

State of Idaho
License and Certificate of Water Right

Water License No. 16261 Amount 5.8 sec. ft.
Water District No. 17 Priority 5-5-1925.

THIS IS TO CERTIFY that Marsh Center Irrigation Company,
of Arimo, , made application for a permit to appropriate the
public waters of the State of Idaho, dated May 5, 1925 , 49 ; that Permit No. 16261
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
6.0 second feet, was issued thereunder on June 5, , 1926 , showing that said works
were completed on the 5th day of May , 19 26 ; and that on the 12th
day of May , 19 27 ,

Marsh Center Irrigation Company

of Arimo , State of Idaho , made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Wire Grass Spring,
a tributary of Marsh Creek , for the purpose of irrigation and domestic
use , under Use Permit No. 16261 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 6
of Licenses, at page 3435 , on the 21st day of July , 19 27 ;

The right hereby confirmed dates from May 5, , 19 25 ;

The Point of Diversion is located
in the SW ¼ SW ¼, Sec. 12 , Tp. 11 S. , R. 36 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 5.8
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	36 E.	36	NW $\frac{1}{4}$ NW $\frac{1}{4}$	5	20
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	25	30
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	10	35
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	10	20
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	10	25
					Total 290

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 Commissioner of Reclamation, affixed at Boise, Idaho,
this 21st day of July , 19 27 .

SCANNED
APR 30 2001

(SEAL)

GEO. N. CARTER.
Commissioner of Reclamation

State of Idaho

License and Certificate of Water Right

Water License No. **5925**Amount **0.8 sec. ft.**Water District No. **3-X**Priority **4 - 9 - 1910.**

THIS IS TO CERTIFY that **Jay E. Preston**
 of **Whitebird, Idaho**, made application for a permit to appropriate the
 public waters of the State of Idaho, dated **April 9**, 19 **10**; that Permit No. **5925**
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.8 second feet, was issued thereunder on **July 21**, 19 **27**, showing that said works
 were completed on the **3rd** day of **September**, 19 **10**; and that on the **3rd**
 day of **September**, 19 **10**,

Jay E. Preston

of **Whitebird**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **Chapman Creek**,
 a tributary of **Whitebird Creek**, for the purpose of **irrigation and domestic**
use, under Use Permit No. **5925** of the **State Engineer**
 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 Commissioner of Reclamation of Idaho and entered of record in Volume **6**
 of Licenses, at page **3436**, on the **21st** day of **July**, 19 **27**;

The right hereby confirmed dates from **April 9**, 19 **10**;

The Point of Diversion is located
 in the **SE ¼ SE ¼, Sec. 31**, Twp. **29 N.**, R. **2 E.**, B. M. **Idaho 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 **0.8**
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
28 N	2 E	6	Lot 1 Lot 2	1 39	1 39
					Total 40

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 Commissioner of Reclamation, affixed at Boise, Idaho,
 this **21st** day of **July**, 19 **27**.

GEO. N. CARTER.

Commissioner of Reclamation

(SEAL)

APPLICATION FOR PERMIT **29-2239**

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 23061
Permit No. 16261
District No. 17-H

1. Name of Applicant: Marsh Center Irrigation Company

Postoffice address: Arimo County: Bannock State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: Date-about 1895. Place-Bannock Co., Idaho
(b) Amount of capital stock: 25,000.00
(c) Amount paid in: 12,000.00
(d) Names and addresses of directors: J. P. Jensen, Clarence Woodland, L. F. Parris,
W. H. Sorensen, Robert E. Cole, all of Arimo, Idaho.

II. The financial resources of the applicant are:

- (a) Cash on hand: 12.40
(b) Treasury stock: 13,000.00
(c) Bonds to be issued: none
(d) Other resources:

2. Quantity of water claimed: six cubic feet per second.

3. Source of water supply: Wire Grass Spring which is a tributary of Marsh Creek to Portneuf River.

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
of Section 12 , T. 11 S., R. 36 E., B. M., County of Bannock

5. Water is to be used for: Irrigation

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

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

7. Estimated cost of works: \$ 1000.00

8. Kind of works: Ditch and flume

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 3 feet; width at water line 4 feet; depth of water 2
feet; dimensions of flume 16" x 16" x 800'
Diameter of pipe inches; length of conduit 3 miles.
Average grade per mile 10 feet

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

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

Marsh Center Irrigation Company Applicant.

