello, Idaho

RECEIVED

RECEIVED

MAY 22 1980

MAY 28 1980

Department of Water Resources
Eastern District Office

Department of Water Resources

May 6, 1949

Re: Permit No. 20040

Mr. John T. Sharp
Downey, Idaho

Dear Mr. Sharp:

We enclose License and Certificate of Water Right issued under your Permit No. 20040, confirming your right to the use of one (1) second foot of water from Marsh Creek, with priority of March 27, 1947, with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, Township 12 South, Range 37 East, B.M., for the irrigation of 50 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, Township 12 South, Range 37 East, B.M.

We also enclose Departmental Receipt No. 21474 for the \$4.00 fee paid by you in connection with Beneficial Use Proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20040

20070

Apr. 28, '9
Downey, Ida.

Mark R. Kulp
State Reclamation Engineer

Dear Sir:

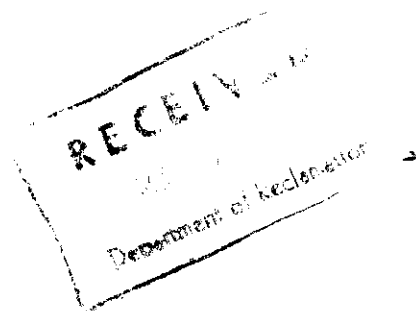
I don't recall sending
the \$4.00 for the one cubic
foot of water which will
be pumped from wash
creek for irrigation.

I have never as yet
received my license. I'm
sorry if I have neglected
this matter. Inclosed is

a check for the amount
due - (\$4.00)

Thank you very kindly
John T. Sharp

20040



✓
January 31, 1949

Re: Permit No. 20040

Mr. John T. Sharp
Downey, Idaho

Dear Mr. Sharp:

We now have on file the report of our Field Engineer on examination for beneficial use under Permit No. 20040.

This report shows that you are irrigating 50 acres in the SW¹/₄ SW¹/₄ Sec. 4 and the SE¹/₄ SE¹/₄ Sec. 5, Twp. 12 S., Range 37 E. B.M.

Therefore, upon receipt of the statutory fee of \$4.00, being at the rate of \$2.00 for each 40 acre subdivision in which the land is located, a license will be issued for one (1) cubic foot per second of water from Marsh Creek for the irrigation of the above described land.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/et

20040

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20040

This proof is for Beneficial use

In Water District No.

1. Name of applicant John T. Sharp, Downey, Idaho
 2. Source of water supply: Marsh Creek
 3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5
T. 12 S. R. 37 E. County of Bannock
 4. Describe works as they exist, giving dimensions and capacities of same: Diversion equipment consists of an intake trench leading 40ft. to sump and pumping installation of a direct connected horizontal centrifugal pump and motor. Thence via 840 of 12inch, 12 gage steel pipe; A 30 foot lift delivers to a concrete dividing box 6ft. X 4ft. X 3ft. deep, and ditches 1 $\frac{1}{2}$ feet wide, and 1 foot deep
 5. Water is used for: Irrigation
 6. State whether or not water has been turned into works of diversion: Yes
 7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5; Township 12 South, Range 37 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? Snake River

Remarks:

This examination was made on the 17th day of September, 1948

(Signed)

Examiner.

