

State of Idaho

License and Certificate of Water Right

Water License No. 18257Amount 0.02 second foot

Water District No. _____

Priority March 27, 1946

THIS IS TO CERTIFY that **ETHER L. MARLEY**
 of Robin, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated March 27,, 19 36; that Permit No. 18257
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.1 second feet, was issued thereunder on August 21,, 1936, showing that said works
 were completed on the 24th day of July, 19 36; and that on the 30th
 day of September, 19 46,

ETHER L. MARLEY

of Robin, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed
 spring, a tributary of - -, for the purpose of domestic - stock watering
 use, under Use Permit No. 18257 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 4395, on the 25th day of February, 19 48;
 The right hereby confirmed dates from March 27, 19 46;

The Point of Diversion is located
 in the SE 1/4 SE 1/4, Sec. 13, Tp. 10 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 feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Watering troughs are located in Lot 3, Section 18, Township 10 South, Range 36 East. B.M.		

SCANNED
APR 30 2001

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 February, 19 48.

MARK R. KULP

State Reclamation Engineer

(SEAL)

29 2252



State of Idaho
License and Certificate of Water Right

Water License No. 19987 Amount 1.6 second feet
Water District No. Priority January 9, 1947

THIS IS TO CERTIFY that MRS. AGNES LITTLE
of Emmett, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 9, 1947; that Permit No. 19987
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.6 second feet, was issued thereunder on April 12, 1947, showing that said works
were completed on the 3rd day of April, 1947; and that on the 12th
day of May, 1947,

MRS. AGNES LITTLE
of Emmett, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed
stream, a tributary of Payette River, for the purpose of irrigation
, under Use Permit No. 19987 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 4396, on the 25th day of February, 1948;
The right hereby confirmed dates from January 9, 1947;

The Point of Diversion is located in the Northeast corner of the
in the SE 1/4 NW 1/4, Sec. 9, Tp. 6 N., R. 1 W., B. M. Gem 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 1.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	1 W.	9	SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			Number of Acres Actually irrigated	- -	80

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 February, 1948.

(SEAL) MARK R. KULP
State Reclamation Engineer

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

29-2252

Application No. 25517
Permit No. 18257
District No.

1. Name of Applicant: **ETHER L. MARLEY**Postoffice address: **Robin** 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: **0.1** cubic feet per second.3. Source of water supply: **Unnamed Spring** which is a tributary of **does not go beyond**
immediate point of using. Is a developed spring.

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the **SE $\frac{1}{4}$ SE $\frac{1}{4}$** of Section **13** , T. **10 S.**, R. **35 E.**, B. M., County of **Bannock**5. Water is to be used for: **Irrigation and domestic**

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: \$ **50.00**8. Kind of works: **About 30 ft. of pipe and steel trough.**

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 **5 in. pipe** / **intake and reduced to 2 in. pipe.** 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" to $\frac{1}{2}$ "** ~~inches~~; length of conduit **30 ft.** ~~miles~~

Average grade per mile feet.

12. The time required for the completion of such work is **six months** ~~years~~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? **See Remarks** 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.

Ether L. Marley

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 11:00 A. M. March 27, 1936

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18257

Recorded in Book 66 Page 18257 Approved March 30, 1936

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 29, 1936** 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 **June 30, 1936**

The whole of said work to be completed on or before **September 30, 1936**

Beneficial use of water appropriated in accordance herewith, to be made on or before **September 30, 1936.**

Witness my hand this 30th day of March, 1936.

R. W. FARIS
Commissioner of Reclamation.

Remarks: The quantity of water is too small to convey it to the land which I occupy and it is necessary for me to build a watering trough which will be in the form of a steel tank with a short pipe of approximately thirty feet conveying the water from the spring to the trough. The spring is located upon open, unimproved government land, upon which there is a suspended Homestead Entry. This filing is made to perfect an earlier filing made by Josiah H. Marley for use in connection with same land now owned by this applicant. Use of a road way to and from spring has been in use for about twenty years.

has been in use for about twenty years.																			
Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10 S	36 E	18									Lot 4 5								5
Total Number of Acres to be Irrigated.....																		5	

AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS

I, Wendell Curtis Preslar, of Robin, County of Bannock, State of Idaho, do hereby certify that I have filed a homestead entry, which has been suspended, on the land on which the spring mentioned in the application of Ether L. Marley is located, to-wit: SE¹₄ SE¹₄ of Section 13, Tp. 10 S., R. 35 E.B.M., and that I do hereby grant unto the said Ether L. Marley permission to file on the said spring as set forth in the foregoing application, and a right to use of right of way to and from said spring, which right of way has been used for about 20 years, and same is hereby acknowledged.

Wendell Curtis Preslar

STATE OF IDAHO,)
) ss.
County of Bannock.)

On this 24th day of March, 1936, before me a Notary Public for the State of Idaho, residing at Pocatello, Idaho, personally appeared Wendell Curtis Preslar, known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

(SEAL)
My commission expires Oct. 15th, 1936.

Theo. J. Turner
Notary Public
Residence, Pocatello, Idaho.

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that ETHER L. MARLEY of Robin, County of Bannock, and State of Idaho, the holder of Permit No. 18257, issued upon Application No. 25517 bearing date of priority of March 27, 1936, authorizing the diversion of 0.1 second feet of the waters of an unnamed spring, 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 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 0.1 second feet of the waters of an unnamed spring; that the point of diversion of said waters is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 10 S., R. 35 E., B. M.; 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 $\frac{1}{4}$, Sec. 18, T. 10 S., R. 36 E., B. M.