By Clarence Woodland Secretary. Agent.

Date of first receipt at Department of Reclamation. 9 A. M., May 5, 1925

Returned to applicant for correction.

Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16261
Recorded in Book 58 Page 16261 Approved May 12, 1925
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 July 11, 1925 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 November 12, 1925
The whole of said work to be completed on or before May 12, 1926
Beneficial use of water appropriated in accordance herewith, to be made on or before May 12, 1927

Witness my hand this 12th day of May, 1925

W. G. SWENDSEN
Commissioner of Reclamation.

Remarks: Spring is located on lands about 100 rods beyond points of diversion. Latter is located on public lands.

14 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.	36			40	40	25	5		10	10			10	40	40	40	40	300
Proof of Completion Works made 5-5-26																			
Certificate Completion Works issued 6-5-26.																			
Permit No. 16261																			
CERTIFICATE OF COMPLETION OF WORKS																			
To All Whom It May Concern:																			
This is to certify that Marsh Center Irrigation Company, of Arimo, County of Bannock, and State of Idaho, the holder of Permit No. 16261, issued upon Application No. 23061, bearing date of priority of May 5, 1925, authorizing the diversion of 6.0 second feet of the waters of Wire Grass 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 6.0 second feet of the waters of Wire Grass Spring; that the point of diversion of said waters is in the SW¼ SW¼, Sec. 12, Twp. 11 S., R. 36 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S½NE¼, N½NW¼, SE¼NW¼, NE¼SW¼, SE¼SW¼, and the SE¼, Sec. 36, Twp. 10 S., R. 36 E., B. M.																			
Witness my hand this 6th day of May, A. D. 1926.																			
W. G. SWENDSEN, Commissioner of Reclamation																			
By GEO. N. CARTER Assistant.																			

5.8
P. 3435

May 31, 1960

Re: Permits 16261 & R-273

Mr. Jack McDaniel, Secretary
Marsh Center Irrigation Co.
Arimo, Idaho

Dear Mr. McDaniel:

The well filings map in this office indicates there are several wells in the area adjacent to the point of diversion for the ditch which diverts water under your licensed right issued on Permit No. 16261. I believe the priority date of this right is May 5, 1925.

Whatever rights have been filed since May 5, 1925, have considerably later dates.

It may appear these pumped wells are taking the water heretofore flowing at the Wiregrass springs; however to prove it is another and more difficult matter. There can be other reasons why spring flows diminish or cease, such as deficient precipitation, changes in irrigation practices above, etc., etc. I merely point these possibilities out to emphasize the fact that we cannot simply say wells are interfering with and decreasing the water going to another right and thus clamp down on or shut them off.

The matter of interference, I think must be definitely demonstrated or proven and the proper place to do this or attempt it is in some court of competent jurisdiction. This department, after investigation, might conclude that wells are interfering with your supply of water from Wiregrass Springs, but we would be without authority to order the wells shut off if we believe such to be the fact. In other words a matter like yours requires a judicial determination. Only courts can make such determinations.

If my theory as outlined above is correct I conclude your appropriate recourse is to consult an attorney and be guided by his advice in the matter.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:ew

SCANNED

APR 30 2001

16261

RECEIVED
MAY 3 11960
Department of Reclamation

Arimo, Idaho

May 28, 1960

State Reclamation Engineer
State of Idaho
Department of Reclamation
Boise, Idaho

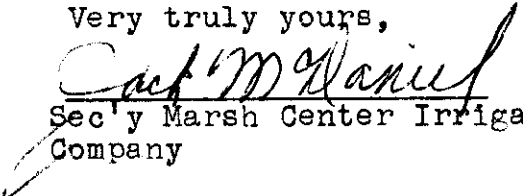
Dear Sir;

I have been instructed to write to you in regard to the rights of our company in our permit to use and store water from Wiregrass springs as set forth in Permit No. 16261 for 5.8 second feet, and storage permit No. R723 for 24 acre feet.

