

the Public Waters of the State of Idaho.

No. 293.

APPROVAL OF STATE ENGINEER.

The number of this permit is 143.
 Date of first receipt of application 9 a.m. Aug. 9, 1903.
 Returned to applicant for correction 190.
 Corrected application received 190.
 Recorded in Book 1 Page 143.
 Approved Aug. 15th 1903.

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 grant the same, subject to the following limitations and conditions:

One-fifth of the work above specified to be completed on or before Aug. 15th 1904.

The whole of said work to be completed on or before Aug. 15th 1905.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to Aug. 15th 1907.

Witness my hand this Fifteenth day of August, 1903.

Wayne Darlington
State Engineer.

Form 103.

Notice of Proof of Completion of Works mailed applicant June 3, 1905.

Notice of Proof of Completion of Works received June 14, 1905, fixing August 15, 1905 as the date and Soda Springs Idaho as the place of proof.

Notice for publication mailed Soda Springs Chieflain, Soda Springs, Idaho, July 6, 1905, and C. B. Wilson, Soda Springs, Idaho, authorized same date to make examination of the works and report to the office of State Engineer.

Report of Engineer C. B. Wilson received August 7, 1905.

Deposition of Permit holder and depositions of two witnesses, affidavit of publication of notice and fee of \$5.00 received August 17, 1905.

Depositions and report of engineer show that works as completed comply in all respects with the terms of permit.

Certificate of Completion of Works issued August 18, 1905.

Permit No. 143.

Certificate of Completion of Works.

To All Whom It May Concern:

This is to certify that Rosa J. Allen of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No. 143, issued upon Application No. 293, bearing date of priority of August 9, 1903, authorizing the diversion of 2 1/5 second-feet of the waters of a Spring in S.E. 1/4 of T. 5. 1/4 Sec. 29, and one sec. ft. of Spring in S.W. 1/4 of T. 5. 1/4 Sec. 29, Twp. 9 S. R. 42 E. B. 7N, County of Bannock, State of Idaho, at the springs, 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 three and one-fifth second-feet of water; and that the lands proposed to be irrigated by the use of said waters are described as follows, to wit: South half of North-east quarter, Northwest quarter of Southeast quarter, Southeast quarter of Northwest quarter of Section Twenty-nine, Township Nine South, Range Forty East of Boise Meridian.

Witness my hand this eighteenth day of August A.D. 1905.

Geo. Stephenson Jr.

State Engineer of the State of Idaho.

License issued for 1 1/2 second feet

Page 303

Record of Application for Permit to appropriate

1. Name of applicant Rosa J. Allen
 Postoffice address: P. O. Soda Springs
 County Bannock, 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) The 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 Three and one-fifth cubic feet per second
being 2.5 cubic ft. per second of flow from Spring on S.E. 1/4 N.E. 1/4 Sec. 29, Twp. 9 S. R. 42 E. B.M. and 1 cubic foot per second of flow of water of Spring on S.E. 1/4 Sec. 29, Twp. 9 S. R. 42 E. B.M. and being the full capacity of said spring.
 3. Source of water supply Two Springs (not named) on land of applicant
 4. Location of point of diversion At the Springs on the land

5. To be used for:

I. Irrigation and domestic use: Yes

- (a) Number of acres to be irrigated 160 acres
 (b) In the following legal subdivisions S. 1/2 N.E. 1/4, N.W. 1/4, S.E. 1/4, N.W. 1/4 Sec. 29, Twp. 9 S. R. 42 E. B.M. in Bannock Co. Idaho

II. Mining, power, manufacturing or transportation purposes:

- (a) To be used for
 (b) Amount of power to be generated horse power
 (c) At what point
 (d) If water is to be returned to stream, ("yes" or "no")
 (e) If "yes" at what point

6. Estimated cost of works Two hundred (\$200.00) dollars
Said works partially completed

7. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise) Reservoir, Dam, headgate and ditch

II. Dimensions of works: At Spring on S.E. 1/4 N.E. 1/4 Sec. 29 adjacent

- (a) Height of dam 4 1/2 feet, length of dam at top 100 feet
 length of dam at bottom 25 feet, material used in construction
 (wood, earth, stone or concrete) stone and dirt
 (b) Capacity of reservoir About 40 ft x 30 ft in area, 1 1/2 ft deep acre feet.
 (c) Size of headgate, width 14 inches feet, height 18 inches feet.
 (d) Ditch (flume or pipe) width at bottom 1 1/6 feet, width at water
 line 1 1/2 feet, depth of water 3/4 feet. Average
 grade per mile is 10 feet. Length of ditch is Three-fourth

miles, and it crosses the following quarter sections S. 1/2 N.E. 1/4, S.E. 1/4 N.W. 1/4, N.W. 1/4 S.E. 1/4
Sec. 29, Township 9 S. R. 42 E. B.M. upon which it is used and

to _____ which is the point of intended use.

The water on Spring on S.W. 1/4 N.E. 1/4 Sec. 29 of said land is turned directly into the ditch and used.

8. Time required for the completion of the construction of such work is Four
 years. (The time must in no case exceed five years after date of approval of application.)

9. Time required for the complete application of the water to the proposed use is Four
 years. (The time must in no case exceed four years after the date set for the completion of works as defined
 in Section 8.) Applicant has used said water of said Springs for about 4 years & located same under
 old law but notice was not recorded.
 Remarks:

Time asked is excessive & is limited to two years for completion of construction & two years
additional for the complete application of water to the proposed use. Wayne Harrington,
State Engineer

The number of this permit is 114
 Date of first receipt of application
 Returned to applicant for correction
 Corrected application received
 Recorded in Book 1
 Approved Aug. 15th
 This is to certify that I have
 State of Idaho and hereby grant the
 One-fifth of the work above sp
 The whole of said work to be
 The time for the proof of
Aug. 15th 1907
 Witness my hand this Fif

Form 10.3
 Notice of Pro
 applicant June 3
 Notice of Proof of Com
 1905 as the date and Soda S
 Notice for publicatio
 Idaho, July 6, 1905, and
 date to make examinatio
 Engineers.
 Report of Engineer B. B. V
 Deposition of Permit-ho
 publication of notice and f
 Depositions and repo
 ply in all respects with th
 Certificate of Comp

Township' 9, South
In Bannock Range 42
County, E.B.M.
Idaho.

Application No. 293.

Permit No. 143.

Rosa J. Allen.

St. Regis of Springs, Bannock Co.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.
30

SEC.
29

SEC.

SEC.

SEC.

SEC.

Application of
Rosa J. Allen to
appropriate waters of
Springs, unnamed, in S. 1/2
N.E. 1/4 Sec. 29, Twp. 9 S.R.
42 E.B.M. in Bannock County
Idaho.

Lands of
Rosa J. Allen

Approved Aug. 15th 1903
Wayne D. Livingston
State Engineer

SEC.
31

SEC.
32

SEC.

SEC.

SEC.

SEC.

143

INSTRUCTIONS.

PROOF OF COMPLETION OF WORKS.

DEAR SIR:

JUNE 23, 1905.

I enclose herewith the following forms to be used in connection with Proof of Completion of Works under your Permit No. 145

NOTICE OF PROOF OF COMPLETION OF WORKS.

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. Fill out the Notice of Proof of Completion of Works and mail to the State Engineer's office at least sixty days before the date upon which you wish to submit proof, which proof must be on or before August 15, 1905. Upon receipt of this form, notice for publication will be sent to the paper direct from this office.

2. On _____, the date set for the 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 _____, before someone authorized to administer oaths. (The proof may be at a place most convenient to permit holder and witnesses.)

3. To complete the proof, it is also necessary that an examination be made of the works as constructed, which examination must be under the authority of the State Engineer. It is the desire to make this expense as light as possible to the permit holder. Will you therefore give me the name of a competent engineer, or surveyor, in your neighborhood who could do this work with as little expense as possible to you. Upon receipt of such a name I will authorize him to do the work. The examination should be made on or before the date set for the proof.

4. 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. When these have been received, together with report of examining engineer, if everything is properly executed, Certificate of Completion of Works will issue.

Yours truly,

JAS. STEPHENSON, JR.,

State Engineer.

Notice of Proof of Completion of Works.

(This blank must be filled out by holder of permit and forwarded by registered mail to the State Engineer at least 60 days before the time set for completion of works.)

(P. O.) Soda Springs Idaho

(Date) June 12 1905

To the State Engineer of the State of Idaho, Boise, Idaho.

Dear Sir:

Notice is hereby given that on the Fifteenth day of August 1905, at Soda Springs, County of Bannock, State of Idaho, proof will be submitted of the completion of works for the diversion of 3 1/2 cubic feet per second of the waters of Unnamed Springs, 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

Rosa J. Allen

2. The post office address of such person or the place of business of such corporation is

Soda Springs, County of Bannock, State of Idaho.

3. The number of such permit is 142, and the date set for the completion of such work is

Aug 15th 1905

4. Said water is 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 3 1/2 cubic feet per second.

6. The amount of lands for which said water is available is 140

acres, particularly described as follows:

South 1/2 NE 1/4, SE 1/4 NW 1/4, NW 1/4 SE 1/4 Section 29 Township 9
S. R. 42 E. B. M.

(In case of all 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 above notice are true.

Engineer.

I desire that the above notice be published, according to law, in the Soda Springs
Chieftain, of Soda Springs Id., published in the county in which
said works are situated; the expense of which publication will be borne by R. J. Allen

(Signature) Rosa J. Allen

No. 143.

NOTICE OF PROOF
—OF—
Completion of Works.

Received June 14, 05.

Date of proof August 15, 1905.

Place *State of New York*

Notice sent to *State of New York*

Chapman

for publication on July 1, 1905

Sec. 4. On or before the date set for the completion of works for the diversion and application of water under any permit the holder of such permit, or his assign shall be prepared to submit proof of the completion of such works. Such notice to the State Engineer shall be given by registered mail and at least sixty days before the date of the completion of such works, and shall be in the form furnished by such Engineer, and shall state (1) the name of the person or corporation holding the permit under which such works are constructed, (2) the postoffice address of such person or corporation, and shall be accompanied by the plans of the same accompanying the application for such permit, (3) the use for which said water is intended, (4) whether or not such works are capable of conducting to the place of intended use in accordance with the plans of the same more than 50 cubic feet per second of water, the facts in case of all canals or other works designed to divert and carry more than 50 cubic feet per second of water, the facts set forth in such notice to the State Engineer shall be certified to by a well known and competent irrigation engineer. Upon receipt of such notice by the State Engineer, such engineer shall immediately order its publication in a period of four weeks in some newspaper designated by the person sending such notice and published in the county in which such works are situated. Such published notice shall also state the date when such proof of completion shall be submitted to such Engineer, and the place where the same shall be submitted and such publication shall be at the expense of the person making such proof.

