State of Idaho

Department of Water Resources

# WATER RIGHT LICENSE

License of Water Right No. 8509/29-2144 Priority July 3, 1912 Amount 0.98 cfs

THIS IS TO CERTIFY, that THOMAS O. PHILLIPS, ET AL

of Crystal, Idaho, has complied with the terms and conditions of Permit No. 8509/29-2144 issued pursuant to Application for Permit dated July 3, 1912, and has submitted proof to the Department of Water Resources on July 21, 1914, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 3.0 cfs of water from Clifton Creek, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

| Beneficial Use | Period of Use | | Rate of Diversion | Annual Volume |
|---|---|---|---|---|
| Irrigation | from March 15 | to Nov. 15 | at 0.98 cfs and | 171.5 acre feet or 3.5 af per acre |
| | from | to | at cfs and | |
| | from | to | at cfs and | |

(both dates inclusive)

Subject, however, to the condition that no more than 0.98 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 171.5 acre feet per year, said waters to be diverted within the NE¼SE¼ of Sec. 3, Twp. 9 S, Rge. 34 E, B.M. in the County of Power

Description and location of place of use:

| Twp. | Range | Sec. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| 9 S | 34 E | 3 | | | | | | | | | | | | | | | 5 | | 5 |
| | | 8 | 8 | | | | | | | | | | | | 5 | | | | 13 |
| | | 9 | | 6 | 6 | | | | | | 5 | 3 | | | | 5 | 1 | | 26 |
| | | 10 | | | | | | | | 5 | | | | | | | | | 5 |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 49

MICROFILMED

**NOTE**: Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 5 day of December, 19 75.

Director

29-2144

LICENSE ISSUED FOR .25 SEC. FT.
LICENSE PAG NO.

No. 12711

# APPLICATION FOR PERMIT

## To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Thomas O. Phillips, Moses Fannin, Harry L. Trego, Val Allsworth, Forrss Whiting, Lorenzo S. Whiting, Jr., Lorenzo S. Whiting, Sr.
Postoffice address: Crystal County: Oneida State: Idaho.
   I. If applicant is a corporation, give (a) Date and place of incorporation
   (b) The amount of capital stock: (c) The 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. The quantity of water claimed is 15 cubic feet per second.

3. Source of water supply: Clifton Creek

4. Location of point of diversion: NE¼ SE¼ Sec. 3, Twp. 9 S. R. 34 E. B. M.

County of Oneida

5. To be used for: Irrigation and domestic purposes

   I. Irrigation and domestic use: (a) Amount of land to be irrigated: approximately 750 acres.
   (b) In the following legal subdivisions: NE¼ SE¼: SE¼ SE¼, SW¼ SE¼, SE¼ SW¼, Sec. 3, NE¼ NW¼, NW¼ NW¼; NW¼ SW¼, SW¼ NW¼, Sec. 10; NE¼ NE¼: SE¼, NE¼: SW¼ NE¼ NW¼ NE¼, NW¼ SE¼, SW¼ SE¼, NE¼, SW¼, SE¼ SW¼: NW¼ SW¼: NE¼ NW¼, NW¼ NW¼, SW¼ NW¼, SE¼ NW¼ Sec. 9, NE¼ NE¼, NW¼ NE¼, SW¼ NE¼, SE¼ NE¼, NE¼ SE¼, SE¼ SE¼, Section 6, Twp. 9 S. R. 34 E. B. M.
   II. Mining, milling, power, manufacturing, transportation or other purposes:

   [a] At what point:

   [b] Amount of power to be generated: H. P. under ft. head
   [c] Is water to be returned to any stream? (d) If so, name stream and locate point of return:

6. Estimated cost of works: $200.00

7. Description of works for diversion:
   I. Kind of works: dam and ditch

   II. Dimensions of works: [a] Height of dam 3 feet, length of dam at top 10 feet, length of dam at bottom 5 feet. Material used in construction: earth and stone.

   [b] Capacity of reservoir acre feet. [c] Size of headgate, width 3 feet, Height 2 feet. (d) Conduit ditch width at bottom 2 feet, width at water line 3 feet, depth of water 2 feet; diameter of pipe See Remark #1. inches; average grade per mile is 13 1/3 feet. Length of conduit is miles, and it crosses the following quarter sections: NE¼ SE¼, SE¼ SE¼, SW¼ SE¼, SE¼ SW¼ sec. 3; NE¼ NW¼, NW¼ NW¼: NW¼ SW¼, SW¼ NW¼ Sec. 10; NE¼ NE¼, SE¼ NE¼, SW¼ NE¼, NW¼ NE¼, NW¼ SE¼, SW¼ SE¼, NE¼ SW¼, SE¼ SW¼, NW¼ SW¼, NE¼ NW¼ NW¼ NW¼, SW¼ NW¼, SE¼ NW¼, Sec. 9, NE¼ NE¼. NW¼ NE¼, SW¼, NE¼, SE¼ NE¼, NE¼ SE¼, SE¼ SE¼, Sec. 8, Twp. 9 S. R. 34 E.B.M.

8. The time required for the completion of the construction of such work is 1/2 years.

9. Time required for the complete application of the water to the proposed use is one additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Thomas O. Phillips Val Allsworth Lorenzo S. Whiting, Sr.
Moses Fannin Foress Whiting Applicant.
Harry L. Trego Lorenzo S. Whiting Jr.
By ....Wm. H. Jackson, Jr.....Agent.

JONES EUREKA LEAF. PAT. FEB 7. 1905 HALL LITHO.CO.TOPEKA 1880-7

Date of first receipt at office of State Engineer 9.oo a.m. July 3, 1912.

Returned to applicant for correction July 8, 1912

Corrected application received July 16, 1912.

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## APPROVAL OF STATE ENGINEER.

The number of this permit is 8509
Recorded in Book 27 Page 8509 Approved August 10, 1912.
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 October 9, 1912, 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 10, 1912
The whole of said work to be completed on or before February 10, 1913.
Beneficial use of water appropriated in accordance herewith, to be made on or before February 10, 1914.

Witness my hand this 10th day of August, 1912.

A. E. Robinson,
State Engineer.

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Remarks:

The ditch counting the curves, will be approximately two miles long; the distance from point of diversion to end of conduit is one and one half miles.

The point of diversion is located on land owned by John H. Francis and we have his consent to divert the water on his premises. We can furnish this consent in writing if necessary.

On proper request of the holder of the above Permit, I have this 24th day of January, 1913, extended the time for completion of works thereunder to the 10th day of August, 1913.

A. E. Robinson,
State Engineer.

Recorded by CB
Checked by CB

Proof of completion of works made August 4, 1913.

Report of Engineer received August 8, 1913.

Fee received August 5th, 1913.

Certificate of Completion of works issued August 16, 1913.

PERMIT NO. 8509.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Thomas P. Phillips, Moses Fannin, Harry L. Trego, Val. Allsworth, Forres Whiting, Lorenzo S. Whiting,Jr., Lorenzo S. Whiting Sr., of Crystal, County of Oneida, and State of Idaho, the holders of Permit No. 8509, issued upon Application No. 12711, bearing date of priority of July 3, 1912, authorizing the diversion of 15 second feet of the waters of Clifton Creek, County of Oneida, State of Idaho, for irrigation and domestic purposes, have 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 15 second feet of the waters of Clifton Creek; that the point of diversion of said waters is in the NE¼ SE¼ Sec.3, Twp. 9 S.,R. 34 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE¼ SE¼, SE¼ SE¼, SW¼ SE¼, SE¼ SW¼ Sec.3, NE¼ NW¼, NW¼ NW¼ , NW¼ SW¼, SW¼ NW¼ Sec.10, NE¼ NE¼, SE¼ NE¼, SW¼ NE¼, NW¼ NE¼, NW¼ SE¼, SW¼ SE¼, NE¼ SW¼, SE¼ SW¼, NW¼ SW¼, NE¼ NW¼, NW¼ NW¼, SW¼ NW¼, SE¼ NW¼ Sec.9, NE¼ NE¼, NW¼ NE¼, SW¼ NE¼, SE¼ NE¼ NE¼ SE¼, SE¼ SE¼, Sec.8, Twp. 9 S.,R. 34 E.B.M., containing 750 acres.