20040

John T. Sharp
Downey, Idaho

Permit No. 20040

Examination for Beneficial use

County Bannock

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

20040

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20040

REPORT ON PROOF OF Beneficial use

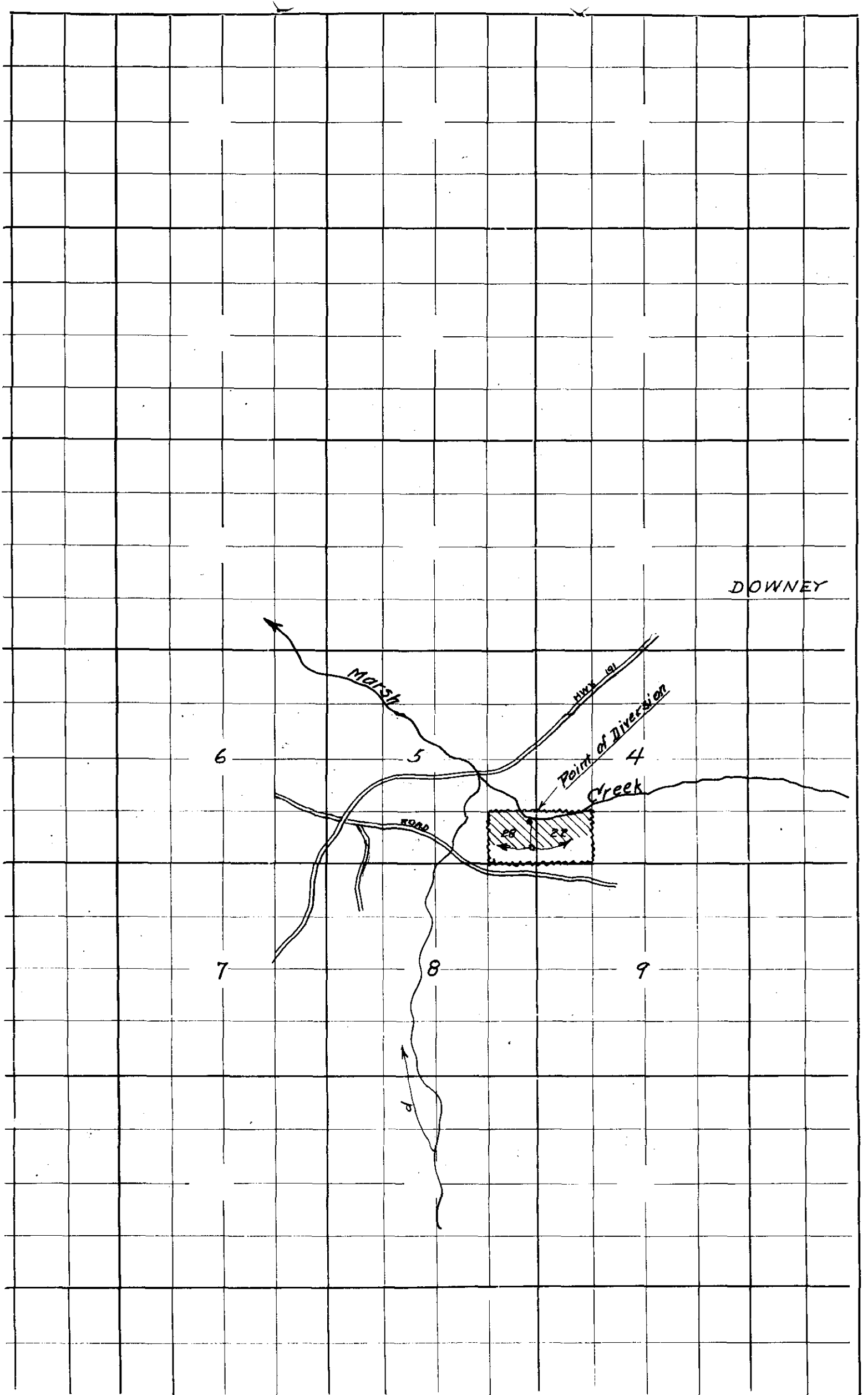
1 cfs
max

all 1 cfs

50 acres

2-402

20040



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

20040

✓
April 22, 1948

Re: Permit No. 20040

Mr. John T. Sharp
Downey, Idaho

Dear Mr. Sharp:

We acknowledge receipt of the affidavit of publication in the Downey Comet, also depositions of holder and two witnesses all in proof of beneficial use under Permit No. 20040.

