

State of Idaho
License and Certificate of Water Right

Water License No. 19655

Amount 0.2 second foot

Water District No.

Priority July 10, 1945

THIS IS TO CERTIFY that RAY MILES
of Lava Hot Springs, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 10, 1945; that Permit No. 19655
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.2 second feet, was issued thereunder on October 16, 1945, showing that said works
were completed on the 5th day of October, 1945; and that on the 17th
day of November, 1945,
RAY MILES
of Lava Hot Springs, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of two
springs, a tributary of -, for the purpose of domestic and garden
use, under Use Permit No. 19655 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
7 of Licenses at page 4353, on the 25th day of March, 1947;
The right hereby confirmed dates from July 10, 1945;
The Points of Diversion ^{are} ~~is~~ located in the SW ^{SW} ~~SE~~ Section 8; and
in the NE 1/4 NE 1/4, Sec. 18, Tp. 9 S., R. 38 E., B. M. Bannock County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	38 E.	17	NE 1/4 SW 1/4	20	9

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
25th day of March, 1947.

MARK H. KULP
State Reclamation Engineer

(SEAL)

SCANNED
APR 30 2001

29 2261

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

Application No. 27186
Permit No. 19655
District No.

1. Name of Applicant: RAY MILES

Postoffice address: Lava Hot Springs County: Bannock State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:
(b) Treasury stock:
(d) Other resources:

- (a) Cash on hand:
(c) Bonds to be issued:

2. Quantity of water claimed: "A 1½ inch pipe holds both springs cubic feet per second. (0.20 c.f.s.)

3. Source of water supply: 2 springs which is a tributary of

4. Location of point of diversion: One is 1200 feet distant from the SW corner of Section 18, T. 9 S., R. 38 E., B. M., and is in the NE ¼ SW ¼ Section 8 of Section 18, T. 9 S., R. 38 E., B. M., County of Bannock

5. Water is to be used for Domestic use and garden

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: \$2,000.00

8. Kind of works: 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 1½ to 1 inches; length of conduit 6,500 feet miles. Average grade per mile feet.

12. The time required for the completion of such work is (30 days) years. Allow 3 months

13. The time required for the complete application of the water to the proposed use is No additional years.

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

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.

RAY MILES

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 3:15 P. M. July 10, 1945

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19655

Recorded in Book 71 Page 19655 Approved July 11, 1945

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 _____ 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 August 26, 1945

The whole of said work to be completed on or before October 11, 1945

Beneficial use of water appropriated in accordance herewith, to be made on or before October 11, 1945

Witness my hand this 11th day of July, 1945

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, CHARLES C. GOSSETT, Governor of the State of Idaho,

and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 11th

day of July, 1945

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS
Secretary of State.

By CHARLES C. GOSSETT
Governor

Remarks: This water is to be used for garden and domestic use on NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, Township 9 South, Range 38 East, of Boise Meridian, in Idaho. These ~~springs~~ are both on government land.

We have 30 inches of water decreed to us in Beech Creek, but by July Beech Creek is dry. These two springs furnish all the water except rush water in the spring. (Continued below)

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
9 S.	38 E.	17																20	
14-A:	Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 30 in. in Beech Creek, which is dry nine months of each year.																		
REMARKS (Continued)			This water will all come down in a 1½ inch pipe. We have 20 acres of dry farm alfalfa under this water that we could irrigate if there was water enough, but there isn't.																
			PERMIT NO. 19655 Certificate of Completion of Works																
To All Whom it May Concern:			This is to certify that RAY MILLS, of Lava Hot Springs, County of Bannock, and State of Idaho, the holder of Permit No. 19655, issued upon Application No. 27186, bearing date of priority of July 10, 1945, authorizing the diversion of 0.20 second feet of the waters of two springs, County of Bannock, State of Idaho, for domestic and garden purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.20 second feet of the waters of said two springs; that the points of diversion are located in the SW ¹ / ₄ SW ¹ / ₄ Section 8, and the NE ¹ / ₄ NE ¹ / ₄ Section 18, Township 9 South, Range 38 East, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE ¹ / ₄ SW ¹ / ₄ Section 17, Township 9 South, Range 38 East, B.M.																
			Witness my hand this 16th day of October, A. D. 1945.																
Proof of completion of works made October 5, 1945			MARK R. KULP																
Certificate of completion of works issued October 16, 1945.			State Reclamation Engineer																
NCE ISSUED FOR 0.2 SEC. FT.																			
b 4353																			

LICENSE ISSUED FOR 0.2 SEC. FT.