The flow of these springs has been diminished to almost a trickle, due to the wells that are pumping irrigation water north and west of the city of Downey. Can you advise us in this matter, as to what steps we should take to insure our water supply?

I enclose a stamped self-addressed envelope for your reply and thank you in advance for any help you can give to us in this matter.

Very truly yours,


Sec'y Marsh Center Irrigation
Company

16261

✓
May 6, 1947

Re: Permit No. 16261

Mr. Louis McFarland, Secretary
Marsh Center Irrigation Company
Arino, Idaho

Dear Mr. McFarland:

In reply to your request of May 5th, we
enclose certified copy of Permit No. 16261 in the
name of the Marsh Center Irrigation Company, to-
gether with departmental receipt for the \$1.50 fee.

Very truly yours,

MARK B. KULP
State Reclamation Engineer
By

Chief Clerk

A:FA

Encl.

16261

May 5, -47

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

Dear Mr. Kulp
In your letter of April 5, you state
that you could send us a certified
copy of permit no. 16261.

Please send certified copy of Permit
no 16261, and find enclosed check
for \$150 to cover cost.

thank you

Very truly yours.

Lewis M. Farland (sec)
Marsh Center Irr. Co



16261

✓
C. A. Robins

R 16261

April 5, 1947

Mr. Lewis McFarland
Marsh Center Irrigation Co.
Arimo, Idaho

Dear Mr. McFarland:

We are in receipt of your letter of April 1, requesting a copy of the permit on Fire Grass Spring in the name of the Marsh Center Irrigation Company.

This is Permit No. 16261 on which a license for 5.8 second feet, with priority of May 5, 1925 has been issued.

We are not sure whether you wish a copy of the permit or of the license. A certified copy of either would cost \$1.50.

Please advise us as to your wishes in this matter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

A:FA

16261

Moran Center Irrigation Co.
April 1, 1947

State Bureau of Reclamation
State House
Boise, Idaho

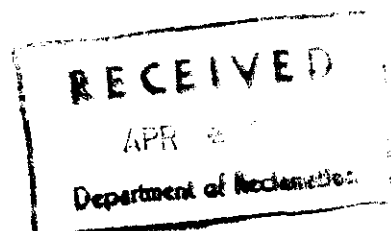
Gentlemen,

I am writing in regards to water of the wire grass spring which is a tributary of Moran Creek, located approximately $3\frac{1}{2}$ miles south west of Virginia Idaho.

The Irrigation Co. filed on this spring to use for irrigation some years ago. A few years ago the Secretary of the Co. had his home burn and with it all of the records and books of the Co. Therefore we haven't any No. or any thing to refer you to, but if you could find the recorded record of this filing or license-which was issued in the state, we would very much like to have a certified copy of same, and bill me for making said copy.

Yours truly

Lewis McFarland
Lewis McFarland
(Sec. and Treas.)
Moran Center Irr. Co.



16261

July 22, 1927.

Re: Permit No. 16261.

Mr. J. P. Jensen, Pres.,
Marsh Center Irrigation Company,
Arimo, Idaho.

Dear Sir:

We are enclosing herewith Water License,
issued under the above numbered permit, allowing
6.0 second feet of the waters of Wire Grass Spring;
we are also enclosing receipt for fee paid.

Very truly yours,

GEO. H. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P.

Enc.

16261

Arviso Idaho

July 18 1927

Department of reclamation

Boise Idaho

Dear Sir Inclosed find check
for \$5⁰⁰ in payment for
license on Permit No. 16261

Respect Yours

Marshycenter Trig Co.

By Clarence Woodland

Sect

16261

June 27, 1927.

Re: Permit No. 16261.

Mr. J. P. Jensen, Pres.,
Marsh Center Irrigation Co.,
Arimo, Idaho.

Dear Sir:

We are in receipt of report of our examining
engineer on proof of beneficial use of water under
the above numbered permit. Upon receipt of fees
in the sum of \$9.00, license will be issued you.

Very truly yours,

GEO. H. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P.