Witness my hand this 21st day of August, A. D. 1936.

R. W. FARIS
Commissioner of Reclamation

Proof of Completion of Works made July 24, 1936
Certificate of Completion of Works issued August 21, 1936

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO No. 18257

Comes now ETHER L. MARLEY, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 18257, and requests that it be amended as follows:

1. That the purpose for which such water is to be used be changed from irrigation and domestic to stock watering purposes.
2. That the place of use, as described in the permit, be changed from Lot 4, Section 18, Twp. 10 South, Range 36 East, B.M., to Lot 3, Section 18, Twp. 10 South, Range 36 East, B.M.

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

Signed at Robin, Idaho, this 2nd day of September, 1946.

ETHER L. MARLEY

Date of receipt at Department of Reclamation Sept. 4, 1946.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18257. This approval constitutes a new permit, and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

COPIES ISSUED FOR 0.02 SEC. FT.

p. 4895

✓
February 26, 1948

Re: Permit No. 18257

Mr. Ether L. Merley
Robin, Idaho

Dear Mr. Merley:

We enclose herewith License and Certificate of Water Right issued under your Permit No. 18257, confirming your right to the use of 0.02 of a second foot of water from an unnamed spring in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, Township 10 South, Range 35 E. B.M., with priority of March 27, 1946, for domestic - stock watering use in Lot 3, Section 18, Township 10 South, Range 36 E. B.M.

We also enclose Departmental Receipt No. 20391 for the \$5.00 fee paid by you in connection with beneficial use proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

SCANNED
APR 30 2003

18257

Feb. 23, 1948.

Department of Reclamation,
Boise Idaho.

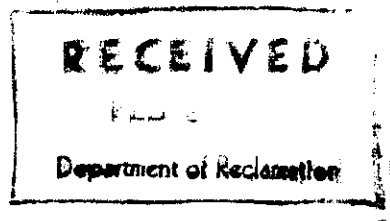
Mr. McIntosh:

In answer to your letter
of Feb. 13 stating that
Permit No. 18257 is now ready.

I am forwarding the fee
of \$50.00 by check enclosed
herewith.

For your information I am
Respectfully

Edwin J. Taylor,



18257

February 13, 1948

Re: Permit No. 18257

Mr. Ether Marley
Robin, Idaho

Dear Mr. Marley:

We now have on file the report of our Field Engineer on examination for beneficial use under your Permit No. 18257.

Upon receipt of the statutory fee of \$5.00 a license will be issued for .02 second foot of water from a spring in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 10 S., Range 35 E. B.M. for domestic and stock watering purposes.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