4353

March 3, 1947

Re: Permit No. 19655

Mr. Ray Miles
Lava Hot Springs, Idaho

Dear Mr. Miles:

We now have on file the report of our Field Engineer on examination for beneficial use under your Permit No. 19655.

Therefore upon receipt of ^{the} a statutory fee of \$5.00 a license will be issued for 0.2 of a second foot of water from two springs for use on the NE 1/4 SW 1/4 Section 17, Township 9 South, Range 38 East, B. M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FA

SCANNED

APR 30 2001

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C. A. Robins

March 25, 1947

Re: Permit No. 19655

Mr. Ray Miles
Lava Hot Springs.

Dear Mr. Miles:

We enclose license and certificate of water right issued under your Permit No. 19655 confirming your right to the use of 1.2 of a second foot of water from two springs located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, Township 9 South, Range 38 East B. M. with priority of July 10, 1941 for the domestic and garden use on the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17 Township 9 South, Range 38 East.

We also enclose departmental receipt No. 19881 for the \$5.00 fee paid by you in connection with beneficial proof use.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FA

Encl.

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

Permit No. 19655

This proof is for Beneficial use

In Water District No.

1. Name of applicant Ray Miles, Lava Hot Springs, Idaho
2. Source of water supply: Two springs, heading Beach Creek
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18
T. 9 S. R. 38 E. County of Bannock
4. Describe works as they exist, giving dimensions and capacities of same: Spring #1 is enclosed by a Concrete cistern 5 feet wide, 5 $\frac{1}{2}$ feet long, and 4 feet deep, and Spring #2 is enclosed by a cistern 2ft. X 2ft. X 4 feet in depth. Water is conducted to the place of use through a pipe line of 2 inch, and 1 $\frac{1}{2}$ inch diameters to the end of the main line, and garden plat, and thence by 1 inch pipe 300 feet to house and watering troughs.
5. Water is used for: Domestic and garden use
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 for other than irrigation): NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, Twp. 9 South, Range 38 East, B. M.

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

8. What large stream would the water here appropriated finally reach? None

Remarks:

This examination was made on the 5th day of June, 1946

(Signed)


Examiner.