Witness my hand this 16th day of August, A.D. 1913.

F.P.King,

State Engineer of the State of Idaho.

WATER RIGHT NUMBER 29-2144

OWNER LAST NAME - PHILLIPS FIRST NAME - THOMAS O. ORIG OWNER -
OWNER LAST NAME - FANNIN FIRST NAME - MOSES ORIG OWNER -
OWNER LAST NAME - TREGO FIRST NAME - HARRY L. ORIG OWNER -
OWNER LAST NAME - ALLSWORTH FIRST NAME - VAL ORIG OWNER -
OWNER LAST NAME - WHITING FIRST NAME - FORRES ORIG OWNER -
OWNER LAST NAME - WHITING, JR. FIRST NAME - LORENZO S. ORIG OWNER -
OWNER LAST NAME - WHITING, SR. FIRST NAME - LORENZO S. ORIG OWNER -
ADDRESS LINE 1 - ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - CRYSTAL STATE - ID ZIP CODE -
SOURCE - CLIFTON CREEK TRIBUTARY OF - RATTLESNAKE CREEK
STAGE - LICENSE STATUS - PRIORITY - 07-03-1912 COUNTY - POWER TOTAL DIV. RATE - .9800 -CFS
TOTAL DIV. VOLUME - 171.50 AFA TRFR/AMEND - WATER DIST. - OLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NESE 03 09S 34E LOT REDIV - 272.0 450.0 4.0 5.0 0.0 0.0 0.0 0.0 0.0 3.5
FROM - 03-15 TO - 11-15 USE - IRRIGATION USE DIV. RATE - .9800 CFS USE DIV. VOLUME - 171.50 AFA
USE - IRRIGATION PLACE OF USE - TWN 09S RNG 34E SEC 10 TRACT SENW LOT AC 05
USE - IRRIGATION PLACE OF USE - TWN 09S RNG 34E SEC 09 TRACT NWNE LOT AC 06 TRACT SWNE LOT AC 06
TRACT NESW LOT AC 05 TRACT NWSW LOT AC 03
TRACT NWSE LOT AC 05 TRACT SWSE LOT AC 01
USE - IRRIGATION PLACE OF USE - TWN 09S RNG 34E SEC 08 TRACT NENE LOT AC 08 TRACT NESE LOT AC 05
USE - IRRIGATION PLACE OF USE - TWN 09S RNG 34E SEC 03 TRACT SWSE LOT AC 05
DECREE NAME - DATE - TOTAL ACRES 49
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 8509
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

RECEIVED

3/79

IDENT. NO. 22-2144

# IDAHO DEPARTMENT OF WATER RESOURCES

## WATER RIGHT DATA ENTRY LOG

| Initials | Date | Item |
|---|---|---|
| | | Original form entered |
| | | Edit Report Correct |
| | | Date Protested |
| | | Date of Hearing |
| | | Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district) |
| | | Record Verified |
| | | Amendment Approved |
| | | Extension Approved |
| | | Partial Proof |
| | | Proof Complete |
| | | Field Exam Received |
| | | Field Exam Accepted and changes entered |
| | | License Signed |
| | | Transfer Approved |
| + | 8-10-7 | Keypunched by State Office |
| | | |
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| | | |
| | | |

INTER-DEPARTMENT MEMO — 1

FROM Darlene Reich

DATE 12/3/75

TO R. Keith Higginson, Director

SUBJECT Permit No. 29-2144

The licensing fee was paid and receipted under this permit, however, the Dept. did not issue the license due to discrepancy with one party making proof (see letter of 10/26/14).

I thought the problem of "names" could be resolved by issuing the license in the name of Thomas O. Phillips, et al; therefore, I have worked up the license based on the field exam made 9/26/14.

If we can't issue this license, what action is needed for final disposition of this file?

MICROFILMED

SIGNATURE

Present Owner:

Russell Hayden
Box 156
Mink Creek Road
Pocatello, Idaho 83207

KHF

5-12-72

Nov Power Co.

MICROFILMED

29-2144

lic fee paid per ltr of 10-26-1914

REAL ESTATE
INSURANCE
INVESTMENTS

WM. H. JACKSON, JR., MANAGER

LAND FILINGS
FINAL PROOFS
WATER APPLICATIONS

The Jackson Real Estate Company

POCATELLO, IDAHO

8509

January 8, 1915.

Mr. Herbert Wing,
Acting State Engineer,
Boise, Idaho.

Dear Sir:

Replying to your letter of October 26, which came to hand this morning beg to advise that Mrs. Kellog has purchased interest of Harry Trego in the water permit of Thomas O. Phillips and others. We will probably see her in a few days and when we do we will take the matter of the assignment up with her in person.

There is something funny about this letter not having been delivered sooner. It bears the stamp of the Boise Post-office under date of October 27th and we have no date of the Pocatello Post-office thereon.

Yours truly,

Wm. H. Jackson Jr.

MANAGER.

J/W

8509

October 26, 1914.

Permit 8509. Thos. O.Phillips.

Jackson Real Estate Co.,
Pocatello, Idaho.

Gentlemen:

In checking the deposition of the holder for final proof under above permit I note that the name of Mabel Ross Kellogg is given as one of the holders and the name of Harry L Trego omitted. If Mr. Trego transferred his interest to Mabel Ross Kellogg, the deed should be sent to this office for record before issuing the license as the lady's name does not appear on the permit as recorded. The license will be withheld pending information regarding this change. Am enclosing herewith receipt for fees.

Very truly yours,

Herbert Wing,

Acting State Engineer.

R6913

By_____

8509

REAL ESTATE
INSURANCE
INVESTMENTS

WM. H. JACKSON, JR., MANAGER

LAND FILINGS
FINAL PROOFS
WATER APPLICATIONS

The Jackson Real Estate Company

POCATELLO, IDAHO

October 16, 1914.

The State Engineer,
Boise Idaho.

Dear Sir:

We have your letter of October 14, pertaining to Permit No. 8409, Thomas O. Phillips, et al. In response we hand you herewith our check for the fees, amounting to $10.00. It might be well for you to send the paper to them in care of this office as the mail service where these pepple are is very poor. However, you may exercise your own judgment in this matter.

Yours truly,

MANAGER.

J/W
Encl.

RECEIVED
OCT 19 1914
OFFICE OF STATE ENGINEER

M5[illegible]9

October 14, 1914.

Permit 8509. - Thos O. Phillips, et al.

Jackson Real Estate Co.,
Pocatello, Idaho.

Gentlemen:

Im just in receipt of the report of the examining engineer for proof of use of water under above permit. Upon receipt of fees amounting to $10.00, the license will be issued.

Very truly yours,

Herbert Wing,

Deputy State Engineer.

By_____

8509

Form 23

# REPORT OF ENGINEER

1. State name of applicant and number of permit: Thos O. Phillips Et Al. Per No. 8509

2. State source of water supply: Clifton Creek

3. Location of point of diversion: NE¼ SE¼ Sec 3 T 9S R 34E BM.

4. State whether or not the works of diversion are *fully* completed and in accordance with terms of permit:
They are

5. Describe works as they exist, giving dimensions of same as follows:
Earth + Rock Dam – 3 ft high – 10' Long Top – 5' Long Bottom.

(a) Width of conduit at bottom: 2 Feet

(b) Width at water line: 3½ "

(c) Depth of water: 2 "

(d) Grade per mile: 14' "

(e) Capacity of ditch: At Least 10 second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent:
It has – About .3 Sec ft.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: 5 acres SW¼ SE¼ Sec 3 – 5 acres SE¼ NW¼ Sec 10 – 6 Acres NW¼ NE¼ – 6 Acres SW¼ NE¼ – 5 Acres NW¼ SE¼ – 1 Acre SW¼ SE¼ – 5 Acres NE¼ SW¼ – 3 Acres NW¼ SW¼ Sec. 9 – 8 Acres NE¼ NE¼ – 5 acres NE¼ SE¼ Sec 8 All in T 9S R 34E BM. Total 49 acres

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

RECEIVED
[illegible]

Examined Sept 26 1914

J. G. Bantz

STATE OF IDAHO,
County of } ss.