Such person or persons establishing such proof of completion may offer the affidavits of competent engineers in relation to the grades, dimensions and capacity of such works, and the amount and location of land to which water can be delivered for irrigation. And the State Engineer may, in the case of canals designed to divert fifty cubic feet per second or more, demand that profiles and cross-sections showing the grade of and the finished condition of such works to be filed with him in support of the claims which may be made in relation to the finished condition of such works by the person or persons holding such permit. And in the case of works capable of diverting, on the date set for such completion, the full amount of water for which such works were intended, such State Engineer shall have authority to order the water turned into such works for the purpose of measuring the same.

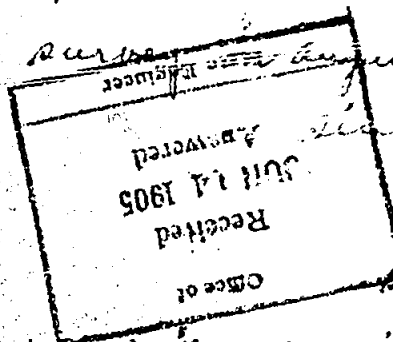
Roda Springs Idaho

June 12-05

Mr Stephenson Jr

Rode Engt Randa Ida

Dear sir: I would prefer surveyor
C. B. Wilson of Roda Springs to survey my
ditch, if he cannot do on account of not
being a licensed engr I would like
to have Geo. H. Perry of Pocatello Idaho
who is, I can furnish two men to help
him survey August 9th or 10th of Aug



Sincerely, 143

Rosa J. Allen

Box 123 Roda Springs

you will mistake in my initial it is "J" and not "Z"

July 6, 1905.

Boise, Idaho,

Mr. C. B. Wilson,

Soda Springs, Idaho

Dear Sir:—

The holder of Permit No. 143, Rosa J. Allen, residing at Soda Springs, Idaho, which permit authorizes the diversion of 3.2 second-feet of the waters of 2 springs at _____, desire to make proof of the completion of works of diversion, at Soda Springs, on August 15, 1905.

Will you therefore please arrange with the holder of said permit for an examination of the works of diversion, ascertain whether or not they comply fully with the terms of said permit, and render me a report on the condition of such works before the date fixed for said proof of completion, in accordance with the provisions of Sections 4 and 5 of House Bill No. 146, passed by the Seventh Session of the Legislature, approved March 11, 1903.

You should also arrange with the holder of said permit for the payment of your fee for this service and such proper expenses as you will incur in making this examination and report.

Please advise me promptly of your receipt of this communication, and whether or not you will be able to make the examination and report requested. Yours truly,

State Engineer.

P. S. Kindly make a map showing location of springs, route of ditches, place of use. Your report should also give dimensions of ditches, and grade per mile, and a statement as to capacity.

Boise, Idaho, July 6, 1905.

Rosa J. Allen,

Soda Springs, Idaho.

Dear Madam:-

I am today mailing the Soda Springs Chieftain notice for publication in the matter of proof of completion of works under your permit #143.

Am also authorizing Mr. C. B. Wilson of Soda Springs to make examination of the works and report to this office.

Yours truly,

State Engineer.

(Place) Soda Springs, Idaho

(Date)

July 7 - 1905

State Engineer,

Boise, Idaho.

Dear Sir:—

I have your letter of July 6, 1905, enclosing Notice of Completion of Works under Permit No. ¹⁴³, which will be published as you request, beginning with our issue of

July 13, 1905

Joe H. De Witt

Soda Springs
Idaho.

July 15th 1905.

The State Engineer.

Borae.

Idaho.

Dear Sir

Owing to my absence from Soda Springs
your favor of 6 inst only this day to hand.

I am going out to the Rosa J. Allen
location of water, (as claimed by Permit
No. 143) tomorrow, to make the necessary
examinations & will report in due course.

Does your P. S. cover the particulars
required, or will you forward me printed
document to fill in?

Yours truly,
Chas. E. Wilson

Boise, Idaho, July 17, 1905

Mr. Chas. B. Wilson,
Soda Springs, Idaho.

Dear Sir:

I am in receipt of your letter of July 15
in regard to examination under permit No. 143, Rosa J. Allen.
We have no printed forms upon which to make your report.
Your report should be sufficiently definite to enable
us to determine exactly what has been done and whether
the works as completed comply with the terms of the permit.
If there is any variance, this should be explained.

Yours truly,

State Engineer.

Encl
Soda Springs

Idaho.

2nd August 1905.

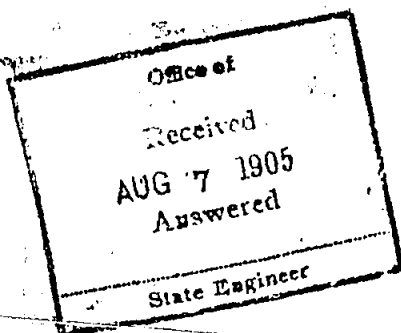
Gas Stevenson J. Esq.
State Engineer.
Borise. Idaho

Dear Sir

I herewith enclose Report of my
Examination re Permit No 143. R. W. Allen.
also plan of ditches, as required.

Yours truly,

Chas. F. Wilson



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

PERMIT NO. 143**Proof of Completion of Works.**

DEPOSITION OF WITNESS.

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

Answer. Annie L. Westrom age 31 Soda Springs agriculture
Soda Springs IdahoQues. 2.—Are you acquainted with Rosa J. Allen, the
holder of Permit No. 143, authorizing the diversion of 3 1/5 second-feet of the waters of
Soda Springs (unnamed), at S 1/2 NE 1/4 Sec 29 T9 S R 42 E Bm
for domestic purposes? How long have you known him, and where does he reside?Ans. yes 7 years Soda Springs IdahoQues. 3.—Have you read or heard read said Permit No. 143, and are you familiar with its
terms and conditions?Ans. yesQues. 4.—(If for irrigation purposes). Are you acquainted with the land proposed to be irri-
gated 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. yes S 1/2 N E 1/4 S E 1/4 N. W 1/4 N W 1/4 S. E 1/4, Sec 29
T 9 S R 42 Ebm meadow land 1 miners inch
per acreQues. 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. yesQues. 6.—Describe the works of diversion as they now exist, and give your estimate of their
capacity.Ans. Spring in S. E 1/4 N. E. 1/4 Reservoir 135 ft by 60 ft
Dam length 140 ft top 125 ft bottom height 5 ft
Headgate 14 in wide by 18 in deep Ditch 4000 ft
long 14 in wide by 12 in deep 1/2 in fall to road spring in
S. W. 1/4 N. E. 1/4 Sec 29 T. 9. + 2 Ebm 1300 ft long by 10 in wide by 8 deep
1 in. in fall to road (Sign here.) Annie L. WestromI hereby certify that the foregoing testimony was read to the above subscriber before its sign-
ing, that I believe him to be the person he represents himself to be, and that said testimony was sub-
scribed and sworn to before me, at my office in Soda Springs, Countyof Bannock, State of Idaho, on this 30th day of
August, A. D., 1905

143

Herbert Hershey Notary Public

Permit No.

To appropriate second
feet of water from

..... County, Idaho

by

Proof of Completion of Works

Deposition of Witness

Received and filed

August

17, 1905



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

PERMIT NO. 143**Proof of Completion of Works.**

DEPOSITION OF WITNESS.

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

Answer. Joshua J. Call 59 Soda Springs agriculture
Soda Springs IdahoQues. 2.—Are you acquainted with Roos J. Allen, theholder of Permit No. 143, authorizing the diversion of 3 1/2 second-feet of the waters of
Soda Springs (unnamed), at S 1/2 NE 1/4 Sec 29, T 9, S R 42 E B 1 W
for Domestic purposes? How long have you known him, and where does he reside?Ans. Yes 7 years Soda Springs IdahoQues. 3.—Have you read or heard read said Permit No. 143, 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. Yes S 1/2 NE 1/4, SE 1/4 NW 1/4 & NW 1/4, SE 1/4 Sec 29, T 9, S R 42 E B 1 W.
Meadow Land & Miners inch per acre

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. Yes

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

Ans. Spring in SE 1/4 NE 1/4 Reservoir 135 ft x 60 ft Dam Length 140 ft x 125 ft
Drill 400 ft long 14 in wide by 2 in deep
Length 5 ft Headgate 14 in x 18 in deep 1/2 in fall to Rod. Spring in SW 1/4 NE 1/4 Sec 29, T 9
SR 42 E B 1 W. Drill 135 ft long by 10 in wide by 8 in deep. 1 in fall to Rod.

(Sign here.)

Joshua J. CallI 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 Soda Springs, County
of Bannock, State of Idaho, on this 15th day of
August

A. D., 1905

143

Herbert Hensley Notary Public

Permit No.

To appropriate second

feet of water from

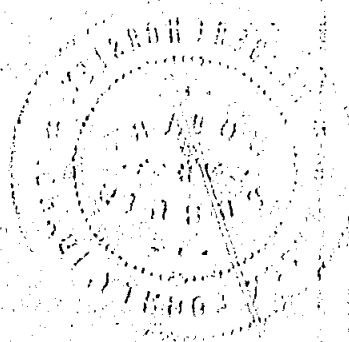
County, Idaho.

by

Proof of Completion of Works

Deposition of Witness

Received and filed *August 17, 1905*



PERMIT NO. 143

Proof of Completion of Works.

DEPOSITION OF HOLDER.

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

Answer. Rosa Jallen 27 Soda Springs Agriculture Soda Springs 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.

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

Ans. Permit No 143 Aug 15 1903 3 1/2 cu ft from 2 springs in S 1/2 NE 1/4 sec 29 T9 S R 42 E BM

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 & Domestic purposes 160 acres S 1/2 NE 1/4 S E 1/4 NW 1/4 NW 1/4 S E 1/4 sec 29 T9 S R 42 E BM. meadow land

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. Yes, All waters of both springs turned into and carried through completed works July 27 1905

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. Yes

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.

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

Ans. Spring in S E 1/4 NE 1/4 Reservoir 125 X 60 ft Dam length { 40 ft top 125 ft bottom } width { 14 ft top 10 ft bottom } height 3 ft. Headgate 14 inches wide X 18 inches deep. Ditch 14" wide X 12" deep X 4000 feet long. Spring S E 1/4 NE 1/4 sec 29 Ditch 1300 feet long. Total cost \$2000.00

(Sign here.)