Ray Miles
Lava Hot Springs, Idaho

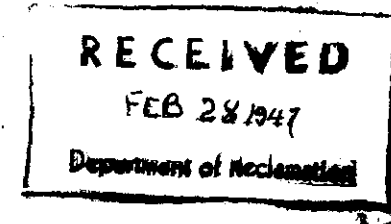
Permit No. 19655

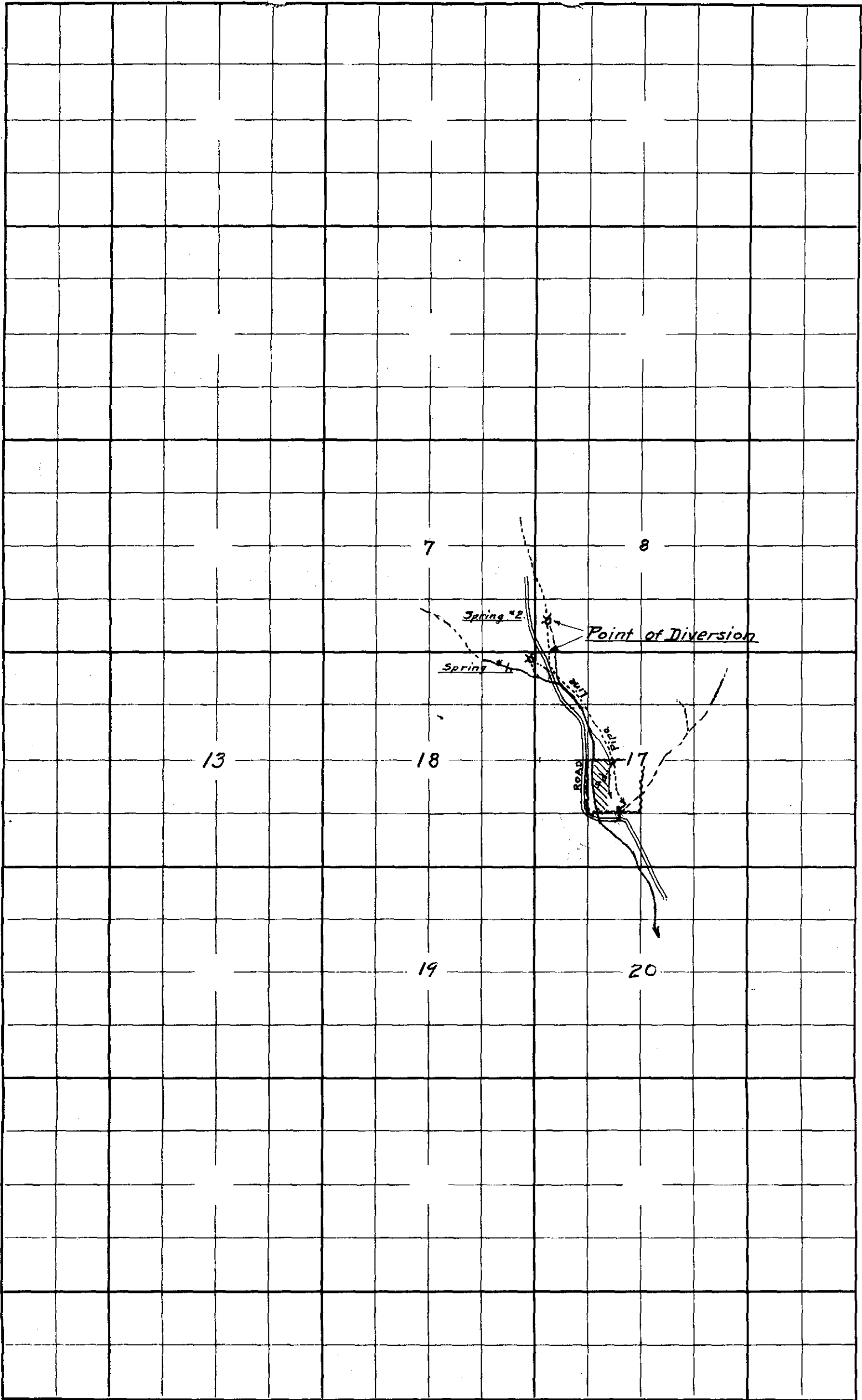
Examination for Beneficial Use

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 a 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.
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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19655

REPORT ON PROOF OF Beneficial use

0.2 cfs

30" in. Pipe Co.
Any other info.

Arnold Williams
XXXXXXXXXXXX

November 23, 1945

Re: Permit No. 19655

Mr. Ray Miles
Lava Hot Springs
Idaho

Dear Mr. Miles:

We acknowledge receipt of the depositions of yourself and two witnesses, also the affidavit of publication from the Downey Comet, all in connection with beneficial use proof under your Permit No. 19655.

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

We cannot say just when this examination will be made, since 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, so that you may arrange to show him over the grounds

Very truly yours,

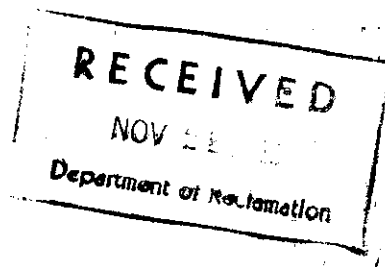
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
CC to M. J. Kasiska

19655

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 19655

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ray Miles, Lava Hot Springs, Idaho, Farmer

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. No. 19655 Date of Priority July 10, 1945

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

Ans. from two springs located in the S.W. 1/4 S.W. 1/4 Section 8, and the NE 1/4 NE 1/4 Section 18, Township 9 South, Range 38 East Boise Meridian.

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. 1 1/2 inch galvanized pipe a distance of 2000 feet from the farthest spring to a point where it reaches the closest second spring and from there a distance of 4500 feet to the house making a total of 6500 feet of pipe carrying approximately 0.20 second feet of water. Each spring is enclosed with a cement box and the water piped from there. The house has been connected with these above described pipes and also the water diverted for garden purposes through a T in the pipe line.

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. For Household purposes, for garden, for the purpose of irrigating tame pasture located in NE 1/4 SW 1/4 Section 17, Township 9 South, Range 38 East Boise Meridian.

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

Ans. see above

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

Ans. 0.20 second feet

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

Ans. am person who applied for permit.

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

Ans. water used for purpose of irrigation tame pasture in a ditch until the pipe was installed and is now used for household and garden in addition to irrigating the pasture described.

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

Ans. none other except flood water on the pasture described, which water is decreed water and which I own

(Sign)

Ray Miles

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Lava Hot Springs County of Bannock, State of Idaho, on this 17 day of November, A. D. 1945.