16261

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

Permit No. 16261This proof is for BEN. USE WATERIn Water District No. 17-

1. Name of applicant: Marsh Center Irrigation Co.
2. Source of water supply: Wire Grass Spring
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12
T. 11 S R. 36 E.B.M. County of BANNOCK

4. Describe works as they exist, giving dimensions and capacities of same: *Water is evidently weak water from Portneuf Marsh Valley project, comes out in seeps & springs in deep coules, is picked up by means of small earth dams into ditch 2 1/2 to 3' bottom, 3 1/2 to 4' top. Capacity est 300". Also has about 500' flume as part of ditch, flume 16" x 14" 5 ft high.*

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes.

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): SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ Sec. 36, Twp. 10 S., R. 36 E., B.M.

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

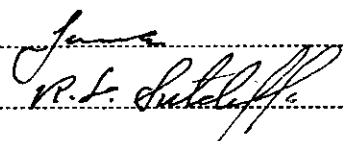
8. What large stream would the water here appropriated finally reach? Probably Portneuf River.
- Remarks: *Water in coules this date approx. 300 inches. Was informed that coule is practically dry in spring but water supply gradually gets larger as irrigation takes place in trenches above.*

It could seem no one could be injured by this as water is used along Marsh Creek and drainage finds its way back into Portneuf again. Est. 300 acres being irrigated. All old places, either hay & grain or motive pasture.

16261

This examination was made on the 23 day of June 1927

(Signed)



Examiner.