Rosa Jallen

143

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 sub-

scribed and sworn to before me, at my office in Soda Springs, Countyof Bannock, State of Idaho, on this 15th day ofAugustA. D., 1904.Herbert Hoxley Notary Public

Permit No.

To appropriate second

feet of water from

County, Idaho.

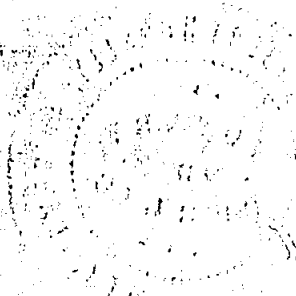
by

Proof of Completion of Works

DISPOSITION OF HOLDER

Received and filed *August*

17, 1904.



NOTICE FOR PUBLICATION.

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 10 A. M. on the 9th day of August 1907, at Banoreft County of Bannock State of Idaho, before Fred C. Caldwell, U. S. Com. proof will be submitted of the application to beneficial use of 3-1/5 cubic feet per second of the waters of two unnamed springs on land of applicant, in accordance with the terms and conditions of Permit No. 143 heretofore issued by the State Engineer of the State of Idaho.

1. The name and post-office address of the person ~~incorporation~~ holding said permit are

Rosa J. Allen, Soda Springs, Bannock County, Idaho

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

irrigation and domestic purposes

3. The amount applied to beneficial use is 3-1/5 cubic feet per second

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) 3 1/2 AC., 1/2 AC., 1/2 AC., 1/2 AC., Sec. 29, Twp. 9 S., R. 42 E. B. V.

in Bannock County

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

5.6x The right to take the water from such works is based upon Permit No. 143

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

two unnamed springs on land of applicant

8. The date of the priority which said user is prepared to establish is Aug. 9, 1903

Geo. Stephenson, Jr.

143

STATE ENGINEER

} SS.

COUNTY OF BANNOCK.

Notice of Publication.
 Notices hereby given that on the 15th day of August, 1905, at Soda Springs, county of Blaine, State of Idaho, proof will be submitted of the completion of works for the diversion of 31.5 cubic feet per second of the waters of 2 springs, 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 holding said permit is **Wm. B. Allen**.
2. The post office address of such person is **Soda Springs, county of Blaine, State of Idaho**.
3. The number of such permit is **133**, and the dates for the completion of such work is **August 15, 1905**.
4. Said waters 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 above-mentioned application for such permit is **31.5 cubic feet per second**.
6. The location of said works is **as shown on the map available at 100 feet particularly described as follows: 2 1/2 of No. 1; 2 1/2 of No. 2; 1/2 of No. 3; 1/2 of No. 4; 1/2 of No. 5; 1/2 of No. 6; 1/2 of No. 7; 1/2 of No. 8; 1/2 of No. 9; 1/2 of No. 10; 1/2 of No. 11; 1/2 of No. 12; 1/2 of No. 13; 1/2 of No. 14; 1/2 of No. 15; 1/2 of No. 16; 1/2 of No. 17; 1/2 of No. 18; 1/2 of No. 19; 1/2 of No. 20; 1/2 of No. 21; 1/2 of No. 22; 1/2 of No. 23; 1/2 of No. 24; 1/2 of No. 25; 1/2 of No. 26; 1/2 of No. 27; 1/2 of No. 28; 1/2 of No. 29; 1/2 of No. 30; 1/2 of No. 31; 1/2 of No. 32; 1/2 of No. 33; 1/2 of No. 34; 1/2 of No. 35; 1/2 of No. 36; 1/2 of No. 37; 1/2 of No. 38; 1/2 of No. 39; 1/2 of No. 40; 1/2 of No. 41; 1/2 of No. 42; 1/2 of No. 43; 1/2 of No. 44; 1/2 of No. 45; 1/2 of No. 46; 1/2 of No. 47; 1/2 of No. 48; 1/2 of No. 49; 1/2 of No. 50; 1/2 of No. 51; 1/2 of No. 52; 1/2 of No. 53; 1/2 of No. 54; 1/2 of No. 55; 1/2 of No. 56; 1/2 of No. 57; 1/2 of No. 58; 1/2 of No. 59; 1/2 of No. 60; 1/2 of No. 61; 1/2 of No. 62; 1/2 of No. 63; 1/2 of No. 64; 1/2 of No. 65; 1/2 of No. 66; 1/2 of No. 67; 1/2 of No. 68; 1/2 of No. 69; 1/2 of No. 70; 1/2 of No. 71; 1/2 of No. 72; 1/2 of No. 73; 1/2 of No. 74; 1/2 of No. 75; 1/2 of No. 76; 1/2 of No. 77; 1/2 of No. 78; 1/2 of No. 79; 1/2 of No. 80; 1/2 of No. 81; 1/2 of No. 82; 1/2 of No. 83; 1/2 of No. 84; 1/2 of No. 85; 1/2 of No. 86; 1/2 of No. 87; 1/2 of No. 88; 1/2 of No. 89; 1/2 of No. 90; 1/2 of No. 91; 1/2 of No. 92; 1/2 of No. 93; 1/2 of No. 94; 1/2 of No. 95; 1/2 of No. 96; 1/2 of No. 97; 1/2 of No. 98; 1/2 of No. 99; 1/2 of No. 100; 1/2 of No. 101; 1/2 of No. 102; 1/2 of No. 103; 1/2 of No. 104; 1/2 of No. 105; 1/2 of No. 106; 1/2 of No. 107; 1/2 of No. 108; 1/2 of No. 109; 1/2 of No. 110; 1/2 of No. 111; 1/2 of No. 112; 1/2 of No. 113; 1/2 of No. 114; 1/2 of No. 115; 1/2 of No. 116; 1/2 of No. 117; 1/2 of No. 118; 1/2 of No. 119; 1/2 of No. 120; 1/2 of No. 121; 1/2 of No. 122; 1/2 of No. 123; 1/2 of No. 124; 1/2 of No. 125; 1/2 of No. 126; 1/2 of No. 127; 1/2 of No. 128; 1/2 of No. 129; 1/2 of No. 130; 1/2 of No. 131; 1/2 of No. 132; 1/2 of No. 133; 1/2 of No. 134; 1/2 of No. 135; 1/2 of No. 136; 1/2 of No. 137; 1/2 of No. 138; 1/2 of No. 139; 1/2 of No. 140; 1/2 of No. 141; 1/2 of No. 142; 1/2 of No. 143; 1/2 of No. 144; 1/2 of No. 145; 1/2 of No. 146; 1/2 of No. 147; 1/2 of No. 148; 1/2 of No. 149; 1/2 of No. 150; 1/2 of No. 151; 1/2 of No. 152; 1/2 of No. 153; 1/2 of No. 154; 1/2 of No. 155; 1/2 of No. 156; 1/2 of No. 157; 1/2 of No. 158; 1/2 of No. 159; 1/2 of No. 160; 1/2 of No. 161; 1/2 of No. 162; 1/2 of No. 163; 1/2 of No. 164; 1/2 of No. 165; 1/2 of No. 166; 1/2 of No. 167; 1/2 of No. 168; 1/2 of No. 169; 1/2 of No. 170; 1/2 of No. 171; 1/2 of No. 172; 1/2 of No. 173; 1/2 of No. 174; 1/2 of No. 175; 1/2 of No. 176; 1/2 of No. 177; 1/2 of No. 178; 1/2 of No. 179; 1/2 of No. 180; 1/2 of No. 181; 1/2 of No. 182; 1/2 of No. 183; 1/2 of No. 184; 1/2 of No. 185; 1/2 of No. 186; 1/2 of No. 187; 1/2 of No. 188; 1/2 of No. 189; 1/2 of No. 190; 1/2 of No. 191; 1/2 of No. 192; 1/2 of No. 193; 1/2 of No. 194; 1/2 of No. 195; 1/2 of No. 196; 1/2 of No. 197; 1/2 of No. 198; 1/2 of No. 199; 1/2 of No. 200; 1/2 of No. 201; 1/2 of No. 202; 1/2 of No. 203; 1/2 of No. 204; 1/2 of No. 205; 1/2 of No. 206; 1/2 of No. 207; 1/2 of No. 208; 1/2 of No. 209; 1/2 of No. 210; 1/2 of No. 211; 1/2 of No. 212; 1/2 of No. 213; 1/2 of No. 214; 1/2 of No. 215; 1/2 of No. 216; 1/2 of No. 217; 1/2 of No. 218; 1/2 of No. 219; 1/2 of No. 220; 1/2 of No. 221; 1/2 of No. 222; 1/2 of No. 223; 1/2 of No. 224; 1/2 of No. 225; 1/2 of No. 226; 1/2 of No. 227; 1/2 of No. 228; 1/2 of No. 229; 1/2 of No. 230; 1/2 of No. 231; 1/2 of No. 232; 1/2 of No. 233; 1/2 of No. 234; 1/2 of No. 235; 1/2 of No. 236; 1/2 of No. 237; 1/2 of No. 238; 1/2 of No. 239; 1/2 of No. 240; 1/2 of No. 241; 1/2 of No. 242; 1/2 of No. 243; 1/2 of No. 244; 1/2 of No. 245; 1/2 of No. 246; 1/2 of No. 247; 1/2 of No. 248; 1/2 of No. 249; 1/2 of No. 250; 1/2 of No. 251; 1/2 of No. 252; 1/2 of No. 253; 1/2 of No. 254; 1/2 of No. 255; 1/2 of No. 256; 1/2 of No. 257; 1/2 of No. 258; 1/2 of No. 259; 1/2 of No. 260; 1/2 of No. 261; 1/2 of No. 262; 1/2 of No. 263; 1/2 of No. 264; 1/2 of No. 265; 1/2 of No. 266; 1/2 of No. 267; 1/2 of No. 268; 1/2 of No. 269; 1/2 of No. 270; 1/2 of No. 271; 1/2 of No. 272; 1/2 of No. 273; 1/2 of No. 274; 1/2 of No. 275; 1/2 of No. 276; 1/2 of No. 277; 1/2 of No. 278; 1/2 of No. 279; 1/2 of No. 280; 1/2 of No. 281; 1/2 of No. 282; 1/2 of No. 283; 1/2 of No. 284; 1/2 of No. 285; 1/2 of No. 286; 1/2 of No. 287; 1/2 of No. 288; 1/2 of No. 289; 1/2 of No. 290; 1/2 of No. 291; 1/2 of No. 292; 1/2 of No. 293; 1/2 of No. 294; 1/2 of No. 295; 1/2 of No. 296; 1/2 of No. 297; 1/2 of No. 298; 1/2 of No. 299; 1/2 of No. 300; 1/2 of No. 301; 1/2 of No. 302; 1/2 of No. 303; 1/2 of No. 304; 1/2 of No. 305; 1/2 of No. 306; 1/2 of No. 307; 1/2 of No. 308; 1/2 of No. 309; 1/2 of No. 310; 1/2 of No. 311; 1/2 of No. 312; 1/2 of No. 313; 1/2 of No. 314; 1/2 of No. 315; 1/2 of No. 316; 1/2 of No. 317; 1/2 of No. 318; 1/2 of No. 319; 1/2 of No. 320; 1/2 of No. 321; 1/2 of No. 322; 1/**