My commission expires

Jan 10, 1948

W. H. K. S. B.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19655

Proof of Application of Water to Beneficial Use
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. George M. Avery, age 55 years, transfer man, Lava Hot Springs, Idaho

Ques. 2. Are you acquainted with Ray Miles, the holder of Permit No. 19655? How long have you known him and where does he reside?

Ans. have known Ray Miles 25 years and know that he resides at Lava Hot Springs
Idaho

Ques. 3. Have you read or heard read said Permit No. 19655, 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. from two springs, located about one mile northwest from his house
and piped 6500 feet in 1 1/2 inch galvanized pipe.

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

Ans. 0.20 second feet

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Household use, fro a small garden spot and for irrigating pasture land

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

Ans. for pasture land and household purposes only.

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. none reclaimed

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

Ans. none

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

Ans. delivered pipe to his land, watched him lay the pipe and saw the completion of the project.

(Signed)

George M. Avery

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Lava Hot Springs, County of Bannock, State of Idaho, on this 17th day of November, A. D. 19 45.

My commission expires January 10, 1948

W. Kaiser

Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19655

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. Luther D. Potter, age 61, farmer, Lava Hot Springs, Idaho

Ques. 2. Are you acquainted with Ray Miles, the holder of Permit No. 19655? How long have you known him and where does he reside?

Ans. I have know Ray Miles about 34 years and know that he lives at Lava Hot Springs, Idaho

Ques. 3. Have you read or heard read said Permit No. 19655, 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 of water is from two springs, piped from the springs to his house in 1 1/2 inch galvanized pipe.

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

Ans. 0.20 second feet of water. Full flow from the springs

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. Household purposes and irrigation, garden pasture land.

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

Ans. used for household and irrigation purposes only.

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. no land reclaimed, pasture ground only irrigated.

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

Ans. no interest.

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 visited the place personally several times while the pipe line was being installed and afterwards when in use.

(Signed) Luther D Potter

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Lava Hot Springs,, County of Bannock, State of Idaho, on this 17th day of November, A. D. 19 45.

W. K. Senter

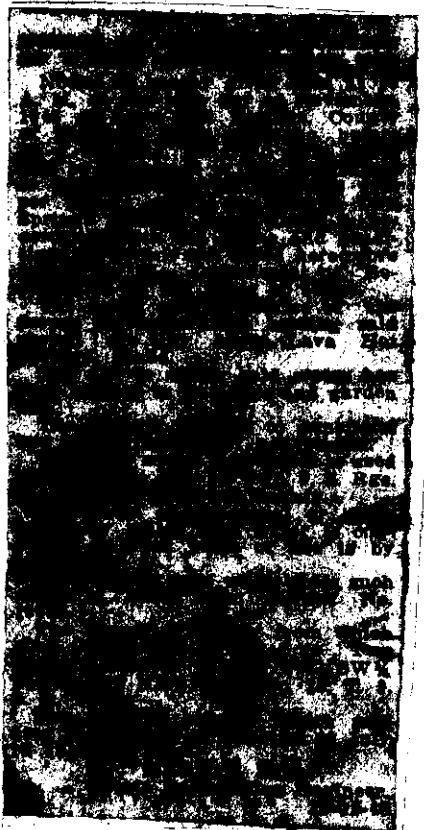
Notary Public.

My commission expires Jan 10, 1948.

PROOF OF PUBLICATION

STATE OF IDAHO
COUNTY OF BANNOCK

SS



Lowell L. Leek being first duly sworn, deposes
and says that he is the Publisher of the DOWNEY
COMET and the BANCROFT STANDARD, a weekly newspaper pub-
lished in DOWNEY, Bannock County, in the State of Idaho. That the
....., a true copy of which is hereto attached was
published in The DOWNEY COMET and The BANCROFT STANDARD
for 4 consecutive weeks, first publication having
been made on the 11 day of Oct 1945, and
the last publication having been made on the 1st day of
Nov, 1945.

That said paper has been continuously and uninterruptedly pub-
lished 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.

Lowell L. Leek
SUBSCRIBED and SWORN TO before me this 20th day of
November A. D., 1945.

[Signature]
Notary Public.
M. Cammison Idaho
My Commission Expires March 16th 1949.