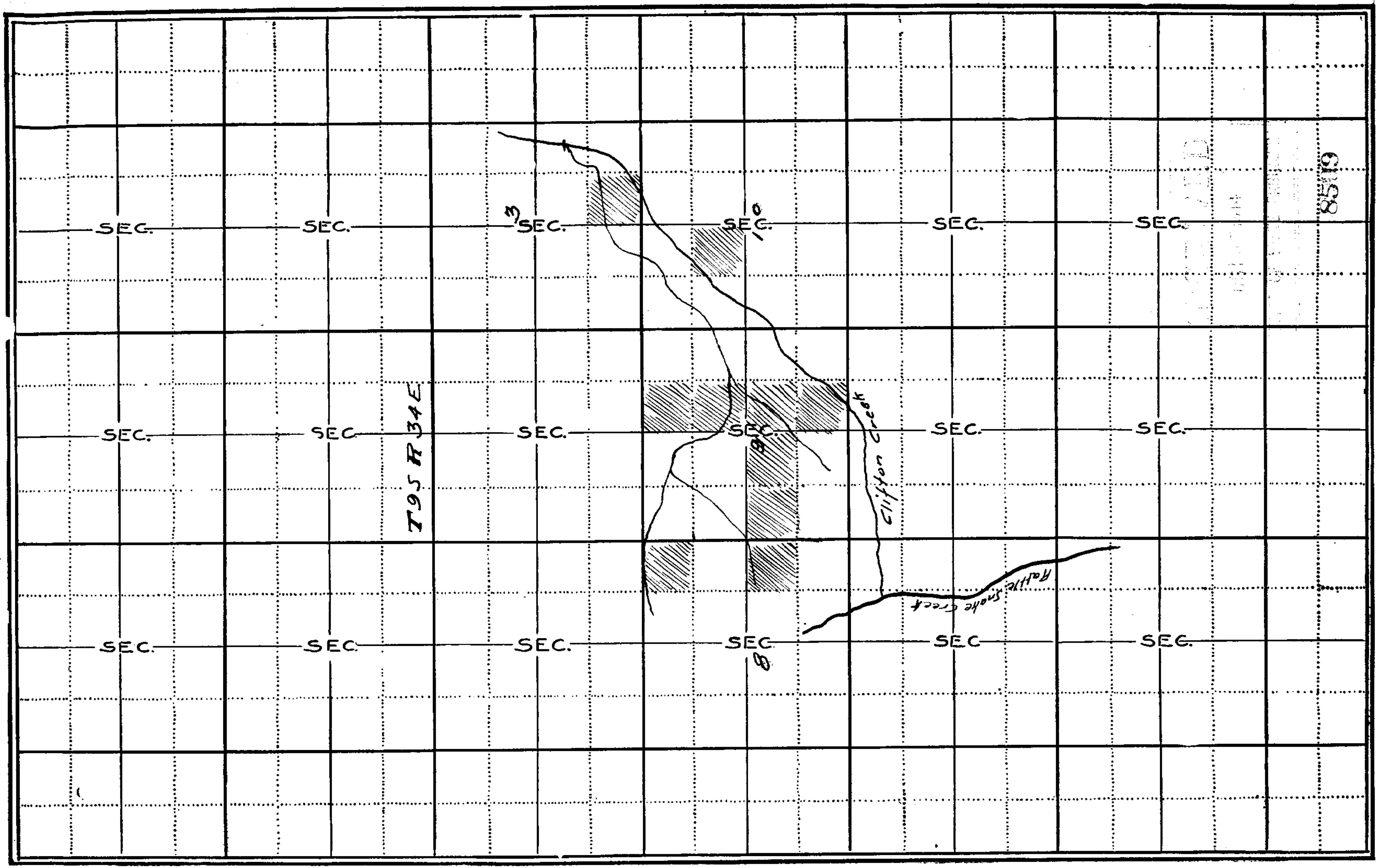
....., being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this ..... day of ..... 191....

My Commission Expires ..... Notary Public.

8509

Name of Applicant Thos. O. Phi ps et al. Per. No. 2 09



**Notice for Publication**

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 10 a. m. on the 21st day of July, 1914, at Pocatello, county of Bannock, State of Idaho, before Wm. H. Jackson, Jr., Notary Public. proof will be submitted of the application to beneficial use of 15 cubic feet per second of the waters of Clifton Creek, in accordance with the terms and conditions of Permit No. 8509, heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Thomas O. Phillips, et al.

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

3. The amount applied to beneficial use is 7 cubic feet per second.

4. The place where said water is used is NE¼, E½ SE¼, section 8, and the S½ NE¼, NW¼, NW¼ SW¼, W½ SE¼, and the E½ SW¼, section 9, township 9 south, range 34 east, Boise meridian.

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

6. The right to take the water from such works is based upon Permit No. 8509.

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

8. The date of the priority which said user is prepared to establish is July 3, 1912.

F. P. KING, State Engineer.

# AFFIDAVIT OF PUBLICATION

I, JOHN R. JONES, Manager of the AMERICAN FALLS PRESS, published weekly at American Falls, Idaho, do Solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for

five Consecutive issues, commencing with

the issue dated June 18, 1914

and ending with issue dated July 16, 1914

John R. Jones

o before me this 30th day of July, 1914

Earl R. Jones

Notary Public

8459

July 25, 1914.

Permit 8509.

Jackson Real Estate Co.,
Pocatello, Idaho.

Gentlemen:

We are today in receipt of your letter enclosing depositions for proof of completion of works under above permit. In reply would say that we will notify your office when the fees are due.

There also remains the affidavit of publication to be filed.

Very truly yours,

P. P. KING,

State Engineer.

By_____

8509

Form 11 The deposition of two witnesses, on this for [illegible]aken separately, required in each ca[illegible]

*Permit No.* 8509

# Proof of Application of Water to Beneficial Use

RECEIVED
[illegible]
STATE ENGINEER

## DEPOSITION OF WITNESS

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

Ans. Charles M. Light, Age 45 years, Resi. and P. O. Address, Crystal, Idaho. Occupation, farmer

Ques. 2. Are you acquainted with Val Allsworth, Lorenzo S. Whiting, Jr., Forres Whiting, Lorenzo S. Whiting, Sr. Moses Fannin, Thomas O. Phillips, and Mable Ross Kellogg, the holdersof Permit No. 8509? How long have you known him and where does he reside?

Ans. I have known all of the claimants with the exception of Mable Ross Kellogg for the past three years, and I have known her about a year ~~They all reside at Crystal, Idaho~~

Ques. 3. Have you read or heard read said Permit No. 8509, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Source of water supply, Clifton Creek, place of diversion, NE¼ ~~NW¼~~, Section 3, Township 9 South, Range 34 East, Boise Meridian. Dam:--two feet high, 10 feet long at top, about 7 or 8 feet long at bottom. Ditch, about 2½ miles long, about 2 feet wide at bottom, about ~~3½~~ feet wide at top. Grade about ½ of 3/4 inch to the rod.

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 15 second feet of water. I have seen this much conducted to the place of use

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. Domestic and irrigation, used on the following described land: SW¼ NW¼, NW¼ NW¼, NE¼ NW¼, Sec. 10, S½ NE¼, W½ SE¼, E½ SW¼, NW¼ NW¼ SW¼, Sec. 9, NE¼, E½ SE¼, Sec. 8, SW¼ SE¼, Sec. 3, T. 9 S., R. 34 E. B. M. the water has been actually used in the irrigation of the above described lands as follows: SW¼ SE¼, 3 acres, SW¼ NW¼, Sec. 10, 4 acres, S½ NE¼, Sec. 9, 5 acres, SW¼ SE¼, Sec. 9, 3 acres, SE¼ SW¼, Sec. 9, 3 acres, NW¼ SW¼, Sec. 9, 3 acres, NE¼ SE¼, Sec. 8, 7 acres E½ NE¼, Sec. 8, 8 acres, W½ NW¼, Sec. 9 10 acres. All cultivated land. Better grain crops raised as a result of this water

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

Ans. none

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

Ans. The character of the land is black loam. It would take about an inch to the acre for its profitable cultivation

8509

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 whatever.