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

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact you at the time he makes the examination in order that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

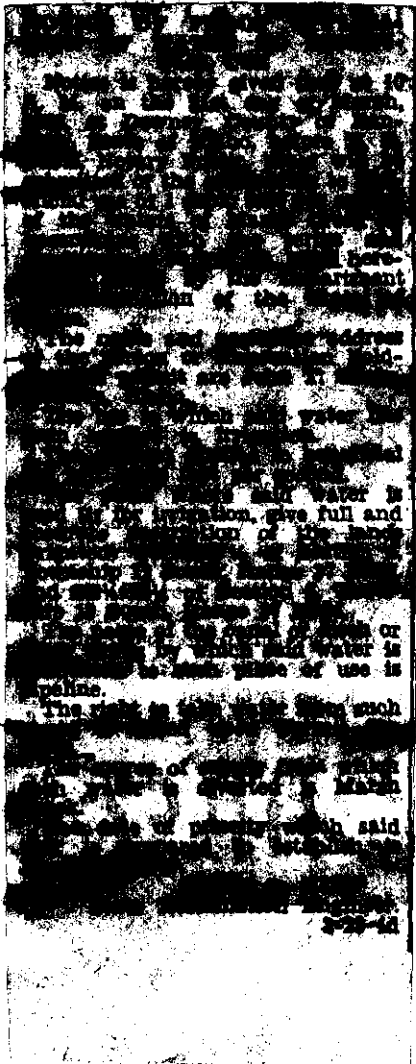
A/dm

20040

PROOF OF PUBLICATION

STATE OF IDAHO
COUNTY OF BANNOCK

SS



E. D. Wagner being first duly sworn, deposes and says that he is the *proprietor* of The DOWNEY COMET and BANCROFT STANDARD, a weekly newspaper published in DOWNEY, Bannock county, in the State of Idaho. That the *notice*, a true copy of which is hereto attached was published in The DOWNEY COMET & THE BANCROFT STANDARD for *four* consecutive weeks, first publication having been made on the *4th* day of *March*, 1948, and the last publication having been made on the *25th* day of *March*, 1948.

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 or advertisement, and is a newspaper within the meaning of the laws of Idaho.

E. D. Wagner
SUBSCRIBED and SWORN TO before me this *13th* day of

April A. D. 1948

G. R. Hendley
Notary Public.

My commission expires *March 16th*, 1948



20040

PROOF OF PUBLICATION

STATE OF IDAHO }
COUNTY OF BANNOCK } SS

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 31st day of March, 1948, at Downey, County of Bannock, State of Idaho, before E. R. Davis, Notary Public, proof will be submitted of the application to beneficial use of 1 cubic foot per second of the waters of Marsh Creek in accordance with the terms and conditions of Permit No. 20040 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 John T. Sharp, Downey, Idaho.

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

The amount applied to beneficial use is 1 cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Township 12 South, Range 37 EBM, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 12 South, Range 37 EBM.

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

The right to take water from such works is based upon Permit No. 20040.

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

The date of priority which said user is prepared to establish is March 27, 1947.

MARK R. KULP
State Reclamation Engineer.
3-25-4d

E. R. Davis being first duly sworn, deposes and says that he is the *owner* of The DOWNEY COMET and BANCROFT STANDARD, a weekly newspaper published in DOWNEY, Bannock county, in the State of Idaho. That the *notice*, a true copy of which is hereto attached was published in The DOWNEY COMET & THE BANCROFT STANDARD for *four* consecutive weeks, first publication having been made on the *4th* day of *June*, 1948, and the last publication having been made on the *25th* day of *March*, 1948.

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 or advertisement, and is a newspaper within the meaning of the laws of Idaho.

E. R. Davis
SUBSCRIBED and SWORN TO before me this *13th* day of

April A. D. 194*8*

E. R. Davis
Notary Public.

My commission expires *March 16* 19*48*

20040

The McCammon News

LOWELL L. LEEK---E. H. PAYSAN. PUBLISHERS.

MEMBER SOUTHEAST IDAHO PUBLICATIONS GROUP

MCCAMMON, IDAHO

PUBLISHED WEEKLY....

THE MCCAMMON NEWS
THE DOWNEY COMET &
BANCROFT STANDARD
THE GRACE HERALD

PLANT AT MCCAMMON

April 13, 1948



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

Dear Sir:

Enclosed is the affidavit of publication
of Notice of Proof, Application of Water
to Beneficial Use, in the case of John
T. Sharp of Downey, Idaho.