August A. D., 1905

143

PERMIT NO. 143

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that

Rosa J. Allenof Ada Springs, County of Bannock, and State of Idahothe holder of Permit No. 143, issued upon Application No. 293bearing date of priority of August 7, 1903, authorizing the diversion of 2 1/2second-feet of the waters of a spring in SE 1/4 of NE 1/4 Sec. 29, T. 4 N. R. 12 E. 12
and one sixteenth acre spring in SW 1/4 of NE 1/4 Sec. 29, T. 4 N. R. 12 E. 12
County of Bannock, State of Idaho at the springfor irrigation and domesticpurposes, 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 2 1/2second-feet of water; and that the lands proposed to be irrigated by the
use of said water are described as follows, to wit: South half of Northeastquarter, Northwest quarter of Northeast quarter
South east corner of Northwest quarter
of Section Twenty Nine, Township
Four South, Range Forty east of
Burse M

143

Witness my hand this _____ day of _____, A. D.

190...

State Engineer of the State of Idaho.

Permit No.

**CERTIFICATE OF COMPLETION
OF WORKS.**

Date: 190

Stream

County

Amount

Date of priority

Recorded in book

of page

Boise, Idaho, August 18, 1905.

Rosa J. Allen,

Soda Springs, Idaho.

Dear Madam:-

I enclose herewith Certificate of Completion of
Works issued under your Permit #143. Also enclose receipt
for ~~paying~~ fee of \$5.00 in this matter.

Yours truly,

State Engineer.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, June 1, 1907.

Rosa J. Allen
Soda Springs.

Dear Sir:

I enclose herewith blank Notice of Proof of Application of Water to Beneficial Use under your permit No. 143. 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,

JAS. STEPHENSON, Jr.,

State Engineer.

143

Permit No. 143

Notice of Proof of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Engineer at least 60 days before the time set for application of water.)

(P. O.) Soda Springs Idaho
(Date) June 13-1907

TO THE STATE ENGINEER OF THE STATE OF IDAHO, BOISE, IDAHO:

DEAR SIR: Notice is hereby given that at 10 A. M. on the 9th day of August 1907, at Pocatello Bannock County of Bannock State of Idaho, before Ed G. Caldwell U.S. Commr. proof will be submitted of the application to beneficial use of 3 & 1/5 cubic feet per second of the waters of Two Springs

in accordance with the terms and conditions of Permit No. 143 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 Wesley J. Allen, Soda Springs, Bannock Co., Idaho

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

3. The amount applied to beneficial use is Three and 1/5 cu ft

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) South Half N.E. 1/4 North West 1/4 of S.E. 1/4 and S.E. 1/4 of N.W. 1/4 of Section 29 Township 9 South Range 42 East of 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

6. The right to take the water from such works is based upon Permit No. 143

7. The source of supply from which such water is diverted is 2 Springs

8. The date of the priority which said user is prepared to establish is Aug. 9th 1903

I declare that the above notice be published, according to law, in the Pocatello Tribune of Pocatello, published in the county in which said water is to be used; the expense of which publication will be borne by me.

(Sign)

Wesley J. Allen

143

No.

Notice of Proof of Application of
Water

Received

Date of Proof

Place

Notice sent to

for publication on

Isa Springs Lake

June 13-1907

Mr Jos. Stephenson Jr. State Congr

Dear sir

Enclosed please find
blank which you sent to me with
out as I need it on account
of delay in receiving it. I would
like to have made the proof before Mr
Bancroft at Bancroft Idaho instead
of Portello as Mr Caldwell will beat
Bancroft Aug 9th 1907 and if it could
be arranged that way it would be more
convenient and less expensive for me but
owing to the time being late I made it

the way I did so as to be sure
I made the date of priority Aug 7-1903
according to the permit but the water
has always been used on this ground
since 1887.

Very respectfully

Rosa J. Allen

Box 123 Soda Springs
Idaho

This letter is copied on the following page
for clarity in reading.

My int. Rith

Copy of preceeding letter

Soda Springs, Idaho
June 13 - 1907

Mr Jas Sterhenson Jr State Engr

Dear Sir

Enclosed please find blank which you sent to me made out as best I knew how. On account of delay in receiving it I would like to have made the proof before Mr Caldwell at Bancroft Idaho instead of Pocatello as Mr Caldwell will be at Bancroft Aug 9th 1907 and if it could be arranged that way it would be more convenient and less expensive for me but owing to the time being late I made it the way I did so as to be sure I made the date of priority Aug 9, 1903 according to the permit but the water has always been used on this ground since 1887.

Very respectfully

/s/ Rosa J. Allen,
Box 123 Soda Springs
Idaho

143

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

INSTRUCTIONS.

Proof of Beneficial Use.

Boise, Idaho, June 17, 1907.

Rosa J. Allen
Soda Springs, Idaho

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. 143.

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 9, 1907, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and two each for two witnesses) should be filled out and sworn to, at Bancroft, Idaho, before Fred G. Caldwell, U.S. Com.

2. To complete the proof, it is also necessary that an examination be made of the works as constructed, which examination must be under the authority of the State Engineer. It is the desire to make this expense as light as possible to the permit holder. Will you therefore give me the name of a competent engineer, or surveyor, in your neighborhood who could do this work with as little expense as possible to you. Upon receipt of name of such engineer or surveyor I will authorize him to do the work. The examination should be made on or before the date set for the proof.

3. 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,

JAS. STEPHENSON, JR.,

State Engineer.

143

THOMAS TURNER
PRESIDENT

L. B. BROWN
SECRETARY

FRED C. CALDWELL
MANAGER

Bannock Abstract, Deposit & Trust Co.

POCATELLO, IDAHO

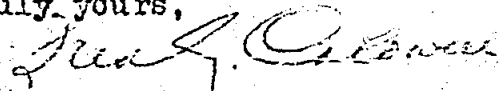
June 17, 1907.

Hon. Jas Stephenson, Jr.,
State Engineer,
Boise, Idaho.

Dear Sir:

Rosa J. Allen has advised me that she has requested you to advertise final proof on account of her water right near Soda Springs before me at Pocatello on August 15, 1907. As it is possible that I will not be here on that date I would request that you set the proof before Lorenzo D. Brown, a Notary Public who is in our office and will give the matter the proper attention.

Very truly yours,



Manager.

Boise, Idaho, June 18, 1907.

Permit 143-Rosa J. Allen.

Mr. Fred G. Caldwell,
Pocatello, Idaho.

Sir:

Yours of the 17th at hand. The notice of Mrs. Allen has already gone to the press. As she stated in her letter accompanying the notice that you would be at Bancroft on the 9th of August I set the date for this time. If it will be impossible for you to be there at that time kindly let me know at once and I will try to have the notice changed.

Very truly yours,

Dic.S.

State Engineer

143
THEO. TURNER
PRESIDENT

L. D. BROWN
SECRETARY

FRED C. CASHWELL
MANAGER

Bannock Abstract, Deposit & Trust Co.

POCATELLO, IDAHO

June 19, 1907.

Hon. James Stephenson, Jr.,
State Engineer,
Boise, Idaho.

Dear Sir:

I note in your favor of the 18th inst. that you have set the proof of Rosa J. Allen before me at Bancroft on August 9th. This is satisfactory, as I will be there on that date, but in her letter to me she stated the proof had been set before me on August 15th at Pocatello, this was the reason I asked to have the date changed.

Very truly yours,



Manager.

143

(Place)

Pocatello, Idaho

(Date)

June 17 - 07

State Engineer,

Boise, Idaho.

Dear Sir:

I have your letter of *6/17/07*, enclosing Notice of Proof of Application of Water
under Permit No. *143*, which will be published as you request, beginning with our issue of

June - 22 - 07

Frederic C. Stone

Doda Springs July 19 '07

Mr James Stephenson Jr State Engineer

Dear Sir

It would be quite an advantage to me if you should appoint Mr. C B Wilson of Doda Springs to do the work of surveying incidental to my proof of beneficial use of water as per permit No 143 as he lives only few miles away and his present knowledge of the country and close residence could, I think, do the work in one day. You have been on record on my part in completion of works

Very respectfully yours

Rosa J Allen

Beneficial use only

143

Boise, Idaho, July 22, 1907

Mr. C. B. Wilson

Soda Springs, Idaho

DEAR SIR:

The holder of Permit No. 143, Rosa J. Allen, residing at Soda Springs, Idaho, which permit authorizes the diversion of 3-1/5 second-feet of the waters of two unnamed springs on land of applicant at _____, desire to make proof of the completion of works of diversion, at _____, on August 9, 1907.

Will you therefore please arrange with the holder of said permit for an examination of the works of diversion, ascertain whether or not they comply fully with the terms of said permit, and render me a report on the condition of such works before the date fixed for said proof of completion, in accordance with the provisions of Sections 4 and 5 of House Bill No. 146, passed by the Seventh Session of the Legislature, approved March 11, 1903.

Your report should be of sufficient detail to enable me to figure out the amount of water the works are capable of diverting and conveying to the place of use; giving also the description of the location of the point of diversion, and, in case of irrigation, the legal description of the land to be irrigated. Also the amount of land in each 40 acre tract to which water has been actually applied.

Will you also make a map on the enclosed plat, giving all the essential features of the works, such as point of diversion, route of ditch, place of use, etc.

You should also arrange with the holder of said permit for the payment of your fee for this service and such proper expenses as you will incur in making this examination and report.

Please advise me promptly of your receipt of this communication, and whether or not you will be able to make the examination and report requested.