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 seen this water applied on the land during the irrigation season for the past two years, through the works of diversion, to the best of my knowledge about an inch to the acre. I have seen the water run through the ditch every since the irrigation has been made.

(Sign) Charles W Light

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 21st day of July A. D. 19 14

Wm Jackson Jr

Notary Public.

My Commission Expires January 11, 1915

8539

PERMIT No. 8509

# Proof of Application of Water to Beneficial Use

## DEPOSITION OF HOLDER

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

Ans. Val Allsworth, age 29 years, Lorenzo S. Whiting, Jr, age 30 years, Forres Whiting, 29 years, Lorenzo S. Whiting, Sr., 53 years, Moses Fannin, age 39 years, Thomas O. Phillips, age 30 years, Mable Ross Kellogg, age 35 years, the addresses of all being Crystal, Idaho, and occupation of all being farmers.

Ans. We are not acting in behalf of a corporation.

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

Ans. No. 8509, Date, July 3, 1912, which is also the date of priority

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

Ans. Source of water supply, Clifton Creek. Point of diversion is NE¼ SE¼, Section 3, Township 9 South, Range 34 E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Dam:-- 2 ft. high, 10 feet long at top, an 8 ft. long at bottom, ditch:-- about three miles, perhaps a little less, in length; two feet wide at bottom and about 3 feet wide at top; grade about half inch to the rod; the ditch by which water is conducted to such place of use is just a private ditch, having not been designated by any name.

8509

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. Domestic and irrigation purposes to be used on the following described land: SW¼ NW¼; NW¼ NW¼; NE¼ NW¼; Sec. 10, S½ NE¼; W½ SE¼, E½ SW¼; NW¼; NW¼ SW¼, Sec. 9, NE¼; E½ SE¼, Sec. 8, SW¼ SE¼, Sec. 3, Township 9 South, Range 34 East, Boise Meridian; the water has been actually used in the irrigation of the above described lands as follows: SW¼ SE¼, Sec. 3;-- 5 acres; SE¼ NW¼, Sec. 10;-- a little over 4 acres. SE¼ NE¼, Sec. 9;-- 5 acres. NW¼ SE¼, Sec. 9,-- 1 acre. SW¼ SE¼, Sec. 9,-- 5 acres. NW¼ SW¼, Sec. 9,-- 3 acres. W½ NW¼, Sec. 9, 12 acres. E½ NE¼, Sec. 8,-- 8 acres. NE¼ SE¼, Sec. 8,-- 5 acres. all of said lands being Township 9 South, Range 34 E. Boise Meridian. The lands above described are all cultivated lands, and crops of grain and alfalfa have been materially benefited by the use of the water as above mentioned.

8509

Ans. For the irrigation of all of the lands which may be irrigated from the ditch above described and lands in the subdivisions above mentioned it would require ten to fifteen cubic feet of water and there is sufficient land in said subdivision under cultivation which may be irrigated to use that amount of water but two cubic feet per second of time may be sufficient for the irrigation of the amount of land which has actually been irrigated heretofore upon the lands above described.

PERMIT No. 8509

# Proof of Application of Water to Beneficial Use

DESCRIPTION OF HOLDER

Idaho. Occupation, farmer

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

Ans. We are not acting in behalf of a corporation.

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

Ans. No. 8509, Date, July 3, 1912, which is also the date of priority

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

Ans. Source of water supply, Clifton Creek, Point of diversion is NE¼ SE¼, Section 3, Township 9 South, Range 34 E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Dam:-- 2 ft. high, 10 feet long at top, an 8 ft. long at bottom, ditch:-- about three miles, perhaps a little less, in length; two feet wide at bottom and about 3 feet wide at top; grade about half inch to the rod; the ditch by which water is conducted to such place of use is just a private ditch, having not been designated by any name.

8509

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each ~~subdivision and number~~ of acres in each subdivision that have *actually* been irrigated with ~~full improvements~~ which

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

Ans. It is not used for other purposes than irrigation except for domestic use

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

Ans. For the irrigation of all of the lands which may be irrigated from the ditch above described and lands in the subdivisions above mentioned it would require ten to fifteen cubic feet of water and there is sufficient land in said subdivision under cultivation which may be irrigated to use that amount of water but two cubic feet per second of time may be sufficient for the irrigation of the amount of land which has actually been irrigated heretofore upon the lands above described.

PERMIT No. 8509

# Proof of Application of Water to Beneficial Use

## DEPOSITION OF HOLDER

Idaho. Occupation, farmer

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

Ans. We are not acting in behalf of a corporation.

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

Ans. No. 8509, Date, July 3, 1912, which is also the date of priority

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

Ans. Source of water supply, Clifton Creek, Point of diversion is NE¼ SE¼, Section 3, Township 9 South, Range 34 E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Dam:-- 2 ft. high, 10 feet long at top, an 8 ft. long at bottom, ditch:-- about three miles, perhaps a little less, in length; two feet wide at bottom and about 3 feet wide at top; grade about half inch to the rod; the ditch by which water is conducted to such place of use is just a private ditch, having not been designated by any name.

8509

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each ... number of acres in each subdivision that have *actually* been irrigated with ... all improvements which

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

Ans. It is not used for other purposes than irrigation except for domestic use

Ques 8. W...

... from above mentioned per- ... was originally issued, please state how ownership was acquired by present holder.

Ans. We are the persons to whom above mentioned permit was originally issued.

8509

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

Ans. Water to the extent of from about 150 inches to 300 inches has been running this ditch during the last three seasons and has been applied to a beneficial use during all of said seasons.

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

Mabel Ross Kellogg. Assignee of Mary E. Diego.
Mabel Ross Kellogg
Val Allcutt

F. S. Whiting Jr.
F. S. Whiting Sr.
Fowler Whiting
(Sign) Thomas O. Phillips

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, at my office in Pocatello, County of Bannock, State of Idaho, on this 21st day of July A. D. 1914

Wm Jackson
Notary Public.

8509

Form 17 The deposition of two witnesses, on this fo__ taken __rately, required in each case.

*Permit No.* 8509

# Proof of Application of Water to Beneficial Use

RECEIVED
OFFICE OF STATE ENGINEER

## DEPOSITION OF WITNESS

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

Ans. Robert McBride, Age 31 years. Residence and Postoffice Address, Crystal, Idaho. Occupation, farmer

Ques. 2. Are you acquainted with Val Allsworth, Lorenzo S. Whiting Jr., Forres Whiting, Lorenzo S. Whiting, Sr., Moses Fannin, Thomas O. Phillips, and Mable Ross Kellogg, the holder of Permit No. 8509? How long have you known him and where does he reside?

Ans. I have known all the affiants for about a year and a half, and they all reside at Crystal, Idaho

Ques. 3. Have you read or heard read said Permit No. 8509, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Source of water supply, Clifton Creek, place of diversion NE¼ NW¼, Sec. 3, T. 9 S., R. 34 E. B. M., Dam,--about 2 feet high, about 10 or 12 feet long at top, about 6 or 8 feet long at bottom, Ditch, about three miles long, about 3 feet wide at bottom, about 2 feet wide at top, Grade about an inch to the rod.

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. The said works will carry to the best of my knowledge about two or 3 feet of water, but I am not acquainted with water measurements and am not able to tell the exact amount.

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. It is used for domestic and irrigation purposes. Irrigation has been used on the following lands: SW¼ SE¼, Sec. 3, 5 or 6 acres, NW¼ SW¼, Sec. 10, 4 acres, NE¼ NE¼, Sec. 9, about 5 acres, SW¼ SE¼ Sec. 9, 5 acres, E½ NW¼, Sec. 9, about 10 or 12 acres, NW¼ SW¼, Sec. 9, about 5 or 6 acres, E½ NE¼, Sec. 8, about 5 acres. This is cultivated land and better grain crops have been raised as a result of this water.

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

Ans. none

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

Ans. Character of land, black loam. In my estimate it would require about an inch to the acre for its profitable cultivation.

REAL ESTATE
INSURANCE
INVESTMENTS

WM. H. JACKSON, JR., MANAGER

LAND FILINGS
FINAL PROOFS
WATER APPLICATIONS

# The Jackson Real Estate Company

POCATELLO, IDAHO

July 24, 1914.