We are submitting the bill for this
publication to Mr. Sharp, as per
your instructions.

Very truly yours

THE DOWNEY COMET

By E. H. Paysan

20040

✓
April 3, 1948

Re: Permit No. 20040

Mr. John T. Sharp
Downey, Idaho

Dear Mr. Sharp:

We acknowledge receipt of the depositions of yourself and two witnesses in proof of beneficial use under Permit No. 20040. However, we have not yet received the affidavit of publication which is a necessary part of the proof.

The Downey Comet was instructed to send the affidavit to you, and if you have not yet received it we suggest that you take the matter up with them.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

20040

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 20040

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. John T. Sharp, Farmer
Downey, Idaho

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

Ans. individual

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

Ans. Permit No. 20040, dated March 31, 1947, - priority date - March 31, 1947

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

Ans. Marsh Creek - 1200' N, 200' W, from the Southeast corner of Section 5, Township 12 South, Range 37 E. B. M. and is in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 5, Township 12 S. Range 37 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.

Ans. Pump and pipeline - pump will pump 92 inches of water - 12" pipe. no name.

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. water is used for irrigation. 25 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Township 12 S, Range 37 E. B. M. 25 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 12 S. Range 37 EBM.

Tillable land has been used for row crops, and other land has been brought under cultivation.

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

Ans. ---

20040

mmf.

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

Ans. ~~XXXX~~ One second foot-

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. used for irrigation purposes during crop season of 1947

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. ----- flood water right only +

(Sign)

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 Downey, County of Bannock,

State of Idaho, on this 31st day of March, A. D. 1948.

My commission expires 9-15-48

20040

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20040

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. Orion Christiansen, age 38, residence, Downey, Idaho, occupation, farmer.

Ques. 2. Are you acquainted with John T. Sharp, the holder of Permit No. 20040? How long have you known him and where does he reside?

Ans. yes - acquainted 5 yrs. He lives 2½ miles southwest of Downey

Ques. 3. Have you read or heard read said Permit No. 20040, 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. Source: Marsh Creek - pump and pipeline are used for conveying water to place of use.

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. works capable of conveying about 3 second feet. I have only seen about 1 second foot being used.

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 is used for irrigation. 25 acres in the SW¼SW¼ of Section 4, Township 12 South, Range 37 EBM., 25 acres in the SE¼SE¼ of Section 5, Township 12 S., Range 37 EBM. Improvements have been made in tillable land, and other land has been brought under cultivation.

20040

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

Ans. -----

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

Ans. Bottom land has been reclaimed for row crops. 1 to 2 second feet would
be required for its 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. passed by the works every day during 1947 crop season.

(Signed) Orion Christensen

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 Downey, County of Bannock, State of Idaho, on this 31st day of March, A. D. 1948.

[Signature]
Notary Public.

My commission expires 9-15-48

20040

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20040

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. Guy Curtis, age 34, residence Virginia, Idaho, occupation - farming

Ques. 2. Are you acquainted with John T. Sharp, the holder of Permit No. 20040? How long have you known him and where does he reside?

Ans. 5 years. He resides 2½ miles Southwest of Downey, Idaho

Ques. 3. Have you read or heard read said Permit No. 20040, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Marsh Creek - source. works: pump and pipeline

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. Works is capable of conveying about 3 second feet. 1 second foot - approx. has been used.

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 is used for irrigation. 25 acres in the SW¼SW¼ of Section 4, Township 12 South, Range 37 EBM., 25 acres in the SE¼SE¼ of Section 5, Township 12 S.

Range 37 EBM. Tillable land has been improved and can be used for row crops.

Other land has been brought under cultivation.

20040

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

Ans. _____

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

Ans. Bottom land has been improved and can be used for row crops. 1 to 2 second feet would be required for its 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. have personally been over the land many times, and know of the exact location and construction of works. Have seen works in operation during crop season of 1947.