19655

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 17th day of November, 1945 at Lava Hot Springs, County of Bannock, State of Idaho, before M. J. Kasiska, Notary Public, proof will be submitted of the application to beneficial use of .20 cubic feet per second of the waters of Two Springs Heading Beach Creek in accordance with the terms and conditions of Permit No. 19655 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice of the person or corporation holding said permit are Ray Miles, Lava Hot Springs, Idaho.

The use to which said water has been applied is Domestic and garden use.

The amount applied to beneficial use is .20 Cubic feet per second.

The place where said water is used is NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, Twp. 9, S. Rge. 38, E. B. M. Bannock County.

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

The right to take water from such works is based upon Permit No. 19655.

The source of supply from which such water is diverted is Two Springs, located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18, T. 9, S. R. 38 E.

The date of priority which said user is prepared to establish is July 10 1945.

MARK R. KULP,
State Reclamation Engineer.
10-12-4d

Lowell L. Leek being first duly sworn, deposes and says that he is the Publisher of the DOWNEY COMET and the BANCROFT STANDARD, a weekly newspaper published in DOWNEY, Bannock County, in the State of Idaho. That the a true copy of which is hereto attached was published in The DOWNEY COMET and The BANCROFT STANDARD for 4 consecutive weeks, first publication having been made on the 11 day of Oct 1945, and the last publication having been made on the 1st day of

Nov 1945.
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.

Lowell L. Leek
SUBSCRIBED and SWORN TO before me this 20th day of November A. D. 1945.

Notary Public.

W. J. Kasiska
Notary Public
Bannock County, Idaho
1945

State of Idaho

DEPARTMENT OF RECLAMATION BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, November 10, 1945

Re: Permit No. 19655
Ray Miles

Mr. M. J. Kasiska,
Notary Public,
Lava Hot Springs, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19655

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 November 17, 1945, 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 Lava Hot Springs, Idaho before M. J. Kasiska, 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. KULP
Commissioner of Reclamation.

State Reclamation Engineer

19655-

✓
October 16, 1945

Re: Permit No. 19655,

Mr. Ray Miles
Lava Hot Springs, Idaho

Dear Mr. Miles:

We enclose herewith Certificate of Completion of Works issued under the above numbered permit to appropriate 0.20 of a second foot of water from two springs, diverted in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, Township 9 South, Range 38 East, S. M., Bannock County, for domestic and garden purposes.

We also enclose Departmental Receipt # 19209 for the \$5.00 fee paid in connection with completion of works proof.

Notice of your intention to make beneficial use proof under this permit on November 17th, at Lava Hot Springs, before M. J. Kasiska, Notary Public, has been sent to the Downey Comet, 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 cost of same.

About ten days prior to the date set for proof we shall send to Mr. Kasiska the forms of deposition to be executed by yourself and two witnesses in making this proof. And at the time set you should appear before Mr. Kasiska, with two disinterested witnesses, who are familiar with the terms of your permit and the work constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19655

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

Notice is hereby given that at 10 A. M. on the 17 day of November, 1945
at Lava Hot Springs, County of Bannock, State of Idaho, before
M.J. Kasiska, Notary Public, proof will be submitted of the
application to beneficial use of .20 cubic feet per second of the waters of Two Springs
Heading Beach Creek in accordance with the terms and conditions of Permit No. 19655
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

Ray Miles, Lava Hot Springs, Idaho.

The use to which said water has been applied is Domestic and garden use.

The amount applied to beneficial use is .20 Cubic feet per second,

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, Twp. 9.S. Rge. 38.E. B.M. Bannock County,

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

The right to take water from such works is based upon Permit No. 19655

The source of supply from which such water is diverted is Two springs, located in the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18, T. 9.S.R.38.E.

The date of priority which said user is prepared to establish is July 10, 1945

MARK. R. KULP.

State Reclamation Engineer.

1965-5

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: **October 9, 1945**

**Downey Const,
Downey, Idaho.**

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **November 17, 1945**, the date set for proof, the expense of the publication to be paid by the applicant, **Mr. Ray Miles, of Lava Hot Springs, Idaho.**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK. R. KULP.

State Reclamation Engineer

By,

**Roy.W.Thompson,
Supervisor of Water Distribution**

19655

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

Notice is hereby given that at 10 A. M. on the 10th day of November, 1945,
at Lava Hot Springs, County of Bannock, State of Idaho, before
M. J. Kasiska - Notary, proof will be submitted of the
application to beneficial use of 20 cubic feet per second of the waters of 2 springs
Heading Beach Creek in accordance with the terms and conditions of Permit No. 19655
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

Ray Miles - Lava Hot Springs Idaho

The use to which said water has been applied is domestic and garden

The amount applied to beneficial use is 20 cu. ft. per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) NE 1/4 of the S.W. 1/4 of Sec. 17 Township
9 Range 38 E Boise Meridian. Bannock
County Idaho

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

The right to take water from such works is based upon Permit No. 19655

The source of supply from which such water is diverted is 2 springs

Heading Beach Creek

The date of priority which said user is prepared to establish is Mar 28 1916

State Reclamation Engineer.