Yours truly,

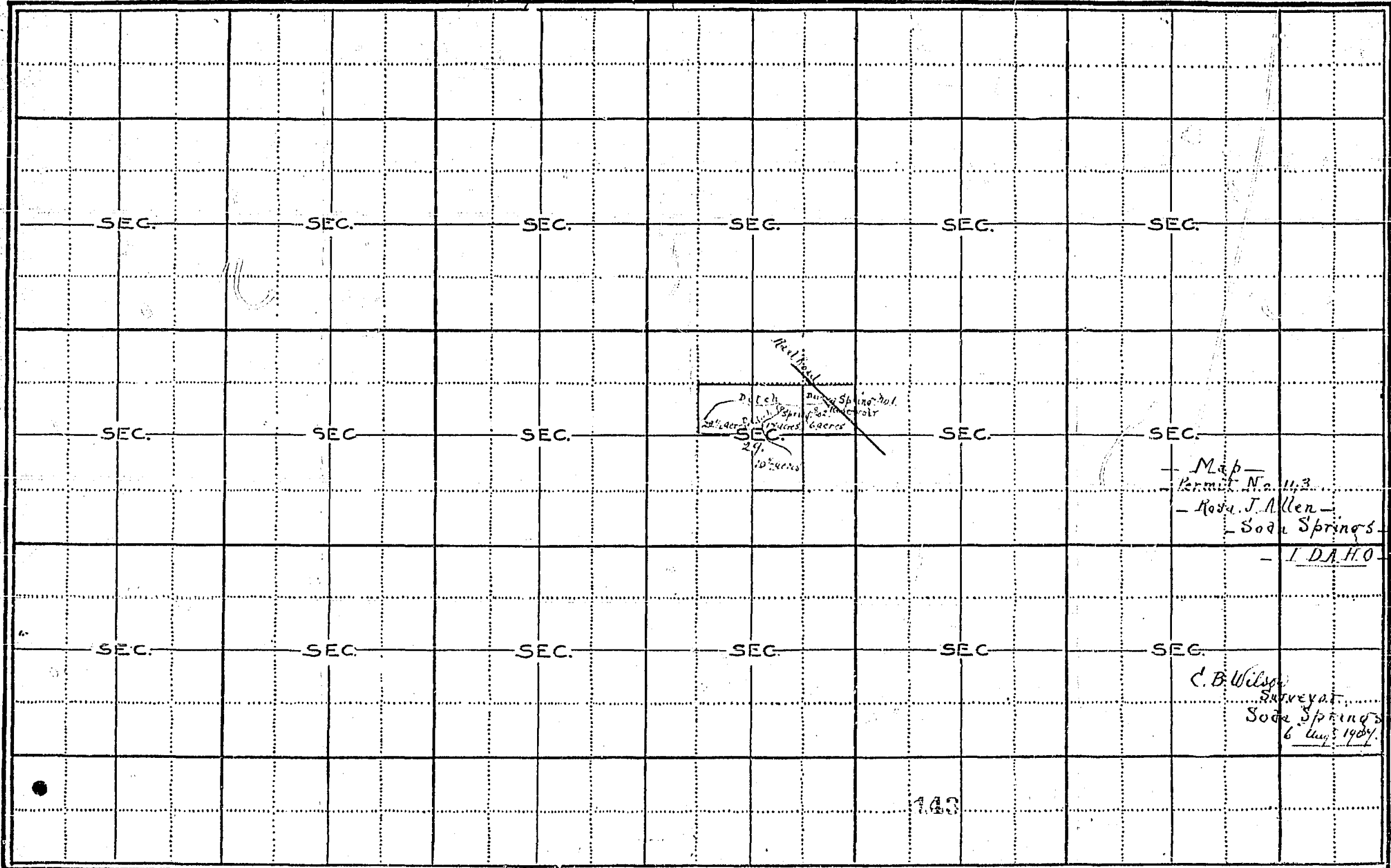
143

JAS. STEPHENSON, JR.,

State Engineer.

Printed and for sale by the Stateman Printing Co., Boise, Idaho.

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



Map -
Kern Co. No. 11,3
- Rosa J. Allen -
- Soda Springs -
- I. D. H. O.

C. B. Wilson
Surveyor
Soda Springs
6 Aug 1904

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

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

Township 9. S. R. 42. E. B. M.
Bannock Co.
IDAHO

Permit No. 143
Rosa J. Allen
Soda Springs
IDAHO

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Application of Rosa J. Allen
to appropriate waters of
Spring SEC. 29 N. 5. 1/4 Sec. 29
T. 9. S. R. 42. E. B. M.

Examined report sent to
24th Feb 1905.
C. H. Wilson

Soda Springs.

Idaho.

24 July 1905.

Report re Permit No. 1423. Rosa J. Allen

Description of Works for Diversion of Water.

Reservoir at Spring in SE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec 29, T 9 , S R 42, E B 7th.

- (a) Height of Dam 5 feet. Length of Dam, at top 140 feet, at bottom 125 feet.
width of Dam, at top, 4 feet, at bottom 14 feet.

Material used in construction. Stone & Dirt.

- (b) Capacity of Reservoir 135 feet $\times$ 60 feet in area, $\times$ 2 feet deep.

- (c) Size of Headgate, width 14 inches, height 18 inches.

- (d) Ditch, width at bottom, 13 inches, width at water line, 15 inches.

depth of water 6 inches, Grade per mile 13 feet 4 in. depth of ditch 12 inches.

Length of Ditch 4000 ft and it crosses the following quarter sections viz.
S $\frac{1}{2}$, E $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$ Sec 29, T 9 , S R 42, E B 7th. upon which
it is used.

Quantity of Water. Area of Cross Section 14 inches $\times$ 6 inches.

Velocity of Flow per second. 30 inches.

This ditch joins the below described ditch 30 feet West of Spring.

Spring in SW $\frac{1}{4}$, NE $\frac{1}{4}$ Sec 29, T 9 , S R 42, E B 7th.

Water is turned direct into ditch.

Ditch, width, at bottom, 10 inches, width, at water line, 10 inches.

Depth of Water 2 inches, Grade per mile 26 ft 8 in. Depth of Ditch 8 inches.

Length of Ditch 1300 ft and it crosses the following quarter sections

viz. SW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ Sec 29, T 9 , S R 42, E B 7th. upon which it is used.

Quantity of Water. Area of Cross Section 10 inches $\times$ 2 inches.

Velocity of Flow per second. 24 inches.

Estimated Cost of Works. \$350.00

C. B. Wilson

Soda Springs.

June

6 August 1907.

Report re Permit No. 143. Rosa Allen

1. Name of Applicant Rosa J. Allen. Soda Springs.
2. Source of Water Supply. 2. Unnamed Springs, Bonneville County.
3. Location of Points of Diversion. 1st. Spring, at the head, 600 ft SW from NE corner SE 4, NE 1/4, Sec 29, T 9, S 1/4, R 14E.
4. To be used for. Irrigation & Domestic Use.

Number of Acres irrigated, with legal subdivisions. In SE 4, NE 4, Sec 29. = 6 acres.

80

SW 4, NE 4, Sec 29. = 14

80

SE 4, NW 4, Sec 29 = 22 1/2

80

NW 4, SE 4, Sec 29 = 10 1/2. 56 acres

5. Estimated Cost of Works. \$350.00

6. Description of Works. Reservoir, Dam & Ditch on No 1 Spring. @ Height of Dam 5 feet Length at top 140 feet, at bottom 125 feet, width at top 4 feet, at bottom, 14 feet.

Material used in Construction. Stone & Earth.

(b) Capacity of Reservoir. 135 feet x 60 feet in area x 2 feet deep.

(c) Size of Head gate width 14 inches, height 18 inches.

(d) Ditch, width at bottom 13 inches, width at water line 15 inches, depth of water 6 inches

Grade per mile 13 ft 4 in. Length of Ditch 1400 feet & depth of Dam 12 inches

It crosses the following 1/4 Sections SE 1/4 NE 4, SE 1/4 NW 4, & NW 1/4 SE 4, Sec 29, T 9, S 1/4, R 14E

upon which it is used. Quantity of Water, Area of Cross Section, 11 inches by 6 inches

Velocity of Flow per Second. 30 inches.

No 2 Spring is SW 1/4, NE 4, Sec 29. Ditch width at bottom 10 inches, width at water

line 10 inches. Depth of water 2 inches, Grade per mile 26 ft 8 in. Depth of Ditch

8 inches. Length of Ditch 1300 feet & it crosses the following 1/4 Sections, SW 1/4, NE 4, & NW 1/4,

SE 4, Sec 29, upon which it is used. Quantity of Water, Area of Cross Section, 10 inches x 2 inches

Velocity of flow per Second. 24 inches.

C. B. Allen

Surveyor

Aug 23, 1907

PERMIT No.

Proof of Application of Water to Beneficial Use.

Deposition of Witness:

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

Answer. J. J. Call ^{aged} 60 years. Residence Soda Springs Idaho.
Occupation farmer P.O. Soda Springs Idaho

Ques. 2. Are you acquainted with Reese J. Allen
the holder of Permit No. 1412? How long have you known him, and where does he reside?

Ans. yes, have known him 3 years. He resides at
Soda Springs Idaho

Ques. 3. Have you read or heard read said Permit No. 1410, 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. 2 springs, with well 22 1/2" see 29 T 9
S. R. 4 2. E Reservoir 60 ft x 135 ft., dam 5 ft high
140 ft. long, ditch 4000 ft long 6 in deep & 10 in wide
ditch leading to this reservoir 1300 ft long 10 in wide
2 in deep & grading 26 ft per mile

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. 3 1/2 cubic feet per second all of the water being
3 1/2 cu ft.

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.)

Ans. Domestic & Irrigation SE 1/4 NE 1/4, 6000, SW 1/4 NE 1/4, 17000
NW 1/4 SE 1/4 NE 1/4, 22000, all in Sec 29 T 9
S 1/4 NE 1/4

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

Ans. ✓

143

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. Reclaimed & Irrigated land, 10000 acres

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

Ans. yes

Permit No. _____

**Proof of Application of
Water
to Beneficial Use.**

DEPOSITION OF WITNESS.

Received and filed _____

THE IVY PRESS, BOISE

on this _____

day of _____

9th

in _____

Blaine

County of _____

Blaine

State of Idaho.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office

(Sign)

J. E. Cole

An additional location for the proof has been made

with this water for the proof as given, and

Ans. There are 40 acres of them have been irrigated

the water diverted under said permit.

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

PERMIT No.

Proof of Application of Water to Beneficial Use.**Deposition of Witness:**

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

residence
 Mrs. Alice E. Harding, 28 years, Soda Springs, Idaho
occupation
 Ranching P.O. Soda Springs, Idaho

Ques. 2. Are you acquainted with

the holder of Permit No. 143? How long have you known him, and where does he reside?