The State Engineer,
Boise, Idaho.

Dear Sir:

In response to your letter regarding the Final Proof of Thomas O. Phillips and others we hand you herewith depositions of the applicants and their witnesses in this matter. We note that you desire the fee to be retained until such report is made by your examining engineer.

We beg to suggest that when you write to these parties regarding the fees in this case that you address them in care of this office, or if you perfer write to us directly. These people submitted their testimony upon the date set and in addition paid the fees necessary for your office and if you will advise this office when the fee is due we will send it to you at once. These people live in a vicinity where the mail service is very poor and it is very probable that you would not receive a prompt response unless the letter was addressed to them at this place.

Trusting this will not be inconsistent with your policy and that this suggestion might be carried out, we are

Yours truly,

MANAGER.

J/W
Encl.

July 23, 1914.

Permit 8509-Thos.O.Phillips,et al.

Wm. Jackson, Jr., Manager
Jackson Real Estate Co.,
Pocatello, Idaho.

Sir:

Replying to your letter of the 22nd would say that fees are required on only the land that has been actually cultivated and irrigated, allowing $2.00 for each forty, or fraction, where two or more persons are interested in the one water right. However, the fees should not be sent until the report of our engineer has been made, at which time the holders will be further notified.

Very truly yours,

F. P. KING,

State Engineer.

By_____

8509

REAL ESTATE
INSURANCE
INVESTMENTS

WM. H. JACKSON, JR., MANAGER

LAND FILINGS
FINAL PROOFS
WATER APPLICATIONS

# The Jackson Real Estate Company

POCATELLO, IDAHO

July 22, 1914.

State Engineer,
Boise, Idaho.

Dear Sir:

I have now in readiness for transmitting to your office the papers in the proof of water to a beneficial use under Permit No. 8509, Thomas O. Phillips and others.

I write to inquire whether or not the fee transmitted to your office should cover each subdivision owned by the Applicants under the ditch and to which they may desire to apply the water, or whether the fee should cover merely the subdivisions which the water has been applied at this time.

Will forward the proof with the necessary money as soon as I receive your reply.

Yours truly,

MANAGER.

J/W

# STATE OF IDAHO

## ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

## INSTRUCTIONS

PROOF OF BENEFICIAL USE

Thos. O. Phillips,
c/o Wm. H. Jackson, Jr.,
Pocatello.

BOISE, IDAHO, June 19, 1914.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. 8509.

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 your rights:

1. On July 21st, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Pocatello, before Wm. H. Jackson, Jr., N.P.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of $2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

F. P. KING,

*State Engineer.*

8509

(P. O.)

(Date)

State Engineer, Boise.

Dear Sir:

I have your letter of 6/16/14 enclosing Notice of Proof of Beneficial Use of Water under Permit No. 8509 which will be published as you request, beginning with our issue of 6/18/14

Jno R Jones

July 21

May 8, 1914.

Permit 8509 - T.O.Phillips, et al

Wm. H. Jackson, Jr.,Mgr.,
Jackson Real Estate Co.,
Pocatello, Idaho.

Sir:

We are to day in receipt of final proof notices under above numbered permit. The notice for publication will be mailed to the American Falls Press in time for the required publication prior to July 21st and deposition blanks will be mailed to you.

Very truly yours,

F. P. KING,

State Engineer.

By_____

8509

Form 10

## NOTICE FOR PUBLICATION

# Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 21st day of July, 1914, at Pocatello, County of Bannock, State of Idaho, before Wm. H. Jackson, Jr., Notary Public, proof will be submitted of the application to beneficial use of 15 cubic feet per second of the waters of Clifton Creek, in accordance with the terms and conditions of Permit No. 8509 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Thomas O. Phillips, et al

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

3. The amount applied to beneficial use is 7 cu. feet per second

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) NE¼, E½ SE¼, Section 8, and the S½ NE¼, NW¼, N½ SW¼, W½ SE¼, and the E½ SW¼, Section 9, Township 9 South, Range 34 East, Boise Meridian

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

6. The right to take the water from such works is based upon Permit No. 8509

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

8. The date of the priority which said user is prepared to establish is July 3, 1912

RECEIVED
MAY 8 1914
OFFICE OF STATE ENGINEER

F. P. KING,
State Engineer.

8-Y CO 27349

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 7, 1914

(P. O.) Pocatello, Idaho

To the State Engineer,

Boise, Idaho.

Dear Sir:

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

Thos. O. Phillips.

(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.

RECEIVED
MAY 8 1914
OFFICE OF STATE ENGINEER

85569

REAL ESTATE
INSURANCE
INVESTMENTS

WM. H. JACKSON, JR. MANAGER

July 21

LAND FILINGS
FINAL PROOFS
WATER APPLICATIONS

OK

# The Jackson Real Estate Company

POCATELLO, IDAHO

May 7, 1914.

Mr. F. P. King,
Boise, Idaho.

Dear Sir:

We hand you herewith Notice of Proof of Application of Water to Beneficial Use of Thomas O. Phillips, et al, set to be heard at this office on the 21st day of July, 1914.

Yours truly

Wm H Jackson Jr.

MANAGER.

W
Encl.

RECEIVED
MAY 8 1914
OFFICE OF STATE ENGINEER

84539

Form No. 9

# State of Idaho

ENGINEERING DEPARTMENT

BOISE

F. P. KING,
STATE ENGINEER

May 1, 1914.

Thomas O. Phillips, et al,
Crystal, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. 8509 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 the date it is submitted.

Yours truly,

F. P. KING,

State Engineer.

8509

August 30, 1913.

Permit 8509

Thos. O. Phillips,
Crystal, Idaho.

Sir:

Am herewith enclosing you certificate of completion of works.

Very truly yours,

F. P. KING,

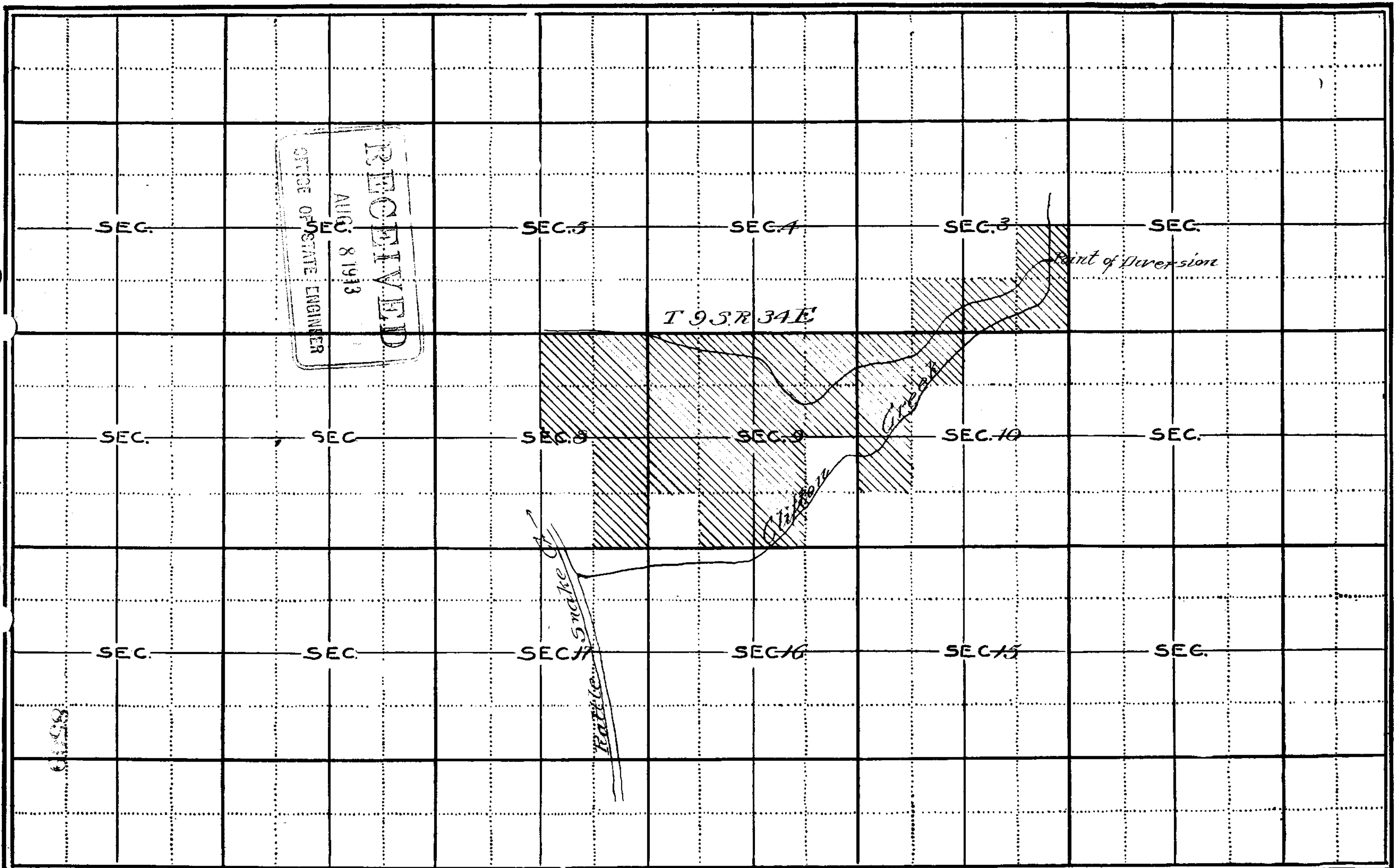
State Engineer.