19655

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 10-5-45

(P. O.) Lava Hot Springs 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.

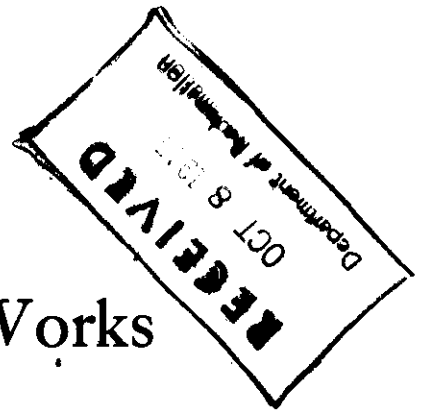
Ray Miles

(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.

19655-

Permit No. 19655STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bannock } ss.Ray Miles, 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. 19655, and that his postoffice address is Lava Hot Springs State of IdahoSecond: That the name of the stream from which said water is to be directed is Beach CreekThird: That the point of diversion of said water is 2 springs heading Beach CreekFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Oct. 11, 1945.Fifth: That the use for which said water is intended is domestic and garden

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: Pipe line
(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 pipe width at bottom ✓ feet, width at water line ✓
(State whether ditch, flume or pipe)feet, depth of water ✓ feet; diameter of pipe 1 1/2 inches, average grade per mile is 100 feet. Length of conduit is 1 1/3 miles.Seventh: That said works are capable of conducting to the place of intended use 20 cu ft per second second feet of water.Eighth: That water appropriated under said permit is available for 2.0 acres of land described as follows: NE 1/4 of the S.W. 1/4 of Sec. 17 Township 9 Range 38 E Boise meridian Bannock County Idaho

Ninth: Remarks: That

Ray Miles
(Sign here)Subscribed and sworn to before me this 5 day of October, 1945My commission expires Jan. 10, 1945W. H. K. B.
Notary Public.

19655

1945

✓
July 14, 1945

Re: Permit No. 19655

Mr. Ray Miles
Lava Hot Springs, Idaho

Dear Mr. Miles:

We enclose herewith Permit No. 19655, and also Departmental Receipt No. 18920 for the \$5.00 filing fee.

Your application states that you will require another thirty days to complete the works described- but, as you will note, from the conditions of the permit, as given on the last page, we have allowed three months within which to make the two proofs required to complete the water right- or until October 11, 1945- although the proofs can be made at any time prior to that date.

The first, or completion of works proof, is made by executing Form # 6, enclosed, before a Notary Public, and returning to this department with the statutory fee of \$5.00- upon receipt and approval of which a certificate of completion of works will be issued.

In making the final, or beneficial use, proof, the law requires that notice be published once a week for four weeks prior to the date set, in a newspaper of general circulation in the county where the water is diverted. The notice should be made out in duplicate on Form 10, enclosed- naming the time and place, and also the Notary Public before whom the proofs will be made- and setting the date sufficiently far ahead to allow for the four weeks publication. Both copies of the notice, together with Form # 11- which is your authorization for us to have the notice published at your expense in the newspaper you designate- are to be returned to this Department.

A copy of the notice is then sent by us to the newspaper, with instructions in regard to publishing- and the proof is made by depositions executed by yourself and two witnesses before the Notary Public named in the notice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