Ans. Yes, 28 years Soda Springs, Idaho

Ques. 3. Have you read or heard read said Permit No. 143, 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. Two springs in South half north east quarter sec. 29 T₄ 9 S. R. 42 E. at head of spring by dam head gate and ditches

Ditch 1300 ft. long 10 in. wide 2 in. deep. Reservoir 60' x 135', Dam 5 ft. high 14 ft. long which is 100 ft. long 13 in. wide at bottom 6 in. deep.

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. 3 $\frac{1}{2}$ cusec per sec. saw all the water conveyed *of the spring that 3 $\frac{1}{2}$ cusec*

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.)

Ans. Domestic and irrigation S. E. $\frac{1}{4}$ N. E. $\frac{1}{4}$ 6 acres
 S. W. $\frac{1}{4}$ N. E. $\frac{1}{4}$ 17 acres N. W. $\frac{1}{4}$ S. E. $\frac{1}{4}$ 10 $\frac{1}{2}$ acres
 S. E. $\frac{1}{4}$ S. W. $\frac{1}{4}$ 22 $\frac{1}{2}$ acres in sec. 29 T₄ 9 S. R. 42 E. B. M.

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

Ans. ✓

143

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. Part is brush land and part bottom land per acre

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

Permit No.

**Proof of Application of
Water
to Beneficial Use.**

DEPOSITION OF WITNESS.

Received and filed

THE JAY PRESS, BOISE

on this

9

day of

August, A. D. 1907

in

Blaine

County of

Blaine

State of Idaho,

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office

(Sign)

Anna Alice B. Harding

Ans.

2 years migration and domestic use of the water at Fort Shoshone No 5 section

the water diverted under said permit.

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

Permit No. 143

Proof of Application of Water to Beneficial Use.

Deposition of Holder.

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

Ans. Rosa J. Allen, aged 30 years, Residence
Soda Springs, Idaho, occupation house wife, PO Soda Springs

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 reference to same, and your authority for appearing in its behalf.

Ans. Acting for myself

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

Ans. # 143 Aug 15-1903; Aug 15-1899.

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

Ans. Two Springs one near center SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 29 and other near center
SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 29 T 9 S R 42 E B 111 at head of each spring

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. Reservoir 60' x 105' in area; Dam 5 ft high, 140' ft long on top
and 125' ft long on bottom; Ditch 4000 ft long; 13 in wide at bottom
15 in wide at water line 6 in. deep; grade 13 ft 14 in to the mile.
Capacity of works 3 1/5 cu. ft. per second of time.

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.)

Ans. Irrigation and domestic SE $\frac{1}{4}$ NE $\frac{1}{4}$ 6 acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$ 17 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 10 1/2 acres, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 22 1/2 acres all in Sec 29 T 9 S R 42 E B 111

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

Ans. No.

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

Ans. One inch to the acre

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. ✓

Permit No.

**Proof of Application of Water to
Beneficial Use.**

DEPOSITION OF HOLDER.

Amount of water second feet

Source

County

Purpose

Place of use

Date of priority

Received and filed

State of Idaho, on this 9 day of August A. D. 1907

to before me, at my office in

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

County of

(Sign.)

tioned permit has been used.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above men-

Ans. Each year since 1901, I have diverted and diverted all water from
both springs; all water has been diverted into the
canal since 1901.

PROOF OF PUBLICATION

STATE OF IDAHO,

COUNTY OF BANNOCK

ss.

NOTICE FOR PUBLICATION.

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 10 a. m. on the 9th day of August, 1907, at Baneroff, County of Bannock, State of Idaho, before Fred G. Caldwell, U. S. Commissioner, proof will be submitted of the application to beneficial use of 3 1-5 cubic feet per second of the waters of two unnamed springs on land of applicant, in accordance with the terms and conditions of Permit No. 143 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Rosa J. Allen, Soda Springs, Bannock County, Idaho.

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

3. The amount applied to beneficial use is 3 1-5 cubic feet per second.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, Tp. 9 S., R. 42 E. B. M., in Bannock county.

5. The right to take the water from such works is based upon Permit No. 143.

6. The source of supply from which such water is diverted is two unnamed springs on land of applicant.

7. The date of the priority which said user is prepared to establish is August 9, 1903.

JAS. STEPHENSON, JR.,
State Engineer.

6-22-4w-sw

Rosa J. Allen being first duly sworn, deposes and says that he is the *Publisher* of the POCATELLO TRIBUNE, a *SW.* newspaper published in Pocatello, Bannock County, in the State of Idaho. That the notice, a true copy which is hereto attached, was first published in said newspaper in issue dated the *22* day of *June* 1907, and was published in every issue of said newspaper for *four* consecutive weeks thereafter.

That said paper has been continuously and uninterruptedly published in said county during a period of fifty-two consecutive weeks prior to the first publication of said notice or advertisement, and is a newspaper within the meaning of the laws of Idaho.

SUBSCRIBED AND SWORN TO before me this *7* day of

August, A. D. 190*7*.

Fred G. Caldwell

Fred G. Caldwell 143
Notary Public

THEO. TURNER
PRESIDENT

L. D. BROWN
SECRETARY

FRED G. CALDWELL
MANAGER

Bannock, Abstract, Deposit & Trust Co.

POCATELLO, IDAHO August 21, 1907.

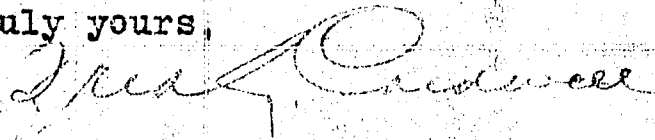
Hon. James Stephenson, Jr.,
State Engineer,
Boise, Idaho.

Dear Sir:

Inclosed herewith please find the papers in the matter of the proof of application of water to beneficial use of Rose J. Allen under permit No. 143, affidavit of publication and our check for \$8.00 in payment of the fees of your office on account of the same.

Kindly excuse the appearance of these papers, as they desired to help me out in making the proof and it was necessary to make some corrections.

Very truly yours,



Manager.

143

Boise, Idaho, August 28, 1907

Permit No. 143-Rosa J. Allen

Bannock A.D. & T. Co.
Pocatello, Idaho

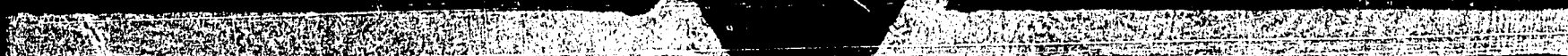
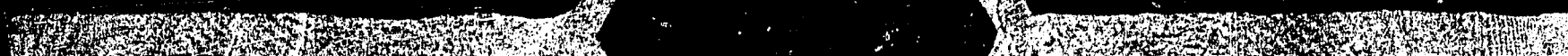
Gentlemen:

I enclose you herewith Water License No. 143
and receipt for fee in above permit.

Very truly yours,

Enc.

State Engineer.



Bannock County *
Two Springs *
1.12 sec.ft. *
Irrigation *
Priority - 8-9-03 *

S T A T E O F I D A H O

Water License No. 143.

WHEREAS, On the 9th day of August, A.D.1903, ROSA J. ALLEN of Soda Springs, County of Bannock and State of Idaho duly made application (No.293) to me for a permit to use 3.2 cubic feet per second of the waters of Two Springs, County of Bannock, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 15th day of August, A.D.1903, Permit No. 143 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 15th day of August, A.D.1905, and for the application to beneficial use of said water on or before the 15th day of August, A.D.1907, and,

WHEREAS, On the 15th day of August, A.D.1905, the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said water, as evidenced by my Certificate No.143, dated August 18, 1905, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of water, with date of priority of August 9, 1903, and,

WHEREAS, On the 9th day of August, A.D.1907, proof was duly made of the application to beneficial use of 1.12 cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to ROSA J. ALLEN, of Soda Springs, Idaho, the holder and owner of said Permit No. 143, a perpetual right, dating from August 9, 1903, to the use of 1.12 cubic feet per second of the waters of Two Springs in the County of Bannock and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Southeast quarter of the Northeast quarter and Southwest quarter of Northeast quarter Section 29, Township 9 South, Range 42 East of Boise Meridian, and conducted to and upon

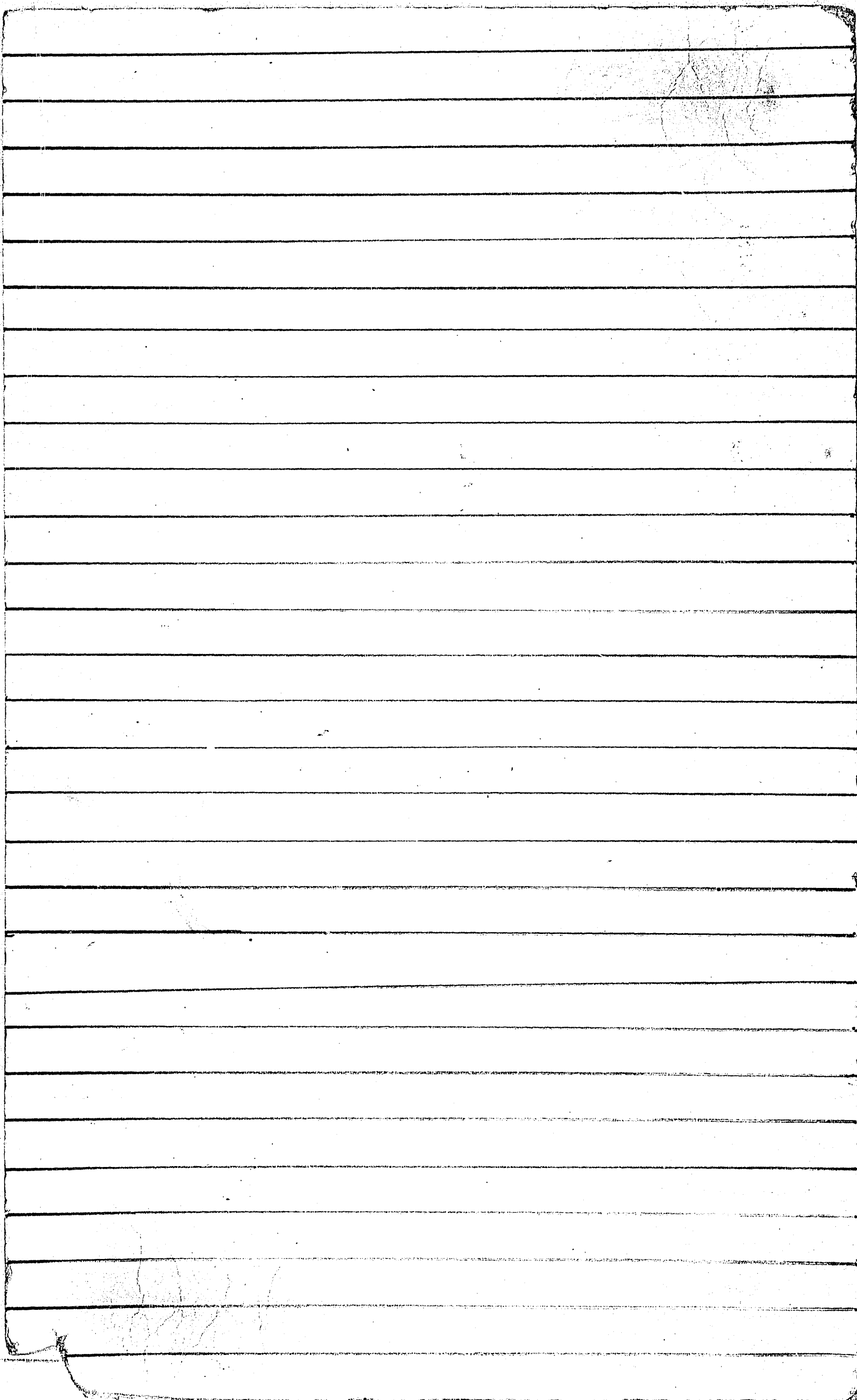
6 acres in Southeast quarter of Northeast quarter
17 acres in Southwest quarter of Northeast quarter
22.5 acres in Southeast quarter of Northwest quarter
10.5 acres in Northwest quarter of Southeast quarter