Marsh Center Irr. Co.
Arimo

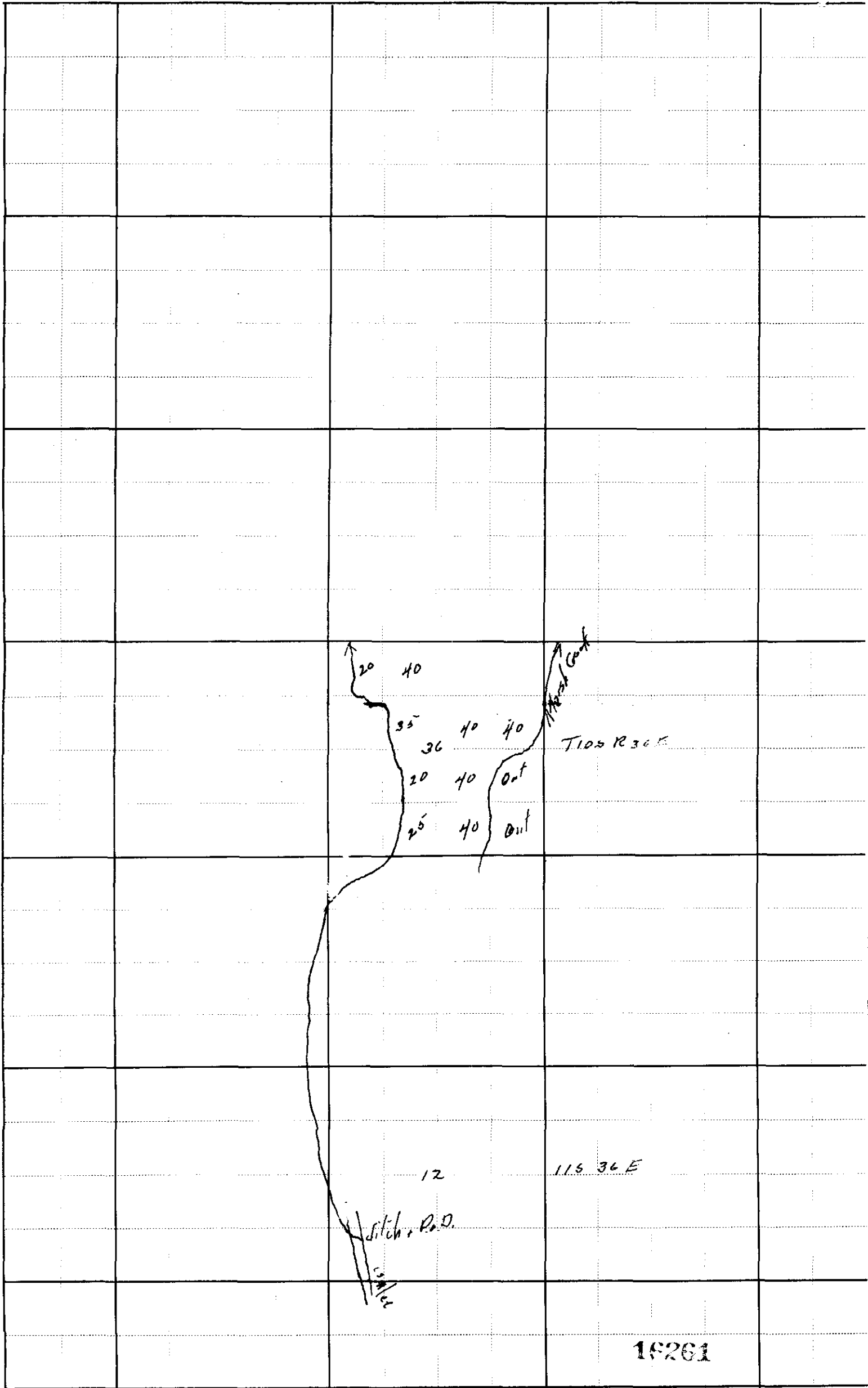
Permit No. 16261

Examination for BEN. USE WATER

County BAINOCK

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.
-



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

May 14, 1927.

Re: Permit No. 16261.

J. P. Jensen, President,
Marsh Center Irrigation Co.,
Arimo, Idaho.

Dear Sir:

We are in receipt of depositions of yourself and two witnesses, together with the affidavit of publication for proof of beneficial use of water under the above numbered permit. These are in proper form and will be placed on file here without further action until the examination can be made by our field engineer. You will then be further advised as to fees due before issuing license.

Yours very truly,

GEO. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P

16261

Affidavit Of Publication

STATE OF IDAHO,
COUNTY OF BANNOCK

I, Frank N. Carter being duly sworn, depose and say that I

am the publisher of THE DOWNEY IDAHOAN, a weekly news paper published at DOWNEY, IDAHO, Bannock County, in the State of Idaho. That the Notice a true copy of which is here-to attached, was published in THE DOWNEY IDAHOAN for four consecutive issues first publication/having been made on the 1st day of April, 1927 and the last publication having been made on the 29 day of April 1927.

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 the state of Idaho.

Frank N. Carter

Subscribed and sworn to before me this 12 day of May 1927

J. Morgan
Notary Public

16261

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION

FOR WATER TO BENEFICIAL USE

Notice is hereby given that at 10

a. m. on the 12 day of May, 1927 at

Arimo, County of Bannock, State of

Idaho, before Henry J. Nelson, No-

tary Public, proof will be submitted

of the application to beneficial use

of six cubic feet per second of the

waters of Wire Grass Spring in ac-

cordance with the terms and con-

ditions of Permit No. 16261 hereto-

fore issued by the Commissioner

of Reclamation of the United States.

The name and post office address

of the person or persons who

has said permit are: Frank N. Carter Ir-

rigation Co., Arimo, Idaho.

The use to which said water has

been applied is irrigation.

The amount applied to beneficial use

is six cubic feet per second.

The place where said water is used

(is for irrigation, give full and

accurate description of the lands ir-

rigated) SW 1/4 NE 1/4, SE 1/4 NE 1/4, 25

acres in NE 1/4 NE 1/4, 5 acres in NW

1/4 NW 1/4, 10 acres in SE 1/4 NW 1/4,

10 acres in NE 1/4 SW 1/4, 10 acres in

SE 1/4 SW 1/4, and the SE 1/4 of Sec.

36, Township 10 S. R. 36 E. B. M. in

Idaho.

The name of the canal or ditch or

other works by which said water is

conducted to such place of use is

Wire Grass Ditch.

The right to take water from such

works is based upon Permit No. 16-

261

The source of supply from which

such water is diverted is Wire Grass

Spring.

The date of the priority which

said user is prepared to establish is

May 5, 1925.