18257

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

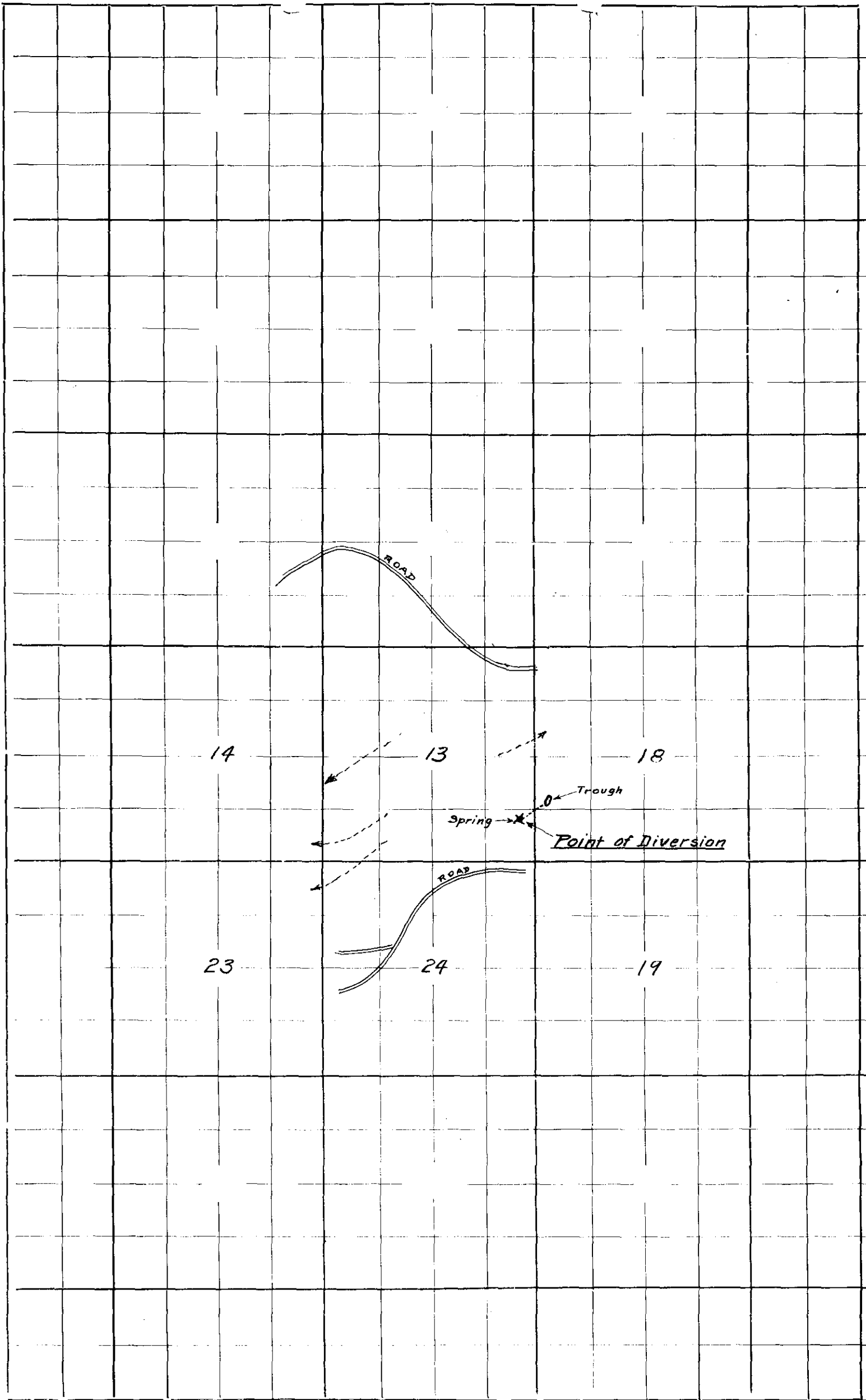
PERMIT NO. 18257

REPORT ON PROOF OF Beneficial use

App - 0.1 c.f.s.

. 02 of

Fee 500



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

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18257

This proof is for Beneficial use

In Water District No.

1. Name of applicant Ether Marley, Robin, Idaho

2. Source of water supply: A spring

3. Location of point of diversion: Is in the SE¹ SE¹ of Section 13

T. 10 S. R. 35 E. County of Bannock

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

A natural spring developed by 40 feet of excavation into hillside, and covered with sheet metal. Piped thence by 40 feet of 2 inch, 100 feet of 1 inch, and 500 feet of $\frac{1}{2}$ inch steel pipe to a stock trough of steel 10 feet long and 20 inches diameter.

5. Water is used for: Domestic- stock watering

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):

Watering troughs located in Lot 3, Section 18, Twp. 10 South, Range 36 East, B.M.

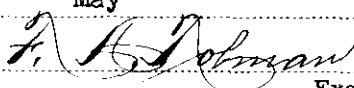
(Submit map on attached plat, showing location and details of above description.)

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

Remarks:

This examination was made on the 21st day of May, 1947

(Signed)



Examiner.

Ether Marley
Robin, Idaho

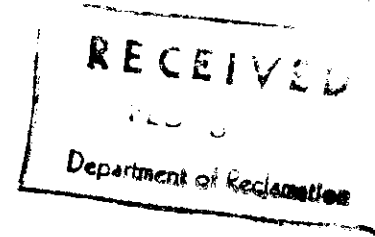
Permit No. 18257

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.
-



October 19, 1946

Re: Permit No. 18257

Mr. Ether Marley
Robin, Idaho

Dear Mr. Marley:

We acknowledge receipt of your letter of October 14th, enclosing affidavit of publication from the McCammon News, in connection with your proof of beneficial use under the above numbered permit.

The Field Engineer will probably not make his examination of your project until some time next spring- as he plans his work to make as many examinations in one part of the State as possible at one time, and thus save both time and expense, and he has already visited your vicinity this past few weeks.

However, when he does, he will try and contact you, as stated in office letter of October 2nd.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

18257

- It for feeling anxious
in late fall and winter
however the line will
still be there and if the
final action is held up
until spring it won't
make much difference.

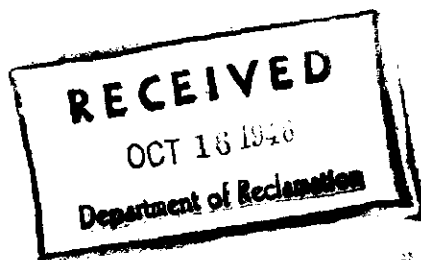
hoping to hear from you

I am Very Respectfully

Ether L. Harley

Arino

Idaho



18257

It for letting animals
in late fall and winter
however the line will
still be there and if the
final action is held up
until spring it won't
make much difference.

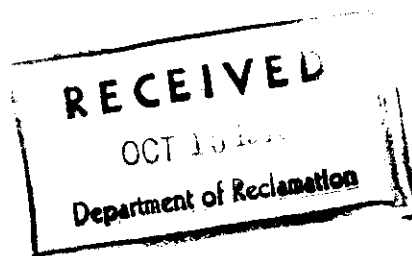
hoping to hear from you

I am Very Respectfully

Ether L. Harley

Arimo

Idaho



18257

PROOF OF PUBLICATION

STATE OF IDAHO
COUNTY OF BANNOCK

SS

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at 11 A. M. on the 30th. day of September, 1946, at 205 Carlson Bldg. Pocatello, County of Bannock, State of Idaho, before Roy L. Black, Notary Public, proof will be submitted of the application to beneficial use of 1-50 of one (1) cubic feet per second; or one (1) miner's inch of the waters of a spring, located in north-easterly portion of (SE $\frac{1}{4}$) (SE $\frac{1}{4}$) Section 13, Township 10, S. in accordance with the terms and conditions of Permit No. 18257. R. 35, E. B. M., 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, Ether L. Marley, Robin, Idaho.

The use to which said water has been applied is Domestic use; ie, watering stock.

The amount applied to beneficial use is one (1) miner's inch or 1-50 of one (1) cubic feet per second.

Watering troughs located in the Southwest portion of Lot 3, Section 13, Township 10, S. R., E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Marley pipe line, carrying water from said spring to watering troughs in two (2) inch, one (1) inch and $\frac{1}{2}$ inch pipes.