CCW

By_____

8509

Name of Applicant Thos O. Phillips et al Permit No. 3509




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

Printed and for sale by the Statesman Shop, Boise, Idaho.

F 106-A

# REPORT OF ENGINEER

Permit 8509

1. State name of applicant and number of permit: Thos.O. Phillips, et al

2. State source of water supply: Clifton Creek

3. Location of point of diversion: In NE¼ of SE¼ Sec. 3, T. 9 S.,R. 34 E.B.M.

4. State whether or not the works of diversion are *fully* completed and in accordance with terms of permit: Yes

5. Describe works as they exist, giving dimensions of same as follows:

(a) Width of conduit at bottom: 2 feet

(b) Width at water line: 3½ "

(c) Depth of water: 2 "

(d) Grade per mile: 14 "

(e) Capacity of ditch: 15 " second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent:

About 50 inches in ditch on July 20,1913.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: E½ SE¼, SW¼ SE¼, SE¼ SW¼, Sec.3; N½ NW¼, SW¼ NW¼, NW¼ SW¼ Sec.10; N½, W½ SE¼, E½ SW¼, NW¼ SW¼ Sec.9; NE¼, E½ SE¼ Sec.8, All in T 9 S.,R. 34 E.B.M.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

RECEIVED
AUG 8 1913
OFFICE OF STATE ENGINEER

Walter R Heyde

STATE OF IDAHO,
County of } ss.

....., being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this ..... day of ..... 191...

My Commission Expires ..... Notary Public.

8519

August 9, 1913.

Permit 8509- Thos.O.Phillips,et al.

Wm.H.Jackson, Jr.,
Pocatello, Idaho.

Sir:

Your letter of the 5th inst.,enclosing depositions, affidavit of publication and fee for proof of completion of works under above permit, was duly received. Am herewith inclosing you receipt for fee. The certificate of completion will be issued and mailed to the holder soon.

Very truly yours,

P. P. KING,

State Engineer.

R5742

By_____

8509

Form 108

The Depositions of two Witnesses, in this form, taken separately, required in each case.

**PERMIT No.** 8509

# Proof of Completion of Works

## DEPOSITION OF WITNESS

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

Ans. William C. Snyder, Age 52 years, Res. Crystal, Idaho
Occupation, farmer, P. O. Address, Crystal, Idaho

Ques. 2. Are you acquainted with Lorenzo S. Whiting, Jr., et al, the holder of Permit No. 8509, authorizing the diversion of 15 second-feet of the waters of Clifton Creek, at Crystal, Idaho for irrigation & domesti purposes? How long have you known him, and where does he reside?

Ans. I have known them all for about four or 5 years, they reside at Crystal, Idaho

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AUG 6 1913
OFFICE OF STATE ENGINEER

Ques. 3. Have you read or heard read said Permit No. 8509, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am acquainted with the land proposed to be irrigated under said permit. It is a black loam, partly and also part clay, I should judge about an inch to the acre would be required for its profitable cultivation

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. The works of diversion are fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. The works of diversion are a dam and ditch. The dam is about 3 feet high, about 10 ft long, and about 5 ft. along at bottom, made of earth and stone. The headgate is about 3 ft. wide, and about 2 ft high. The ditch is about 2 ft, wide at bottom and about 3 ft, wide at water line. De th of the water about 2 ft. The ditch would carry about 5 cu. ft.

(Sign here.) William C. Snyder

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, at my office in Pocatello, County of Bannock, State of Idaho, on this 4th day of August A. D. 1913.

Wm Jackson Jr.
Notary Public

8509

Form 108

The Depositions of two Witnesses, in this form, taken separately, required in each case.

**PERMIT No.** 8509

# Proof of Completion of Works

## DEPOSITION OF WITNESS

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

Ans. Sydney R. Phillips, Age 26 years, Res. & P. O. Address, Crystal, Idaho. Occupation Farmer

Ques. 2. Are you acquainted with Lorenzo S. Whiting, Jr, et al, the holder of Permit No. 8509, authorizing the diversion of 15 second-feet of the waters of Clifton Creek, at Crystal, Idaho for irrigation & domestic purposes? How long have you known him, and where does he reside?

Ans. I have known them all about four years, they reside at Crystal Idaho

Ques. 3. Have you read or heard read said Permit No. 8509, and are you familiar with its terms and conditions?

Ans. Yes

RECEIVED
AUG 6 1913
OFFICE OF STATE ENGINEER

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am acquainted with the land proposed to be irrigated under said permit. It is partly black loam and partly clay. I would judge that it would require about one inch to the acre for its profitable cultivation

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. The works of diversion are fully completed and of sufficient capacity to convey the entire amount of water set out in this permit

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. The dam is about 3 ft. high, about 10 ft. long, and about 5 ft. long at the bottom. It is made of earth and stone. The headgate is 3 feet wide, about 2 ft high. The itch is about 2 ft. wide at the bottom, about 3 feet wide at water line and about 2 ft. depth of water. The ditch will carry about 600 inches of water

(Sign here.) Sidney R Phillips

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, at my office in Pocatello, County of Bannock, State of Idaho, on this 4th day of August A. D. 191 3

W J Jackson
Notary Public

8509

PERMIT NO. 8509

# Proof of Completion of Works

## DEPOSITION OF HOLDER

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

Ans. Lorenzo S. Whiting, Jr., Age, 29 years, Resi. Crystal, Idaho Occuptaion, Farmer. P. O. Address, Crystal, Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. I am not acting in behalf of a corporation, but I have been appointed to appear and submit this testimony in behalf of the rest of the gentlemen in whose name this permit was issued.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. No. 8509, Date August 10, 1912. Amount of water authorized to divert, 15 cu. feet per second, Source, Clifton Creek, point of diversion NE¼ SE¼, Sec. 3, T. 9 S., R. 34 E. B. M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation and Domestic purposes. Approximately 750 acres. ~~We expect to irrigate it on the following lands:~~ NE¼ SE¼ SE¼ SE¼, SW¼ SE¼, SE¼ SW¼, Sec. 3, NE¼ NW¼, NW¼ NW¼, NW¼ SW¼, SW¼ NW¼, Sec. 10, NE¼ NE¼, SE¼ NE¼, SW¼ NE¼, NW¼ NE¼ NW¼ SE¼, SW¼ SE¼, NE¼ SW¼, SE¼ SW¼, NW¼ SW¼, NE¼ NW¼, NW¼ NW¼, SW¼ NW¼, SE¼ NW¼, Section 9, NE¼ NE¼, NW¼ NE¼, SW¼ NE¼, SE¼ NE¼, NE¼ SE¼, SE¼ SE¼, Sec. 8, T. 9 S., R. 34 E. B. M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. On the 18th of August 1912 we turned the water into our works of diversion to about 50 inches.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. The works of diversion are fully completed and they comply in all respects with the terms of the permit

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. The works of diversion do comply with all the terms of your permit.