FRANK N. CARTER,

Commissioner of Reclamation

April 1 to 22

Affidavit Of Publication

STATE OF IDAHO,
COUNTY OF BANNOCK

I, GEO. N. CARTER being duly sworn, depose and say that I

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 12 day of May, 1927 at Arimo, County of Bannock, State of Idaho, before Henry J. Nelson, Notary Public, proof will be submitted of the application to beneficial use of six cubic feet per second of the waters of Wire Grass Spring in accordance with the terms and conditions of Permit No. 16261 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are Marsh Center Irrigation Co., Arimo, Idaho

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

The amount applied to beneficial use is six cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 25 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of Sec. 36, Township 10 S. R. 36 EBM in Idaho.

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

The right to take water from such works is based upon Permit No. 16261

The source of supply from which such water is diverted is Wire Grass Spring.

The date of the priority which said user is prepared to establish is May 5, 1925.

GEO. N. CARTER,
Commissioner of Reclamation
April 1 to 22

am the publisher of THE DOWNEY IDAHOAN, a weekly news paper published at DOWNEY, IDAHO, Bannock County, in the State of Idaho. That the 12 a true copy of which is here-to attached, was published in THE DOWNEY IDAHOAN for 78 consecutive days first publication having been made on the 12 day of May, 1927 and the last publication having been made on the 29 day of May, 1927.

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 the state of Idaho.

Subscribed and sworn to before me this 12 day of May, 1927

H. Morgan
Notary Public

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16261

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Marsh Center Irrigation Company, Arimo, Idaho.

Clarence Woodland, Secretary, J. P. Jensen, President

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. Secretary and President

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

Ans. 16261, May 5, 1925, May 5, 1925,

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

Ans. Wire Grass Spring which is a tributary of Marsh Creek to

Portneuf River and point of diversion is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 12,
Twp. 11 S. R. 36 E. B. M., Idaho

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. Ditch & Flume. Ditch: 3 feet wide at bottom; 4 feet wide at
water line, 2 feet deep. Flume is 16"x16"x800 feet; Length of conduit
3 miles. Six cubic feet per second, Wire Grass Ditch

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. Irrigation; Cultivated land; SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 25 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$,
5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres in
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Sec. 36, Twp. 10 S. R. 36 E. B. M. in Idaho

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

Ans. _____

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

Ans. Six cubic feet 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. _____

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

Ans. For irrigation during the years 1925 and 1926 on ground
above mentioned

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. About five days during low water in 1926 water was diverted
on this land from the Marsh Center Irrigation Co. Reservoir on
Hawkins Creek

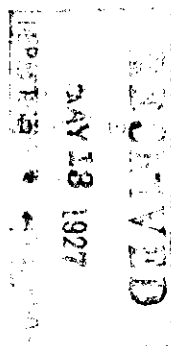
(Sign)

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Arimo, County of Bannock, State of Idaho, on this 12th day of May A. D. 19 27.

Notary Public,
Arimo, Idaho.

My commission expires Aug. 12, 1928

16261



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16261

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. L. D. Hickman, 30 years, Arimo, Idaho, Farmer, Arimo, Idaho

Ques. 2. Are you acquainted with Marsh Center Irrigation Co., the holder of Permit No. 16261? How long have you known him and where does he reside?

Ans. With President and Secretary for twenty years

Ques. 3. Have you read or heard read said Permit No. 16261, 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. Wire Grass Spring, This spring is a tributary of Marsh Creek to
Protneuf River and diversion point is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 12,
Twp. 11 S. R. 36 E.B.M., Idaho

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. About six cubic feet per second

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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. Irrigation; Cultivated; SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 25 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$,
~~5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 10~~
acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Sec. 36, Twp 10 S. R. 36 E.B.M. in Idaho

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

Ans. _____

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

Ans. Black Loam soil. Six cubic feet per second

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

Ans. No

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

Ans. Helped build the ditch and flume. Have irrigated with this water during the years 1925 and 1926

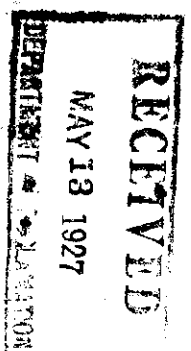
(Signed) L. D. Hickman

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 Arimo, County of Bannock, State of Idaho, on this 12th day of May, A. D. 1927.