The right to take water from such works is based upon Permit No. 18257.

The source of supply from which such water is diverted is said spring above described.

The date of priority which said user is prepared to establish is March 27, 1946.

MARK R. KULP
State Reclamation Engineer.
9-20-4m

Lowell L. Leek

being first duly sworn, deposes

and says that he is the publisher of The McCAMMON

NEWS, a weekly newspaper published in McCAMMON, Bannock

County, in the State of Idaho. That the notice, a true

copy of which is hereto attached was published in The McCAMMON

NEWS for four consecutive weeks, first publication having

been made on the 29th day of Autust 1946, and

the last publication having been made on the 20th day of

September 1946

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 14th day of

October A. D., 1946

W. S. Readie

Notary Public.

My commission expires March 16th, 1949

18257

✓
October 2, 1946

Re: Permit No. 18257

Messrs. Black & Black
Carlson Building
Pocatello, Idaho

Attention- Mr. Roy L. Black

Gentlemen:

We acknowledge receipt of your letter of September 30th, enclosing the depositions of Ether L. Marley and two witnesses in proof of beneficial use under the above numbered permit.

The affidavit of publication is required in connection with this proof, and the McCammon News was instructed to send this to Mr. Marley, upon completion of publication. We are sending a copy of this letter to Mr. Marley, so that if he has not received the affidavit, he may get in touch with the newspaper and obtain same, and transmit to this department.

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

We cannot 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 to contact Mr. Marley at the time he makes the examination, so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
CC to Ether Marley

18257

BLACK & BLACK
ATTORNEYS AT LAW
CARLSON BUILDING
POCATELLO, IDAHO

ROY L. BLACK
JOHN R. BLACK

September 30, 1946.

Mr. Mark L. Kulp
Commissioner of Reclamation
State House
Boise, Idaho

Re: Permit Application of Ether Marley,
Permit No. 18257.

Dear Sir:

Today being the day set for proof in the above matter, the proof was made, and we herewith enclose the proofs of the holder, Ether L. Marley and two witnesses, James W. Burton and Nolan Armstrong.

We presume this closes this matter now, and the permit will issue.

Thanking you very much, we are,

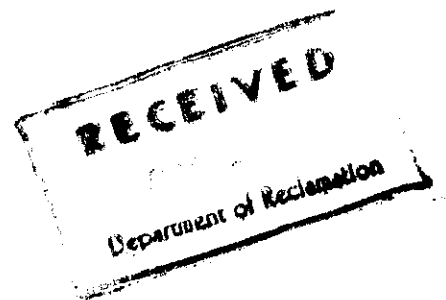
Very truly yours,

BLACK & BLACK

Roy L. Black
ROY L. BLACK

RLB:bm
Encl.

18257



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18257

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ether L. Marley, Robin, 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. No corporation. Privately owned

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

Ans. #18257 - March 27, 1936. Priority March 27, 1946.

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

Ans. A spring located in the Northeasterly portion of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 10, South Range 35 E.B.M. in Bannock County.

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. Galvanized pipe beginning in said spring and extending easterly 600 feet, said pipe being buried in the ground to iron tank watering trough. Capable of conveying more than one miners inch of water from point of diversion to place of use. Marley pipe line and works. (Pipe is 2" reduced to 1" reduced to $\frac{1}{2}$ ".)

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 exclusively for domestic use, that is for watering livestock.

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

Ans. Used by livestock taking the same from watering troughs.

18257

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

Ans. One miners inch of water, or 1/50 of a cubic foot per second.

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. The undersigned is original applicant and the only owner and holder of rights under said permit.

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 the water from this spring exclusively for 10 years, and am the only user of water of said spring, and on March 27, 1946, I filed application for this permit herein involved, and have used the water ever since.

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. No one else has used this water.

(Sign)

Ether T. Harber
Robin Idaho

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 30 day of September, A. D. 1946.

Roy A. Blum
NOTARY PUBLIC in and for Idaho
Residing at Pocatello, Idaho

My commission expires June 2, 1948.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18257

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. NOLAN ARMSTRONG, Robin, Idaho - Farmer - Age 30

Ques. 2. Are you acquainted with ETHER L. MARLEY, the holder of Permit No. 18257? How long have you known him and where does he reside?

Ans. Yes - 25 years - Robin, Idaho

Ques. 3. Have you read or heard read said Permit No. 18257, 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. Spring located on the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 13, Twp. 10, S. R. 35, E. B. M. in Bannock County. The place of diversion is said spring; the works conveying and diverting said water is a galvanized pipe extending from said spring to the watering troughs where it is used, located in the SW portion of Lot 3, Section 18, Twp. 10, S. R. 36, E. B. M.

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. One miners inch or 1/50 of a cubic foot per second.

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. Watering livestock.

18257

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

Ans. Used only for watering livestock.

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. Used only for watering livestock.

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

Ans. None

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

Ans. I have noticed the use of this water by Mr. Marley for approximately
five (5) years.

(Signed)

Nolan Armstrong
Pocahontas, Idaho

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 30 day of September, A. D. 19 46.

My commission expires June 2, 1948.

Ray L. Black
in and for Idaho

Notary Public.

Residing at Pocatello, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18257

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. JAMES W. BURTON, Robin, Idaho - Farmer Age 60

Ques. 2. Are you acquainted with Ether L. Marley, the holder of Permit No. 18257? How long have you known him and where does he reside?