RECEIVED
AUG 6 1913
OFFICE OF STATE ENGINEER

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. The dam is about 3 feet high, and about 10 feet long at the top, and the length of the dam at the bottom is about 5 feet. It is built of earth and stone. The headgate is about 3 feet wide, and about 2 feet high. The ditch is about 2 feet wide at the bottom and about 3 feet wide at water line. The water is about 2 feet deep, It will carry about 5 cu. feet. The cost of same is $250.00

Thomas O. Phillips, Moses Fannin, Harry L. Trego, Val Allsworth, Forres Whiting, Lorenzo S. Whiting, Sr.

(Sign here.) BY Lorenzo S. Whiting, Jr

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 4th day of August A. D. 1913

Wm Jackson
Notary Public.

My Commission expires Jan. 7, 1915

8509

# AFFIDAVIT OF PUBLICATION

NOTICE FOR PUBLICATION.

No ... is hereby given that at 10 A. M. on the 4th day of August, 1913, at Pocatello, county of Bannock, State of Idaho, before Wm. H. Jackson, Jr., proof will be submitted of the completion of works for the diversion of 15 cubic feet per second of the waters of Clifton Creek in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1 The name of the person or corporation holding said permit is Thomas O. Phillips, et al.

2 The postoffice address of such person or principal place of business of such corporation is Crystal, County of Power, State of Idaho.

3 The number of such Permit is 3509, and the date set for the completion of such work is August 4, 1913.

4 Said water to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit is 15 cubic feet per second.

6 The amount of lands for which said water is available is 750 acres particularly described as follows; NE¼ SE¼, SE¼ SE¼, SW¼ SE¼, SE¼ SW¼ Sec. 3, NE¼ NW¼ NW¼ NW¼, NW¼ SW¼, SW¼ NW¼, Section 10, NE¼ NE¼, SE¼ NE¼, SW¼ NE¼, NW¼ NE¼, NW¼ SE¼, SW¼ SE¼, NE¼ SW¼, SE¼ SW¼, NW¼ SW¼, NE¼ NW¼, NW¼ NW¼, SW¼ NW¼, SE¼ NW¼ Section 9, NE¼ NE¼, NW¼ NE¼, SW¼ NE¼, SE¼ NE¼, NE¼ SE¼, SE¼ SE¼ Sec. 8, Tp. 9 S., R 34 E. B.

F. P. KING, State Engineer.

I, Clyde Hanson, publisher of THE ROCKLAND TIMES, published weekly at Rockland, County of Power, State of Idaho, do solemly swear that a copy of the notice. as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for five consecutive weeks, commencing with the issue dated July 5. 1913., and ending with the issue dated Aug 2....., 1913

Clyde Hanson

Subscribed and sworn to before me this 2nd day of Aug. 1913

NOTARY PUBLIC

REAL ESTATE
INSURANCE
INVESTMENTS

WM. H. JACKSON, JR., MANAGER

LAND FILINGS
FINAL PROOFS
WATER APPLICATIONS

# The Jackson Real Estate Company

POCATELLO, IDAHO

August 5, 1913.

Hon. F. P. King,
State Engineer,
Boise, Idaho.

Dear Sir:

We hand you herewith Proof of Completion of Works upon the Permit No. 6509, of Thomas O. Phillips, et al, together with affidavit of publisher and our check for $5.00 in connection with this proof.

Yours truly,

Wm. Jackson Jr.

MANAGER.

J/W
Encl.

RECEIVED
AUG 6 1913
OFFICE OF STATE ENGINEER

8509

July 17, 1913.

Permit 8509-Thos.O.Phillips

Wm. H. Jackson, Jr.,
Pocatello, Idaho.

Sir:

In reply to your letter of the 16th inst. would say that the proof now being advertised under the above permit number is for completion of works only and the deposition blanks for said proof were mailed to your office yesterday.

Very truly yours,

F. P. KING,

State Engineer.

By_____

8509

REAL ESTATE
INSURANCE
INVESTMENTS

WM. H. JACKSON, JR., MANAGER

LAND FILINGS
FINAL PROOFS
WATER APPLICATIONS

# The Jackson Real Estate Company

POCATELLO, IDAHO

July 16, 1913. Permit # 8509.

RECEIVED
JUL 17 1913
OFFICE OF STATE ENGINEER

Hon. F. P. King,
Boise, Idaho.

Dear Sir:

Will you please send us Blanks for Proof of Completion of Works and Proof of water to beneficial Use to be used in the Proof of Thomas O. Phillips, and others ?

Thanking you in advance, we are

Yours truly,

Wm. Jackson Jr.

MANAGER

W

8509

# State of Idaho

A. E. ROBINSON
STATE ENGINEER

ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Thos. O. Phillips, et al
c/o Wm. H. Jackson, Jr.,
Pocatello, Idaho.

Boise, Idaho, July 16, 1913.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under your permit No. 8509.

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 your rights:

1. On August 4th, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Pocatello, before Wm. H. Jackson, Jr. N.P.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of $5.00, where amount claimed does not exceed 10 second feet. Where more than 10 second feet is claimed, the fee required is 30 cents per second foot. When these have been received, together with report of the examining engineer, if everything is properly executed, Certificate of Completion of Works will issue.

Yours truly,

F. P. KING, A. E. ROBINSON
State Engineer.

8509

Form 104

# Notice of Publication

Notice is hereby given that at 10 A. M., on the 4th day of August 1913, at Pocatello County of Bannock, State of Idaho, before Wm. H. Jackson, Jr. proof will be submitted of the completion of works for the diversion of 15 cubic feet per second of the waters of Clifton Creek in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Thomas O. Phillips, et al

2. The postoffice address of such person or principal place of business of such corporation is Crystal, County of Power, State of Idaho.

3. The number of such Permit is 8509, and the date set for the completion of such work is August 4, 1913

4. Said water to be used for Irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 15 cubic feet per second.

6. The amount of lands for which said water is available is 750 acres, particularly described as follows:

NE¼ SE¼, SE¼ SE¼, SW¼ SE¼, NW¼ NW¼, NW¼ SW¼, SW¼ NW¼, Section 10, NE¼ NE¼, SE¼ NE¼, SW¼ NE¼, NW¼ NE¼, NW¼ SE¼, SW¼ SE¼, NE¼ SW¼, SE¼ SW¼, NW¼ SW¼, NE¼ NW¼, NW¼ NW¼, SW¼ NW¼, SE¼ NW¼, Sec. 9, NE¼ NE¼, NW¼ NE¼ SW¼ NE¼, SE¼ NE¼, NE¼ SE¼, SE¼ SE¼, Sec. 8, T. 9 S., R. 34 E. B. M.

RECEIVED
JUL 17 1913
STATE OF STATE ENGINEER

State Engineer
F.P.KING,

8509

Form No. 500

# NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 6, 1913

(P. O.) Crystal, Idaho

To the State Engineer,

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Rockland Times, of American Falls, Idaho, published in the county in which the works are situated.

Thos. O. Phillips et al

(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.

RECEIVED
JUN 17 1913
OFFICE OF STATE ENGINEER

Engineer.

8509

Crystal Ariz.
May 30, 1913

E. P. Ring
State Engineer.
Please furnish me
information in regards
to perfecting right to
water under permit
No. 8509 in regards
to making proof.

Thos. [illegible]

RECEIVED
JUN 7 - 1913
OFFICE OF STATE ENGINEER

8509

REAL ESTATE
INSURANCE
INVESTMENTS

WM. H. JACKSON, JR., MANAGER

LAND FILINGS
FINAL PROOFS
WATER APPLICATIONS

# The Jackson Real Estate Company

POCATELLO, IDAHO

June 16, 1913.

Hon. F. P. King,
Boise, Idaho.

Dear Sir:

We hand you herewith Notice of Publication of Thos O. Phillips, et. al, of Crystal, Idaho, under Permit No. 8509, which we would like to have you have published as soon as possible.

Yours truly,

MANAGER.

W/W
Encl.

RECEIVED
JUN 17 1913
OFFICE OF STATE ENGINEER

8509

June 7, 1913.