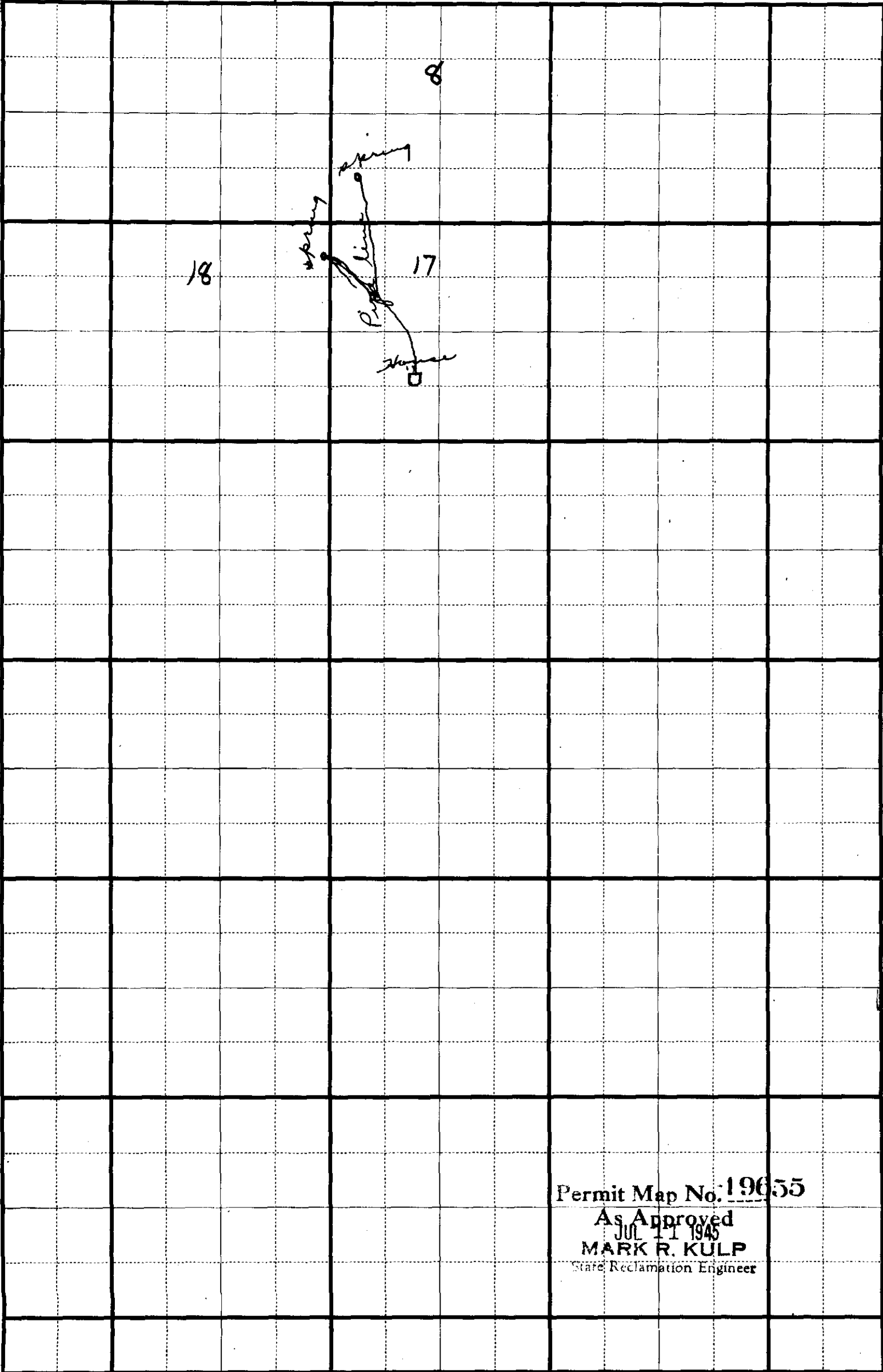
Chief Clerk

A
Encls.

19655-

NAME OF APPLICANT Ray Miles

FORM No. 0



Permit Map No. 19655
As Approved
JUL 11 1945
MARK R. KULP
State Reclamation Engineer

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

19655



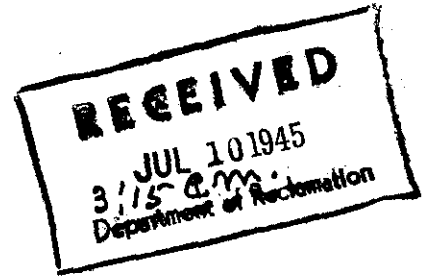
CHARLES C. GOSSETT
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

July 3, 1945



Mr. Ray Miles
Lava Hot Springs, Idaho

Dear Mr. Miles:

We acknowledge receipt of your letter of June 30th, enclosing application for permit to appropriate water from two springs; together with check for the \$5.00 filing fee.

This application is incomplete in several particulars, and we return it for correction, as follows:

1. Fill in Question 2, as to the quantity of water claimed- which, under the statute, cannot be more than one inch to the acre for agricultural purposes.