Ans. Yes. 45 Years. Robin, Idaho

Ques. 3. Have you read or heard read said Permit No. 18257, 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. Spring located on the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 13, Twp. 10, S.R. 35, E.B.M. in Bannock County. The place of diversion is said spring, the works conveying and diverting said water is a galvanized pipe extending from said spring to the watering troughs where it is used, located in the SW portion of Lot 3, Section 18, Twp. 10, S.R. 36, E.B.M.

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. One miners inch or 1/50 of a cubic foot per second.

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. Watering livestock

18257

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

Ans. Used only for watering livestock

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. Used only for watering livestock

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

Ans. None

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

Ans. I helped locate and put in the piping, and have noticed it various times since.

(Signed) *Robert J. Blanche*

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 30 day of September, A. D. 1946.

My commission expires June 2, 1948.

Ray L. Blanche
in and for Idaho

Notary Public.

Residing at Pocatello, Idaho

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, September 20, 1946

Re: Permit No. ;8257
Ether Marley

Mr. Roy L. Black, Notary Public,
205 Carlson Building
Pocatello, Idaho
DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18257

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 September 30, 1946, 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

Pocatello, Idaho before Roy L. Black, 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
XXXXXXXXXXXXXXXXXXXXXXXXXXXX
State Reclamation Engineer

18257

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: August 30, 1946

Re: Permit No. 18257

McCammon News

McCammon, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 30, 1946 the date set for proof, the expense of the publication to be paid by the applicant, Ether Marley of Robin, Idaho, to whom you should furnish affidavit 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

Chief Clerk

18257

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

Notice is hereby given that at _____ A. M. on the 30th day of September, 1946
205 Carlson Bldg.
 at Pocatello, _____, County of Bannock _____, State of Idaho, before
Roy L. Black, Notary Public, _____, proof will be submitted of the
 application to beneficial use of 1/50 of 1 _____ cubic feet per second or 1 miner's inch
Located in Northeasterly portion of _____ of the waters of a spring
SE 1/4, Sec. 13, Twp. 10, S. in accordance with the terms and conditions of Permit No. 18257
S. R. 35, E. B. M.
 heretofore issued by the Dept. of Reclamation _____ of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____

Ether L. Marley, Robin, Idaho

The use to which said water has been applied is Domestic use; ie, watering stock.

The amount applied to beneficial use is 1 miner's inch or 1/50 of 1 cu.ft. per second.

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

watering troughs located in the Southwest portion of Lot 3, Section 18, Twp. 10,

S. R. ³⁶₃₅, E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of
 use is Marley pipe line, carrying water from said spring to watering troughs in 2 inch,
1 inch and 1/2 inch pipes.

The right to take water from such works is based upon Permit No. 18257

The source of supply from which such water is diverted is said spring, above described.

The date of priority which said user is prepared to establish is March 27, 1946.

MARK R. KULP

State Reclamation Engineer.

18257

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 26, 1946

(P. O.) Pocatello, 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
McCammon News of McCammon, Idaho, published in
the county in which the works are situated.

Ether L. Harley

(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.

18257

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. 18257

Comes now ETHER L. MARLEY, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 18257, and requests that it be amended as follows:

1. That the purpose for which such water is to be used be changed from irrigation and domestic to stock watering purposes.

2. That the place of use, as described in the permit, be changed from Lot 4, Section 18, Twp. 10 South, Range 36 East, B.M., to Lot 3, Section 18, Twp. 10 South, Range 36 East, B.M.

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

Signed at Robin, Idaho, this 2nd day of September, 1946.

Ether L. Marley

Date of receipt at Department of Reclamation Sept. 4 - 1946

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18257. This approval constitutes a new permit, and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R. Kulp

State Reclamation Engineer

18257

✓
August 30, 1946

Re: Permit No. 18257

Mr. Ether L. Marley
Robin, Idaho

Dear Mr. Marley:

Reference is made to your letter of August 29th, in which you state that the water developed under the above numbered permit is only one miner's inch, and is used only for stock watering purposes.

The notice has been sent to the McCammon News accordingly, with instructions to publish it once a week for four consecutive weeks prior to September 30th, the date set for proof, and to send you the affidavit of publication together with statement of cost.

Since the permit is for irrigation and domestic use, in lot 4 of Section 18, Twp. 10 S. Range 36 E., E.M., and your proof is being made for stock water to be used on Lot 3 of this section, it will be necessary to amend the permit before proof is made.

We enclose a form of application for amendment, which you should execute and return promptly to this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

18257

Robin Idaho

Aug 29th 1946

Department of Reclamation

Boice Idaho

In answer to your letter
of Aug 28th regarding permit
no 18257,

We wish to eliminate the
amount applied for irrigation
and make proof on one
inch for stock, as that
is all we have been able
to develop, so please
disregard the five inches
in the publication.

Thanking you for your consideration

I am Respectfully

18257 Ethura Marley

Robin, Ida

August 28, 1946

Re: Permit No. 18257

Mr. Ether L. Marley
Robin, Idaho

Dear Mr. Marley:

We acknowledge receipt of your letter of August 26th, enclosing duplicate notice of beneficial use proof to be made on the above numbered permit on September 30, 1946.

We note your statement that proof will be submitted for 1/50, of a second foot, or one miner's inch, for stock watering purposes.

However, your original permit is for 1/10 of a second foot, or 5 miners inches, for irrigation and domestic, and it describes 5 acres to be irrigated in Lot 4 of Section 18, Twp. 10 South, Range 35 East,

Is it your intention to eliminate the amount applied for for irrigation, and only make proof on the amount for stock water?