(Signed) _____

Guy Curtis

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 Downey, County of Bannock, State of Idaho, on this 31st day of March A. D. 1948.

Let Davis

Notary Public.

My commission expires 9-15-48

20040

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, March 20, 1948

Re: Permit No. 20040
John T. Sharp

Mr. E. R. Davis
Notary Public
Downey, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. ~~20040~~.....

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On ~~March 31, 1948~~....., the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at ~~Downey, Idaho~~..... before ~~E. R. Davis, Notary Public~~.....

2. When the depositions have been taken, they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

.....MARK R. KIPP.....

Commissioner of Reclamation.
XXXXXXXXXXXXXXXXXXXXXXX
State Reclamation Engineer

20040

20040

20040

March 10, 1948

The McCammon News
McCammon, Idaho

Gentlemen:

We acknowledge receipt of your letter of March 6, 1948, in which you state that you are enclosing a copy of the first publication of notice in the Downey Comet, but there was no enclosure.

Will you please send us a copy of this paper?

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

The McCammon News

PUBLISHED WEEKLY....

THE MCCAMMON NEWS
THE DOWNEY COMET &
BANCROFT STANDARD
THE GRACE HERALD

LOWELL L. LEEK--E. H. PAYSEN, PUBLISHERS.

MEMBER SOUTHEAST IDAHO PUBLICATIONS GROUP

MCCAMMON, IDAHO

PLANT AT MCCAMMON

March 6, 1948

Jeanne L. Anderson, Chief Clerk,
State Reclamation Engineer,
Department of Reclamation,

Boise, Idaho

Gentlemen:

Enclosed is a copy of the first publication
in The Downey Comet of notice for publication
sent from your office under date of Feb. 20,
1948.

We acknowledge receipt of instructions to
publish this notice ~~once~~ each week for
~~four~~ consecutive weeks prior to March 31,
1948

The Downey Comet

By E. H. Paysen

no enc.

20040

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: **February 20, 1948**

R: Permit No. 20040

The Downey Comet

Downey, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 31, 1948**. the date set for proof, the expense of the publication to be paid by the applicant, **John T. Sharp** of **Downey, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

20040

February 11, 1948

Re: Permit No. 20040

Mr. John T. Sharp
Downey, Idaho

Dear Mr. Sharp:

Notice of beneficial use proof to be made under Permit No. 20040, at Downey, Idaho, on March 31, 1948 before E. R. Davis, Notary Public will be sent to the Downey Comst with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the affidavit of publication together with statement of publication costs.

About ten days prior to the date set we shall send Mr. Davis the proper forms of deposition consisting of one for yourself and one for each of two witnesses so that he may have them in ample time for the proof.

At the time set you should appear before Mr. Davis together with two disinterested witnesses who are familiar with the terms of your permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

20040

DOWNEY STATE BANK



DOWNEY, IDAHO

February 4, 1948

Department of Reclamation
Boise, Idaho

Gentlemen:

RE: Permit No. 20040

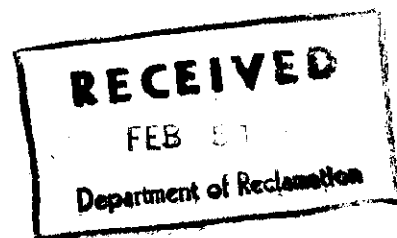
Mr. John T. Sharp requested that I write you and advise that I am merely holding the permit until the time the proof is made on March 31st, and that I am the Notary Public before whom the proof will be made.

John T. Sharp is the owner and holder of the permit in question.

Very truly yours,

E. R. Davis
Box 853
Downey, Idaho

20040



✓
January 23, 1948

Re: Permit No. 20040

Mr. John T. Sharp
Downey, Idaho

Dear Mr. Sharp:

We enclose Certificate of Completion of Works issued under Permit No. 20040, for the diversion of one second foot of water from Marsh Creek with priority of March 27, 1947, the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Township 12 S., Range 37 E. B.M., for the irrigation of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4 and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5 same township and range.

We also enclose departmental receipt No. 20310 for the \$5.00 fee in connection with completion of works proof.