My commission expires August 12, 1928

Armo, Idaho
Notary Public.

16261



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16261

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. R. C. Cole, 22, Arimo, Idaho, Farmer, Arimo, Idaho

Ques. 2. Are you acquainted with Marsh Center Irrigation Co., the holder of Permit No. 16261? How long have you known him and where does he reside?

Ans. Yes; Have known President and Secretary all my life

Ques. 3. Have you read or heard read said Permit No. 16261, 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. Wire Grass Spring, a tributary of Marsh Creek which flows into Portneuf River, and point of diversion is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, Twp. 11 S. R. 36 E. B. M. Idaho. Water is carried in ditch which is 3 feet at bottom and 4 feet at top of water line, Flume is 16"x16"x800 feet Length of conduit is 3 miles.

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. About six cubic feet per second

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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. Cultivated land; Irrigation; SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 25 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Sec. 36, Twp. 10 S. R. 36 E. B. M. in Idaho

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

Ans. _____

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

Ans. Black loam soil and requires about six cubic feet per second

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

Ans. No

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

Ans. Lived near and worked on ditch and land which is being irrigated
and has been irrigated during the years 1925 and 1926

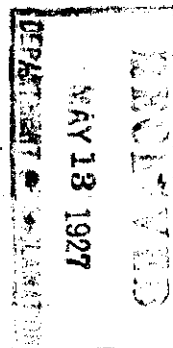
(Signed) P. C. Cole

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 Arimo, County of Bannock, State of Idaho, on this 12th day of May, A. D. 19 27.

James Nelson
Notary Public
Arimo, Idaho

My commission expires Aug. 12, 1928

16261



State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

April 26, 1927, BOISE, IDAHO,

Clarence Woodland, Secy.,
Marsh Center Irrig. Co.,
c/o Henry J. Nelson,
Arimo, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 16261.

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 May 12, 1927, 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 Arimo, Idaho, before Henry J. Nelson, 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.

GEO. N. CARTER,

Commissioner of Reclamation.

16261

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date March 29, 1927.

Publisher, The Idahoan,
Downey, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to May 12, 1927, the date set for proof, the expense of the publication to be paid by the applicant, Clarence Woodland, Sec'y. Marsh Center Irrig. Co., Arimo, 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,

GEO. W. CARTER,

Commissioner of Reclamation.

16261

16261

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Feb. 24, 1927.

(P. O.) Arimo, Idaho,

TO THE STATE ENGINEER:

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.

Wright Center Irrig Co.
138 Clarence Woodland Sec

(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

16261

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 12th day of May, ¹⁹²⁷~~192~~,
at Arimo, County of Bannock, State of Idaho,
before Henry J. Nelson, Notary Public, proof will be submitted
of the application to beneficial use of Six cubic feet cubic feet per second of the
waters of Wire Grass Spring in accordance with the terms and conditions of
Permit No. 16261 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
Marsh Center Irrigation Co., Arimo, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is Six cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands
irrigated) SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 25 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres
in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of
Sec. 36, Twp. 10 S. R. 36 EBM in Idaho

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

The right to take water from such works is based upon Permit No. 16261

The source of supply from which such water is diverted is Wire Grass Spring

The date of the priority which said user is prepared to establish is
May 5, 1925

Geo. H. Carter,

Commissioner of Reclamation.

16261

SW 3/4 - 12 - 115 - 8 - 6
✓ Bannock
17-4

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Marsh Center Irrig. Co.,

Feb. 1, 1927.

Clarence Woodland, Secy.,
Arimo, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. **16261**, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and date it is submitted.

Yours truly,

GEO. N. CARTER,
Commissioner of Reclamation.

16261

May 8, 1926

Re: Permit No. 16261

Mr. J. P. Jensen, President,
Marsh Center Irrigation Co.,
Arimo, Idaho

Dear Sir:

Inclosed you will find Certificate
of Completion of Works issued under the above
numbered permit, with receipt for fees paid.