Please advise by return mail, if possible, so that the notice can reach the newspaper in time for the four publications prior to September 30th.

The only priority that can be established under this permit will be as stated in previous letter, although it is possible that you might establish an earlier priority through the District Court by proving an earlier continuous use of the water

In other words, if the proof is made on September 30th, 1946, it will be just exactly ten years later than the original due date, and the priority would be March 27, 1946, as you state.

Very truly yours,

MARK A. KULP
State Reclamation Engineer
By

Chief Clerk

A
CC to Black & Black

18257

BLACK & BLACK
ATTORNEYS AT LAW
CARLSON BUILDING
POCATELLO, IDAHO

ROY L. BLACK
JOHN R. BLACK

August 26, 1946

Mr. Mark R. Kulp
Commissioner of Reclamation
State House
Boise, Idaho

Dear Mr. Kulp:

The undersigned is inclosing the following papers:

Notice of Proof Application of Water to Beneficial Use, in duplicate.
Form No. 11, authorizing publication.

I was in doubt as to the date of priority permitted. I have used this spring since the date of my original application for permit, exclusively, and my predecessors in interest used it for 20 years before that. No one else has ever used this spring water for any purpose. According to your letter of March 28, 1946, you state I would have to make the priority 10 years later so I have made it March 27, 1946. If I am entitled to have an earlier date of priority, this will authorize you to change it in the notice. You have all the facts and if there is anything else necessary to state in the Notice this authorizes you to state the same in the notice or change it as necessary.

Hoping everything is in order, and thanking you, I am

Very truly yours,

Ether L. Marley

Ether L. Marley
Robin, Idaho

*Black & Black
attys*

18257



April 1, 1946

Mr. Mark R. Kulp
Commissioner of Reclamation
State House
Boise, Idaho

Re: Application for Permit No. 11084
Ether L. Marley.

Dear Sir:

I have your letter of the 28th of March, showing that it is necessary to give a new notice of hearing for making proof and completing the above application.

In the application form on file, I only ask to take the water 30 feet from the spring. I would like to take the water to my property line which is about 600 feet through a pipe, and therefore would like to amend the application for permit but retain the same number. There will be no objection to my procedure, in all probability, because the party, Wendell Curtis Preslar, who has rights on the land has already signed my former application for a permit and has in addition thereto given me instruments in writing conveying to me the water of said spring, and the 25 foot right-of-way to my land from the spring.

Therefore, would you please send me a duplicate set of applications for permit, and the two complete sets so I can retain a copy for my file and send you the necessary sets, and I will immediately amend it. If I mail the amended application, I assume I can immediately fill out the forms for the notice of hearing. If I am wrong in this, please advise, for I want to complete the hearing this spring, if possible.

Yours very truly,

18251

Ether L. Marley

RECEIVED

APR 2 1946

Department of Reclamation

April 3, 1946

Re: Permit No. 18257

Mr. Ether L. Marley
Robin, Idaho

Dear Mr. Marley:

We acknowledge receipt of your letter of April 1st,
in regard to the above numbered permit.

It will not be necessary for you to file an amend-
ment to the present permit in order to extend your
pipe line, so long as the water is diverted from the
spring at the same point as originally described;
that is, in the SE¹₄ SE¹₄ Section 13, Township 10 South,
Range 35 East, B.M.; However, this should be done
before you make your final or beneficial use proof.

You should then fill out the duplicate forms of notice
(form No. 10) as instructed in office letter of March
28th, and return both copies to this office, together
with Form 11, which is your authorization for us to
have the notice published at your expense in the desig-
nated newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

18257
A

18257

March 28, 1946

Mr. Ether L. Marley
Robin, Idaho

Dear Mr. Marley:

We are in receipt of your letter of March 26th in regard to your water filing, recorded as Permit No. 18237, under date of March 27, 1936.

This permit claims one-tenth of a second foot, or five inches, of water from a spring located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, Township 10 South, Range 35 East, B.M., for domestic use on five acres of land in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, Township 10 South, Range 36 East.

The first proof, or proof of completion of works was duly made on July 24, 1936, and certificate of completion of works issued.

The final proof, or proof of beneficial use, was due September 30, 1936, and notice thereof was sent to the Downey Idahoan for publication, as per your authorization dated July 24, 1936.

The necessary forms for making this proof were sent to Mr. Theo J. Turner on September 14th, so that he would have them in ample time for the proofs to be made on September 30th, but if the proofs were ever made they were not submitted to this Department.

However, this proof may still be made, but it will necessitate re-publication, with a new date set for making proof, and the priority date will be as much later than the original priority of March 27, 1936, as this proof is past due.

Notice of your intention to make this proof should be made out in duplicate on Form 10 enclosed, setting time and place, and naming the Notary Public or other officer authorized by law to administer oaths, before whom the proof will be made. 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, should be returned to this department, and upon receipt thereof we shall send a copy of the notice to the newspaper with instructions in regard to publishing same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

18257

Robert Idaho.

Mar. 26th 1946.

State of Idaho.

Department of Reclamation
Boice Ida.

Gentlemen: — In the year
1936 I bought a farm which
was homesteaded by Josiah
G. Marley and which had
a domestic Water right where
he had developed a little
spring 600 ft west of his
land.

I bought the land
with a federal Loan and
they required me to make
proof on the spring to
get the loan. 18257

I got the forms from that office
filled them out as requested
advertised the spring in
the Mc Common news, and
shot the compliance was made,
and my Federal Loan went
thru, but my returns never
came thru from that office.