*We don't know
only a 1 1/2 in pipe
holds the water*

2. Under Question 4, give the location of the points of diversion. If the sketch map is correct, these would appear to be in the SW 1/4 SW 1/4 Section 8, and the NE 1/4 NE 1/4 Section 18, Township 9 South, Range 38 East, B.M.

*This is
correct*

3. Under Question 14 give the number of acres to be irrigated, which we understand is in the NE 1/4 SW 1/4 Section 17, Township 9 South, Range 38 East, B.M.

*If there was
water enough
we could irrigate
20 acres.*

4. Answer Question 14-A.

*Our land is all dry farm
except for these springs
we want to file on.*

5. The application should be signed on the line indicated on the third page.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannie L. Anderson
Chief Clerk

A
Encl.

19653-

*Was \$5.00 enough to pay for filing on
both springs? if not let me know,
yours Respt. Ray Miles.*

July 3, 1945

Mr. Ray Miles
Lava Hot Springs, Idaho

Dear Mr. Miles:

We acknowledge receipt of your letter of June 30th, enclosing application for permit to appropriate water from two springs; together with check for the \$5.00 filing fee.

This application is incomplete in several particulars, and we return it for correction, as follows:

1. Fill in Question 2, as to the quantity of water claimed- which, under the statute, cannot be more than one inch to the acre for agricultural purposes.
2. Under Question 4, give the location of the points of diversion. If the sketch map is correct, these would appear to be in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9, and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, Township 9 South, Range 38 East, B.M.
3. Under Question 14 give the number of acres to be irrigated, which we understand is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, Township 9 South, Range 38 East, B.M.
4. Answer Question 14-A.
5. The application should be signed on the line indicated on the third page.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

19655

RECEIVED

JUL 2 1945
9:00 AM
Department of Reclamation

Hot Springs, Idaho

June 30 1945

Department of Reclamation
Boise, Idaho.

Dear Sirs:

I wrote to you regarding
filing on some springs
and you sent me the
filing blanks which I
am filling out and
returning to you now.
Now this water was filed
on by Wm Bell June 21
1902 and recorded June
23 1912. He turned it
over to Armager L. Bell
Then Bell sold it to
Andrew Hooper. Hooper
sold it Wm M. Stephens
1965-

Stephens sold the land
and water to Charles
F. Potter and Potter sold
it to me Sept, 14 1918
The deed calls for 30 in.
of water in what is
known as Beech Creek.
These two springs furnish
nearly all the water
except a little rush
water in the spring.
We are piping these two
springs down for domestic
use and a garden, and
and we wondered, as
long as we were going
to so much expense to
get them here if it
wouldn't be safer to
19655-

file on these springs
individually.

We already have this
water decreed to us in
the deeds but that we
should file on them also
to be real sure we would
never loose the water.

The springs are both on
government land so
want have to fill out
the Affidavit of Permission
Enclosed find check for
\$500, if this isnt enough
let me know.

yours Reapt.
Ray Miller.

19655-

June 20, 1945

Mr. Ray Miles
Lava Hot Springs, Idaho

Dear Mr. Miles:

In reply to your letter of June 16th, we enclose a form of application for permit to appropriate the public waters of the State of Idaho; and also regulations and instructions in regard to filing same.

Your attention is directed to Paragraph 10 on page 2 of the pamphlet, in regard filing on springs. If the spring is located on your own land, you should so state under Remarks on the third page of the application. Otherwise, the Affidavit of Permission must be executed by the owner of the land on which the spring is located.

When this application is approved, it will be returned to you as a use permit, and after that there are two proofs required in order to complete the water right. The first is the proof of completion of the works described in the application- for which you may be allowed what time is necessary up to five years. And the final proof, of beneficial use- which may be allowed up to an additional six years, if necessary.

The time you wish to be allowed for making these proofs is indicated in Questions 12 and 13 of the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19655-

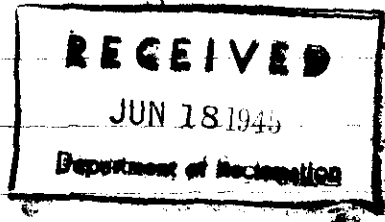
Lava Hot Springs, Ida.
June 16 1945
Department of Reclamation.
Boise, Idaho.

Dear Sir:-

Will you please send
me the blanks to fill
out, necessary to filing
on springs of water.
Let me know what
steps I must take in
order to file on them.

Yours Respect.

Ray Miles,
Lava Hot Springs,
Idaho.



19655