70.0
All in Section 29, Township 9 South, Range 42 East of Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho,
(SEAL) this 27th day of August, A.D. Nineteen Hundred and seven.

Recorded August 27, 1907.

Jas. Stephenson, Jr.
State Engineer.



by

~~11-2000~~

11-2000

APPROVED

Total number of acres to be irrigated **56**

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. 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	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion NO CHANGE
 - a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
 - c. Description of diverting works _____
 - d. Describe the reasons for applying for a change in the point(s) of diversion _____

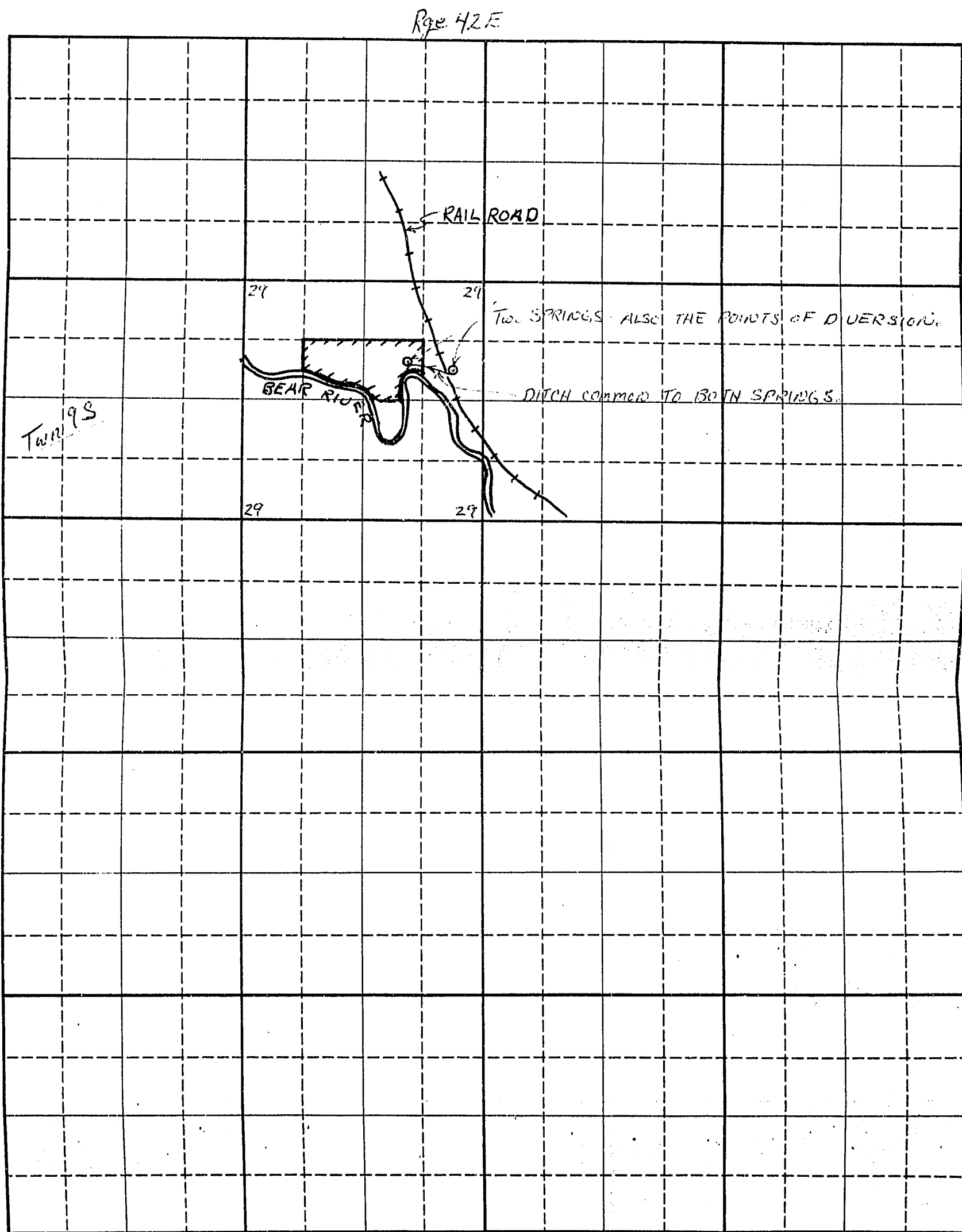
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	42E	29			32					24									56

Total number of acres to be irrigated 56

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

James E. McEntire
Nancy P. McEntire
(Signature of applicant)

Subscribed and sworn to before me this 1st day of February, 19 77

Agnes B. Yorgason
(Notary public)

My commission expires April 21, 1980

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 11-2000, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:
A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.
2. Denial of said application is for the following reasons: _____

Witness my hand this 15 day of April, 19 77

Stewart L. Hansen

FOR DEPARTMENT USE ONLY

Received by OW Date 2-03-77
Prelim. check by EMC Fee \$30.00
Receipted by OW Date 2-03-77
Published in Parish County News
Pub. dates February 10 & 17, 1977
Watermaster recommendation requested on 2-04-77
W.D. #11 rec'd. 3-08-77
Russell Stokes

Protest filed by _____

Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by JS

HIGHWAYS
MUNICIPAL
CONSTRUCTION
SURVEYING
IRRIGATION WATER
MEASUREMENT
DAMS

R. D. STOKER AND ASSOCIATES

CONSULTING ENGINEERS
279 East Third North - ~~PX 8786X 726~~
SODA SPRINGS, IDAHO 83276



TELEPHONE 547-3463
(Area Code 208)

January 26, 1977

James E. McEntire, M. D.
508 East South Temple
Suite 100
Salt Lake City, Utah 84102

Dear Dr. McEntire:

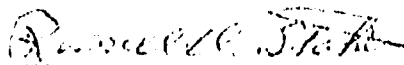
I have received your letter of January 20, 1977 regarding the 1.12 c.f.s. of water rights which you are trying to get transferred from Christman and Hopkins to your land in Section 29, Twp. 9 S, Range 12 E, B. M.

As you requested I have traced the chain of title of this land and the water right and it is as follows:

	<u>Date of Deed</u>	<u>Instrument</u>	<u>Date Recorded</u>
Rosa J. Allen to Richard A. Clark	10-5-43	22534	10-15-45
Richard A. Clark to Roy Corbett	6-1-45	22545	10-22-45
Roy Corbett to Stanley Moore	9-2-47	23687	10-3-47
Stanley Moore to Christman and Hopkins	3-11-69	89485	12-21-76
Christman and Hopkins to Jan Christensen	12-10-76	89486	12-21-76
Jan Christensen to J. E. McEntire	7-10-75	89487	12-21-76

I hope this helps to get this water transfer straightened out. If I can be of further help to you in this matter please let me know.

Yours very truly,


Russell D. Stoker, P. E.

1
encl.

UNIFORM REAL ESTATE CONTRACT

For Water Rights of Bear River Tributary

1. THIS AGREEMENT, made in duplicate this First day of September, A. D., 1976, by and between Christman & Hopkins, A Partnership; & the co-owner; and Christman & Hopkins, hereinafter designated as the Seller, and James E. McIntire and Nancy I. McIntire, as Tenants in Common hereinafter designated as the Buyer, of Salt Lake City, Utah

2. WITNESSETH: That the Seller, for the consideration herein mentioned agree to sell and convey to the buyer, and the buyer for the consideration herein mentioned agree to purchase the following described ~~premises~~, situate in the county of Caribou, State of Idaho, water rights More particularly described as follows:

Water License No. 143, originally issued to Ross J. Allen with a priority date of August 2, 1903 for 1.12 cubic feet per second from water called Two Springs-- a spring tributary to the Bear River.

3. Said Buyer hereby agree to enter into possession and pay for said described premises the sum of Six Thousand Dollars Dollars (\$ 6,000.00) payable at the office of Seller, his assigns or order strictly within the following times, to wit: One Hundred Dollars (\$ 100.00) cash, the receipt of which is hereby acknowledged, and the balance of \$ 5,900.00 shall be paid as follows: Fourteen Hundred Dollars (\$1,400.00) when sellers approve this sale, then Fifteen Hundred Dollars (\$1,500.00) plus accrued interest on each of Mar 1, 1977, Sept. 1, 1977, and March 1, 1978 until the \$6,000.00 is paid in full.

2A The Sellers give the right to the Buyers to pay off this obligation in advance of due dates at any time, which would then diminish any interest expected accordingly.

2B This contract may not be pledged, sold or transferred to any third party, thereby making void paragraph 3 and 4 below. Possession of said premises shall be delivered to buyer in the 15 day of April, 1976.

4. Said ~~monthly~~ payments are to be applied first to the payment of interest and second to the reduction of the principal. Interest shall be charged from Sept 15, 1976 on all unpaid portions of the purchase price at the rate of ten per cent (10.0 %) per annum. The Buyer, at his option at anytime, may pay amounts in excess of the monthly payments upon the unpaid balance subject to the limitations of any mortgage or contract by the Buyer herein assumed, such excess to be applied either to unpaid principal or in prepayment of future installments at the election of the buyer, which election must be made at the time the excess payment is made.