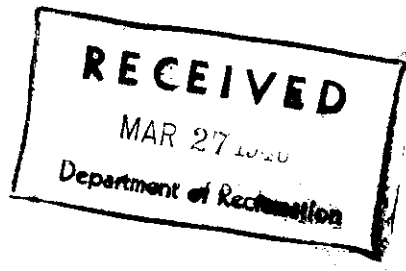
I had a deed to the spring
from Wendel C Preslar also to
the land it was on and a
right of way to it, so at that
time I didn't need the complian-
-ce only to get my loan,
but now I would like very
much to complete the compliance
and pipe the water on to
my own land. 18257

Now I don't know whether
those papers are misplaced

In that office, or lost in the
mail or whether they were lost
in the office of Mr. Theo Turner
of Pocatello, who prepared them
for me.

Would you please look up
what in that office and advise
me what you find

Thanking you in advance
I am Respectfully
Ether L Marley.



18257

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE
INSTRUCTIONS
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,
September 14, 1936

Re: Permit No. 18257

THEO J. TURNER
Notary Public
Pocatello, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18257

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 September 30, 1936, 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 Pocatello, Idaho before Theo J. Turner

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,

R. W. FARIS

Commissioner of Reclamation.

18257

Ether L Marley

Robln. Ida, Aug 18th 1936

Hon. R W Faris

Commissioner of Reclamation
Boice, Idaho.

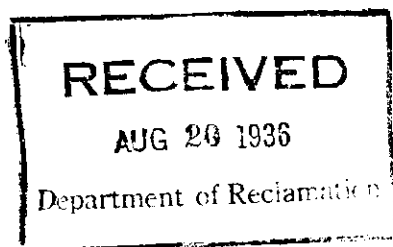
Dear Sir :- Enclosed
herewith please find \$500
check which I am sending
as the fee required in
connection with water permit
No. 18257, as requested in
your letter dated Aug. 6th

Unless instructed different
by you I shall go before
Mr Turner and fill out the
required forms on Sept. 30th

Respectfully,

Ether L Marley.

18257



18257

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date.....August 6, 1936.....

Re: Permit No. 18257

EDITOR, Downey Idahoan
Downey, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to.....September 30, 1936....., the date set for proof, the expense of the publication to be paid by the applicant,.....Ether L. Marley.....

.....Robin, 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,

R. W. FARIS

Commissioner of Reclamation

18257

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 1:00 P.m. on the 30th day of September, 1936,
at Pocatello, County of Bannock, State of Idaho,
before Theo. J. Turner, a Notary Public, proof will be submitted
of the application to beneficial use of one tenth cubic feet per second of the
waters of an unnamed spring in accordance with the terms and conditions of
Permit No. 18257 heretofore issued by the Commissioner of Reclamation
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

Ether L. Marley, of Robin, Idaho.

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

The amount applied to beneficial use is one tenth

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW¹/₄ SW¹/₄, Section 18, Twp 10 S., R. 36 EEM

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. 18257

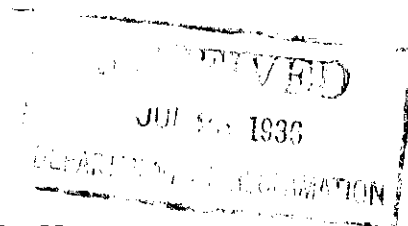
The source of supply from which such water is diverted is in SE¹/₄ SE¹/₄ Section 13,
Tp. 10 S., R. 35 EEM

The date of the priority which said user is prepared to establish is Mar. 27, 1936

R. W. FARIS

Commissioner of Reclamation.

18257



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 24th, 1936.

(P. O.) Robin, Idaho.

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 Idahoan of Downey, Idaho, ... published in
the county in which the works are situated.

Ether L. Marley.
Ether L. Marley.

(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.

18257

August 6, 1936

Re: Permit No. 18257

ETHER L. MARLEY
Robin, Idaho

Dear Mr. Marley:

Under date of July 25th, we received certain papers which you had made out in connection with your proofs under the above permit. The affidavit you executed before Mr. Theo J. Turner is sufficient, and immediately upon receipt of a \$5.00 fee, which is required by law in connection with this proof, your certificate of completion of works will be issued.

You set the date for beneficial use proof at 1:00 o'clock P. M. on the 14th day of November whereas it will be due on the 30th day of September. If proof were not offered until that time, your priority would be extended by the amount of time the proof was overdue.

However, since there is more than ample time to make the required publication prior to the 30th day of September, we have taken the liberty of changing the date for proof to that time. The necessary depositions will be furnished Mr. Turner several days prior to the date set for proof, and at that time, you should appear at his office for the purpose of executing them. You should also have two witnesses accompany you to execute depositions in support of your own. There is no particular requirement concerning them except that they be familiar with what has been done under the permit, and that they have no financial interest.

A copy of the notice is being mailed today to the Downey Idahoan with proper instructions for its publication.

Very truly yours

Chief Clerk & Office Engineer

PLM/cj

18257

August 21, 1936

Re: Permit No. 18257

ETHER L. MARLEY
Robin, Idaho

Dear Mr. Marley:

You will find enclosed herewith, Certificate of Completion of Works issued under the terms of the above permit, for the diversion of 0.1 second feet of the waters of an unnamed spring in Bannock County.

We are also enclosing our Office Receipt No. 15932 in the amount of \$5.00 covering fee remitted by you in this connection.