We also acknowledge receipt of duplicate notice of beneficial use proof to be made under this permit on March 31, 1948, with your authorization to publish same at your expense in the Downey Comet.

However, this notice states that the name and postoffice address of the person holding said permit is E. R. Davis, Box 53, Downey, Idaho.

We assume that this is the address of the Notary Public before whom the proof is to be made, and that you yourself are still the owner and the holder of the permit. Please let us know about this before we send the notice to the paper for publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

20040

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

Notice is hereby given that at 10 A. M. on the 31st day of March, 19 48,
at Downey, County of Bannock, State of Idaho, before
E. R. Davis, Notary Public, proof will be submitted of the
application to beneficial use of 1 cubic feet per second of the waters of Marsh Creek
in accordance with the terms and conditions of Permit No. 20040
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

John T. Sharp, Downey, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 1 cubic foot per second

The place where said water is used (if ~~for irrigation, give full and accurate description of the~~
~~lands irrigated~~) SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Township 12 South, Range 37 EBM, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of
Section 5, Township 12 South, Range 37 EBM.

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

The right to take water from such works is based upon Permit No. 20040

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

The date of priority which said user is prepared to establish is March 27 ~~Mar. 1~~ 1947

MARK R. KULP

State Reclamation Engineer.

20040

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 21, 1948

(P. O.) Downey, Idaho

STATE RECLAMATION ENGINEER:

TO THE ~~COMMISSIONER OF RECLAMATION~~

Boise, Idaho.

Dear Sir:

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

John T. Sharp

(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.

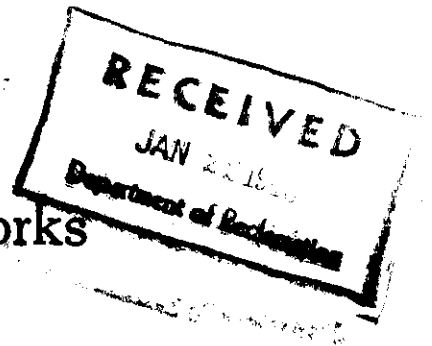
20040

Permit No. 20040

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO }
County of Barnock } SS.

John T. Sharp, 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. 20040, and that his postoffice address is Downey
State of Idaho

Second: That the name of the stream ^{FROM} which said water is to be directed is Marsh Creek

Third: That the point of diversion of said water is 1200' North, 200' West from the Southeast Corner of Section 5, Township 12 South, Range 37 EBM,

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 31, 19 48.

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

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

I. Kind of works: Pump and pipeline
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: ---

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir --- acre feet.

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

(d) Conduit 12" - 12 gage steel pipe width at bottom --- feet, width at water line ---
(State whether ditch, flume or pipe)

feet, depth of water --- feet; diameter of pipe 12" inches, average grade per mile is 200 feet. Length of conduit is 840 feet miles.

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

Eighth: That water appropriated under said permit is available for 50 acres of land described as follows: SW 1/4 of Section 4, Township 12 South, Range 37 EBM and SE 1/4 of Section 5, Township 12 South, Range 37 EBM.

Ninth: Remarks: That ---

John T. Sharp
(Sign Here)

Subscribed and sworn to before me this 21st day of January, 1948.

My commission expires 9-15-48

[Signature]
Notary Public.

20040

J.T.M.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

January 2, 1948

Mr. John T. Sharp

Downey, Idaho

Dear Sir:

Under the terms of your permit No. 20040 you are required to complete your diversion works and make proof of beneficial use on or before March 31, 1948.

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 March 31, 1948, 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

20040

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 20040

Date ~~April 7, 1947~~

Dear Sir:

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.