Yours very truly

W. C. SWENDSEN
Commissioner of Reclamation

By _____
CHIEF CLERK

CB:HH

ENC: C.C.W. - R-11224

16261

Permit No. 16261

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Bannock

} ss

J. P. Jensen, President of the Marsh Center Irrigation Co. and
Clarence Woodland, Secretary and L. F. Parris, a director
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. 16261, and that his postoffice address is Arimo, Idaho
State of Idaho

Second: That the name of the stream from which said water is to be diverted is Wire
Grass spring

Third: That the point of diversion of said water is SW $\frac{1}{4}$ Sec. 12, Twp. 11 S.
R. 36 E. B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was
required to be completed by May 12, 1926.

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

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

I. Kind of works: Ditch 3 ft. wide at bottom; width at water line 4 ft.

(Reservoir, dam, ditch, flume, pipe or otherwise.)
Flume 16" x 16" x 800 ft, length of conduit 3 miles

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 width at bottom 3 feet, width at water line 4
(State whether ditch, flume or pipe.)
feet, depth of water 2 feet; diameter of pipe inches, average grade
per mile is 10 feet. Length of conduit is 3 miles.

Seventh: That said works are capable of conducting to the place of intended use 6 cubic
second feet of water.

Eighth: That water appropriated under said permit is available for 300 acres
of land described as follows: In Sec. 36, Twp. 10 S. R. 36 E. B. M.

Ninth: Remarks: That Work is completed

Marsh Center Irrigation Co.

J. P. Jensen
President

Clarence Woodland
Secretary

(Sign here)

Subscribed and sworn to before me this 5th day of May, 1926

My commission expires Aug. 17, 1928

Notary Public.

16261

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

February 3, 1926

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Marsh Center Irrigation Company,
Arimo, Idaho

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No... ¹⁶²⁶¹ ~~15261~~!... you are required to complete your diversion works on or before. ^{may 12, 1926} ~~may 12, 1926~~ 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,

W. G. SWENDEEN
Commissoner of Reclamation.

16261

16261

November 18, 1925

Re: Permits 15715-16261

Mr. Clarence Woodland,
Sec'y Marsh Center Irrigation Co.,
Arimo, Idaho.

Dear Sir:

Referring to your letter of the 14th inst., would say that the Marsh Center Irrigation Company is the holder of both of the above numbered permits, as shown by our records.

Permit No. 15715 was transferred to the Company by L. D. Hickman, who made the original filing. This permit lapsed thru failure of the holder to make the required proof of completion of works by March 19, 1925, and it was for this reason that the notice of cancellation was mailed on October 23, last.

Permit No. 16261 was filed by the Company and was probably intended to be a re-filing of the other permit and not an additional right. This permit is in good standing, the proof of completion of works, being due May 12, 1926. This is the probably the permit the Company has in mind.

Very truly yours,

W. G. SWENDBSEN
Commissioner of Reclamation

By _____
Chief Clerk

16261

OB-H

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 16261 - Marsh Center Irrig. Co.

N. H. Jackson

Precedillo, Idaho

Boise, Idaho,

May 12, 1925

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.

W.C. Swenden

Commissioner of Reclamation.

16261

NAME OF APPLICANT *Marsh Center Irrigation Co.*

Prop 10 S. R. 36 to B. M.

Prop 11 S. R. 36 to B. M.

16261

SEC.

SEC.

SEC.

SEC.

SEC.

10-36

11-37

10-36

11-37

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Permit Map No. 16261

As Approved

May 12, 1925
W. C. SWENDSEN
Commissioner of Reclamation

SEC. 11

SEC. 12

SEC.

Ditch

FLUME

R.O.D.

NATURAL DRAINAGE

SPRING

Wm. H. Jackson, Jr.

Loans, Real Estate
Insurance

Pocatello, Idaho,

April 30, 1925.

Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

I hand you herewith application of the Marsh Center Irrigation Company for a permit to appropriate certain waters. , Also please find herewith release signed by Mr. Hickman, formerly holder of permit on the same waters, as well as remittance in form required, for the fees due your office, amounting to \$1.50.

Very truly yours,

A handwritten signature in cursive script, appearing to read "W. H. Jackson".

16261