Very truly yours

R. W. PARIS
Commissioner of Reclamation

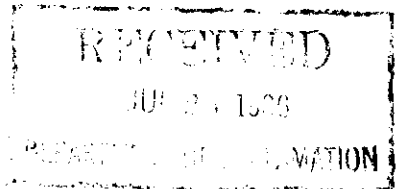
by
Asst Chief Clerk

18257

cj
encl 2

Permit No. 18257.

STATE OF IDAHO
Department of Reclamation



Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO, }
County of Benneek, } ss

Ether L. Marley, 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. 18257, and that his postoffice address is Robin, Idaho, State of Idaho.

Second: That the name of the stream from which said water is to be diverted is an unnamed Spring.

Third: That the point of diversion of said water is in SE 1/4 Section 13, Township 10 South, Range 35 East Boise Meridian, in Idaho.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by September 30, 1936.

Fifth: That the use for which said water is intended is domestic, stock watering, and 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: about 30 feet of pipe and a steel trough.
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

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

(d) Conduit width at bottom feet, width at water line feet, depth of water feet; diameter of pipe 2" to 1/2" inches, average grade per mile is feet. Length of conduit is 30' miles.
(State whether ditch, flume or pipe.)

Seventh: That said works are capable of conducting to the place of intended use 1/10 second feet of water.

Eighth: That water appropriated under said permit is available for 5 acres of land described as follows: ~~not sufficient water to irrigate any land worth mentioning and not sufficient to justify piping.~~

SW 1/4 SW 1/4, Sec. 18, T. 10 S., R. 36 E., B. M.

Ninth: Remarks: That

Ether L. Marley
(Sign here)

Subscribed and sworn to before me this 24th day of July, 1936.

My commission expires Oct. 15th, 1936.

Thos. J. Jones
Notary Public.

Residence, Pocatello, Idaho.

18257

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE
JUL 6 - 1936

ETHER L. MARLEY
Robin, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 18257, which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is Sept. 30, 1936, 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.

Yours truly,

R. W. FARIS
~~GEO. N. CARTER,~~
Commissioner of Reclamation.

18257

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

JUL 6 - 1936

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

ETHER L. MARLEY
Robln, Idaho

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. 18257 you are required to complete your diversion works on or before Sept. 30, 1936. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a 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 will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

R. W. FARIS

Commissioner of Reclamation.

18257

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18257

Boise, Idaho, April 8, 1906

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the Commissioner of Reclamation on the third page.

MR. ALGER L. BARNY
Robia,
Idaho

H. W. PARIS
Commissioner of Reclamation.

18257

NAME OF APPLICANT

FORM NO. 0

T.10S., R.35E.

T.10S., R.36E.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC. 13

SEC. 18

SEC.

SEC.

SEC.

SEC.

Right of Way
Spring. 25

Lot
1

Lot
2

Lot
3

Lot
4

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Permit Map No. 18237

As Approved

MAR 30 1936

R. W. FARIS

Commissioner of Reclamation

March 7, 1936

18257
Re: Application for Permit

MR. ETHEL L. MARLEY
Robin,
Idaho

Dear Sir:

We have your letter of March 2nd with respect to your letter of an earlier date requesting the filing blanks to renew Permit No. 11084.

Since you say that you are buying the farm upon which this water has been used, we presume that your application will cover exactly the same proposition. We have, therefore, prepared an application which is practically complete, from the information given in Permit No. 11084. We have also prepared the necessary plats to accompany the application. It is herewith enclosed for your signature, some more information and the necessary filing fee. To what, if anything, is the spring tributary and upon whose land is it located. At the time when J. G. Marley filed application for Permit No. 11084, he stated that the spring was located upon unleased government land. If this is still true, kindly make a statement to that effect under Remarks. If you are going to purchase or lease the land, do likewise. However, if this land is leased or owned by some one else, it will be necessary to secure the written permission of the lessee or owner before we can accept your application.

Just as quickly as you secure your permit you may proceed with the necessary proofs, since the works required to convey the water from the spring have all been constructed and the water applied to beneficial use. It will take some little time to perfect these proofs and obtain your license as a field examination is required after final proof is offered, but then the Federal Land Bank will, no doubt, accept a certified copy of the permit rather than hold up your loan awaiting issuance of the license.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

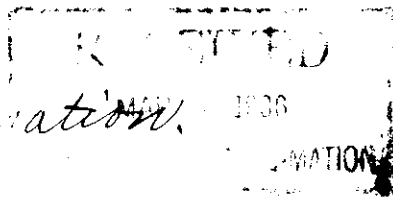
By _____
Chief Clerk & Office Engr.

PLH/rg
Encl.

18257

Robin Lee
Mar. 2nd 1936

Hon. R. W. Farris;
Commissioner of Reclamation.
Boice, Ida.



Dear Sir:

In Feb. I wrote you asking
if I could complete Re: Permit
No. 11084 made to J. G. Marlett and
on Feb. 21st I received a letter
from you advising me that
the best thing to do was
refile in my own name; and
that filing blanks and book
of instructions would follow
as soon as blanks could be
gotten from the printer but
as yet they haven't arrived and
I am wondering if they have
been lost in the mail. will
you please check up and let me
know.
R. Lee

Also will you please advise me
also what is the shortest way to
perfect this title, as I am getting
a discount on this farm by paying
cash, and this title is holding
up my loans; no one can take this
water from me as no one but the
operator of this farm has ever
used it, but it dont show
to the Federal Land Bank;

Thanking you for this kindness
I am Respectfully

Ether L. Marley

Robin, Idaho.