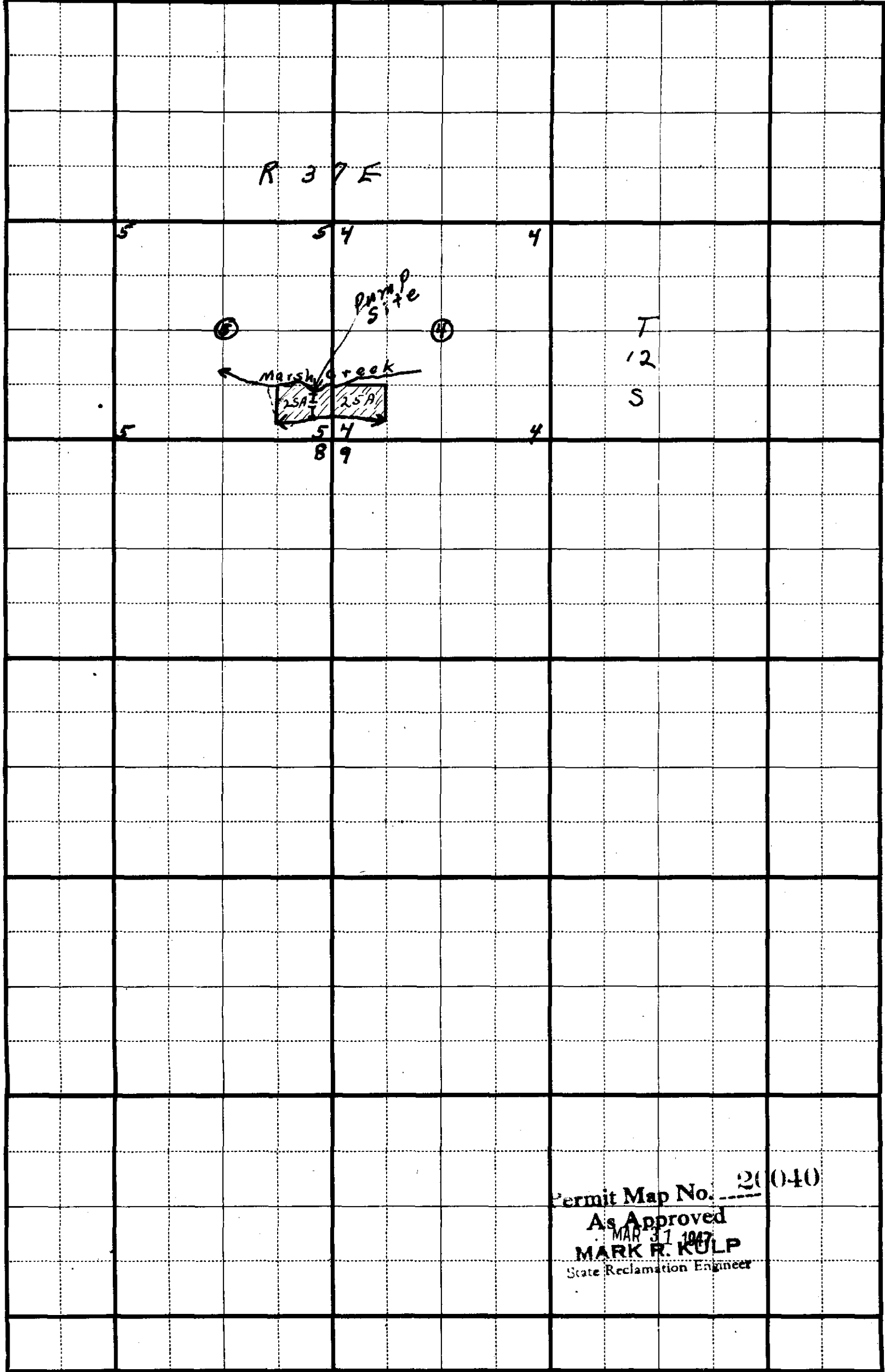
Mr. John T. Sharp
Downey, Idaho
Enc. Receipt # 19895

MARK R. KULP
State Reclamation Engineer

20040

NAME OF APPLICANT John T Sharp

FORM No. 0



Permit Map No. 20040
As Approved
MAR 31 1947
MARK R. KULP
State Reclamation Engineer

SCALE: 2 INCHES EQUALS 1 MILE. DRAW PLAN IN INK.

20040