Permit 8509

Thos. Phillips,
Crystal, Idaho.

Sir:

In reply to your letter of May 30th, just received, would say that, in order to make proof of beneficial use of water under a permit, the land must be under cultivation and the water used beneficially on same. License is issued upon this proof, allowing one inch to the acre for water actually used.

Very truly yours,

F. P. KING,

State Engineer.

By_____

8509

# State of Idaho

## ENGINEERING DEPARTMENT

BOISE

A. E. ROBINSON,
STATE ENGINEER

### INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Thos O. Phillips, Et Al.

Crystal, Idaho.

Boise, Idaho, May 1, 1913.

Dear Sir:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 8509

This form should be filled out and mailed to the State Engineer at least 60 days before the date upon which it is to be submitted, which proof MUST be on or before Aug. 10, 1913.

Upon receipt of this blank properly filled out, notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a Notary Public or other officer authorized to administer oaths.

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,

P.P.KING A.E.ROBINSON,

State Engineer

8509

January 31,1913.

The Jackson Real Estate Co.,
Pocatello, Idaho.

Gentlemen:

Re Permit #8509.

The application for extension of time for completion of works under above permit has been approved and is herewith returned to you.

Very truly yours,

State Engineer.

AET

By..C.Brown

8509

Boise, Idaho, Jan. 24, 1913.

The Jackson Real Estate Co.,
Pocatello, Idaho.

Gentlemen:--

Re: Permit #8509.

In reply to yours of January 20th, relative to extension of time under the above numbered permit, I beg to advise you that I have this day granted the extension in question, and I request that you so advise them. This is a little out of the usual procedure, but considering all the circumstances of the case, and the fact that it would be decidedly inconvenient for these parties to make application in the usual form, I have suspended the policy of the office in this case. I enclose herewith application blanks for making similar application in the future. You will notice that these blanks should be made out in duplicate. If the extention be granted, we retain one for our files and return the other to the permit holder. In the case of the above numbered permit, the time for completion of works has been extended to August 10th, 1913.

Very truly yours,

A. E. Robinson

8509

R/B

Enc ET

Real Estate
Insurance
Investments

WM. H. JACKSON, JR., MANAGER

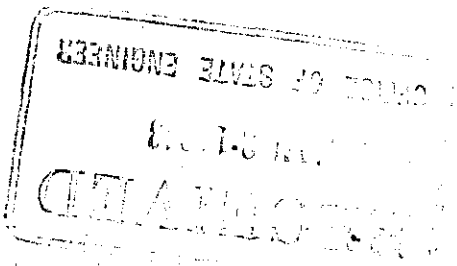
Land Filings
Final Proofs
Water Applications

# The Jackson Real Estate Company

POCATELLO, IDAHO

8509

January 20, 1925.



Mr. A. E. Robinson,

Boise, Idaho.

Dear Sir:--

We hand you, herewith, affidavit signed by three of the parties interested in the Permit #8509, asking for an extension of time. We did not have the blank form originally used and as these people are a long way from Pocatello or any other place where a Notary Public can be found, we took this application in the form you see, herewith. We trust that you will be able to use the same in its present form, but if not, kindly send us the necessary blank to prepare the proper application upon.

If it is not inconsistent with your policy, we would be pleased to have you send us a few extra blanks for this purpose, as we have had occasional calls for them and if we have a few in our possession, we would then be able to prepare them on the proper form without any delay.

Yours very truly,

Wm. Jackson Jr. Mgr.

WHJ.M

Enc.

8509

FORM NO. 151

State of Idaho

ENGINEERING DEPARTMENT

BOISE

A. E. ROBINSON,
STATE ENGINEER

Permit #8509-Phillips et al

Boise, Idaho, Aug. 12, 1912.

Jackson Real Estate Co.,

Pocatello, Idaho

Dear Sir:

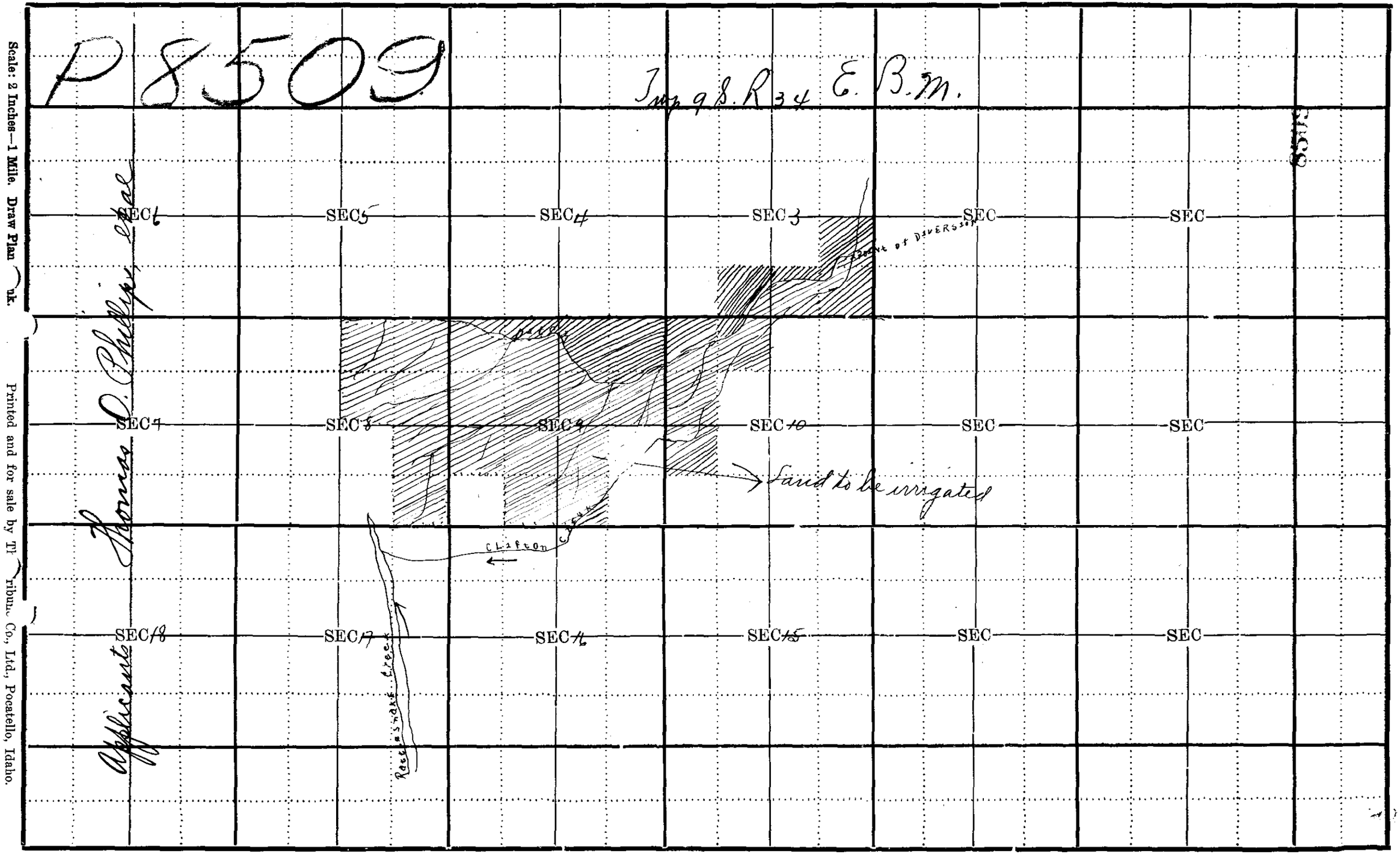
I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of State Engineer on the third page.

A. E. ROBINSON,
State Engineer.

8509

P 8509

Twp 9 S. R 34 E. B.M.




Thomas O. Phillips, et al

Applicants

Scale: 2 Inches—1 Mile. Draw Plan on this side only.

Printed and for sale by The Tribune Co., Ltd., Pocatello, Idaho.

PERMIT MAP NO. 8509

AS APPROVED

AUG 10 19[illegible]

FOR

A. E. ROBINSON
STATE ENGINEER