5. It is understood and agreed that if the Seller accepts payment from the Buyer on this contract less than according to the terms herein mentioned, then by so doing, it will in no way alter the terms of the contract as to the forfeiture hereinafter stipulated, or as to any other remedies of the seller.

6. It is understood that there presently exists an obligation against said property in favor of No obligation exists with an unpaid balance of \$, as of .

7. Seller represents that there are no unpaid special improvement district taxes covering improvements to said premises now in the process of being installed, or which have been completed and not paid for, outstanding against said property, except the following X

8. The Seller is given the option to secure, execute and maintain loans secured by said property of not to exceed the ~~then unpaid~~ **VOID** contract balance hereunder, bearing interest at the rate of not to exceed percent (%) per annum and payable in regular monthly installments; provided that the aggregate monthly installment payments required to be made by Seller on said loans shall not be greater than each installment payment required to be made by the Buyer under this contract. When the principal due hereunder has been reduced to the amount of any such loans and mortgages the Seller agrees to convey and the Buyer agrees to accept title to the above described property subject to said loans and mortgages.

9. If the Buyer desires to exercise his right through accelerated payments under this agreement to pay off any obligations outstanding at date of this agreement against said property, it shall be the Buyer's obligation to assume and pay any penalty which may be required on prepayment of said prior obligations. Prepayment penalties in respect to obligations against said property incurred by seller, after date of this agreement, shall be paid by seller unless said obligations are assumed or approved by buyer.

VOID 10. The Buyer agrees upon written request of the Seller to make application to a reliable lender for a loan of such amount as can be secured under the regulations of said lender and hereby agrees to apply any amount so received upon the purchase price above mentioned, and to execute the papers required and pay one-half the expenses necessary in obtaining said loan, the Seller agreeing to pay the other one-half, provided however, that the monthly payments and interest rate required, shall not exceed the monthly payments and interest rate as outlined above.

11. The Buyer agrees to pay all taxes and assessments of every kind and nature which are or which may be assessed and which may become due on these premises during the life of this agreement. The Seller hereby covenants and agrees that there are no assessments against said premises except the following:

X

The Seller further covenants and agrees that he will not default in the payment of his obligations against said property.

12. The Buyer agrees to pay the general taxes after Sept 15, 1976

12A. This contract is subject to approval of Idaho Water Board, if they require it.

13. The Buyer further agrees to keep all insurable buildings and improvements on said premises insured in a company acceptable to the Seller in the amount of not less than the unpaid balance on this contract, or \$_____ and to assign said insurance to the Seller as his interests may appear and to deliver the insurance policy to him.

14. In the event the Buyer shall default in the payment of any special or general taxes, assessments or insurance premiums as herein provided, the Seller may, at his option, pay said taxes, assessments and insurance premiums or either of them, and if Seller elects so to do, then the Buyer agrees to repay the Seller upon demand, all such sums so advanced and paid by him, together with interest thereon from date of payment of said sums at the rate of $\frac{3}{4}$ of one percent per month until paid.

15. Buyer agrees that he will not commit or suffer to be committed any waste, spoil, or destruction in or upon said premises, and that he will maintain said premises in good condition.

16. In the event of a failure to comply with the terms hereof by the Buyer, or upon failure of the Buyer to make any payment or payments when the same shall become due, or within Thirty days thereafter, the Seller, at his option shall have the following alternative remedies:

A. Seller shall have the right, upon failure of the Buyer to remedy the default within five days after written notice, to be released from all obligations in law and in equity to convey said property, and all payments which have been made theretofore on this contract by the Buyer, shall be forfeited to the Seller as liquidated damages for the non-performance of the contract, and the Buyer agrees that the Seller may at his option re-enter and take possession of said premises without legal processes as in its first and former estate, together with all improvements and additions made by the Buyer thereon, and the said additions and improvements shall remain with the land become the property of the Seller, the Buyer becoming at once a tenant at will of the Seller; or

B. The Seller may bring suit and recover judgment for all delinquent installments, including costs and attorneys' fees. (The use of this remedy on one or more occasions shall not prevent the Seller, at his option, from resorting to one of the other remedies hereunder in the event of a subsequent default); or

C. The Seller shall have the right, at his option, and upon written notice to the Buyer, to declare the entire unpaid balance hereunder at once due and payable, and may elect to treat this contract as a note and mortgage, and pass title to the Buyer subject thereto, and proceed immediately to foreclose the same in accordance with the laws of the State of Utah, and have the property sold and the proceeds applied to the payment of the balance owing, including costs and attorney's fees; and the Seller may have a judgment for any deficiency which may remain. In the case of foreclosure, the Seller hereunder, upon the filing of a complaint, shall be immediately entitled to the appointment of a receiver to take possession of said mortgaged property and collect the rents, issues and profits therefrom and apply the same to the payment of the obligation hereunder, or hold the same pursuant to order of the court; and the Seller, upon entry of judgment of foreclosure, shall be entitled to the possession of the said premises during the period of redemption.

17. It is agreed that time is the essence of this agreement.

18. In the event there are any liens or encumbrances against said premises other than those herein provided for or referred to, or in the event any liens or encumbrances other than herein provided for shall hereafter accrue against the same by acts or neglect of the Seller, then the Buyer may, at his option, pay and discharge the same and receive credit on the amount then remaining due hereunder in the amount of any such payment or payments and thereafter the payments herein provided to be made, may, at the option of the Buyer, be suspended until such time as such suspended payments shall equal any sums advanced as aforesaid.

19. The Seller on receiving the payments herein reserved to be paid at the time and in the manner above mentioned agrees to execute and deliver to the Buyer or assignee, a good and sufficient warranty deed conveying the title to the above described premises free and clear of all encumbrances except as herein mentioned and except as may have accrued by or through the acts or neglect of the Buyer, and to furnish at his expense, a policy of title insurance in the amount of the purchase price or at the option of the Seller, an abstract brought to date at time of sale or at any time during the term of this agreement, or at time of delivery of deed, at the option of Buyer.

20. It is hereby expressly understood and agreed by the parties hereto that the Buyer accepts the said property in its present condition and that there are no representations, covenants, or agreements between the parties hereto with reference to said property except as herein specifically set forth or attached hereto.

21. The Buyer and Seller each agree that should they default in any of the covenants or agreements contained herein, that the defaulting party shall pay all costs and expenses, including a reasonable attorney's fee, which may arise or accrue from enforcing this agreement, or in obtaining possession of the premises covered hereby, or in pursuing any remedy provided hereunder or by the statutes of the State of Utah whether such remedy is pursued by filing a suit or otherwise.

22. It is understood that the stipulations aforesaid are to apply to and bind the heirs, executors, administrators, assigns, and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the said parties to this agreement have hereunto signed their names, the day and year first above written.

Signed in the presence of C. H. G. L. Christensen

Scallery

Buyers can

Approved Form:
BLANK no. 106—

John Foster

Section Records
CHURCHMAN page 146-147

On request of Edward J. Kelly on this 11th day of October 19 26 in my office and duly

SS
of Caribou

10

Uniformed Services of America

10%

333

RECEIVED

MAR 3 1977

Department of Water Resources
Eastern District Office

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterr-
uptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

10th day of
February, 19 77

The date of the last publication
being the 17th day of

February, 19 77

Subscribed and sworn to be-

fore me this 1st day

of March, 19 77

Clifford Steele
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of March

1980

NOTICE OF PROPOSED CHANGE OF WATER RIGHT No. 11-2000

Notice is hereby given that
James E. McEntire & Nancy P.
McEntire, Salt Lake City, Utah,
have applied to the Department
of Water Resources for a
change in the place of use of
the waters of Two Springs trib-
utary to Bear River. The right
sought to be changed is evi-
denced by License No. 11-2000
and is recorded as follows:

AMOUNT: 1.12 cfs

PRIORITY: 8-09-1903

POINTS OF DIVERSION:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29,
T. 9S, R. 42E, B.M., Caribou
County.

The water is used for dom-
estic purposes and to irrigate
56 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29,
T. 9S, R. 42E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to
irrigate 56 acres within the
SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29,
T. 9S, R. 42E, B.M.

Any protest against approval
of the above proposed change of
water right must be filed with
the Idaho Department of Water
Resources, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401, on or
before February 28, 1977.

R. KEITH HIGGINSON
Director

Published in the Caribou County
Sun, Soda Springs, Idaho, on
February 10 and February 17,
1977

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source Two SPRINGS Name MC ENTIRE
2. Right Being Transferred Right No. 143/11-2000
 - a. ☐ Decree Transfer No. _____
 - ☒ License
 - ☒ Use IRRIGATION & DOMESTIC
 - b. ☒ Priority Aug. 9, 1903.
 - c. ☒ Location - Original P. D. } MICROFILM OF 11-2000 indicates
 - d. ☒ " - Original P. U. } info is correct
 - e. ☐ " - New P.D.
 - f. ☒ " - New P.U.
 - g. ☒ Amount
 - ☒ All
 - ☐ Part
3. YES Proof of Ownership of Right

Comment COPY OF REAL ESTATE CONTRACT FOR WATER RIGHTS
& LETTER FROM RUSSELL STOKER TRACING CHAIN OF TITLE
BACK TO ORIGINAL OWNER OF RIGHT.
4. NO Expansion of Right

Comment - Transferred acreage is the same
as originally licensed.
5. ☒ Map
6. ☒ Signature
7. ☒ Fee
8. Watermaster's Comments ATTACHED 3/8/77
9. Comments →
10. Initial Review by Ernest M. Carlson Date 2-03-77
11. Recommended Action
 - ☒ Approve
 - ☐ Deny
 - ☒ Conditions MEASURING DEVICE
- By RDC Date 3/9/77

*Copy
Margit*

November 26, 1976

Mr. James E. Mc Entire
696 18th Avenue
Salt Lake City, Utah 84103

Dear Mr. Mc Entire:

Enclosed please find your check No. 31-5 in the amount of \$30.00 and your application for transfer. We find it necessary to return your application as the intent of the transfer was not quite clear.

We have taken the liberty of preparing a rough draft showing the right as it was originally licensed and as it appears in our records. Please complete Part "C" showing the right as you wish it to appear after the transfer has been completed.

For your convenience, we have enclosed a blank form. Please complete, sign in the presence of a notary and return with the \$30.00 filing fee for further processing.

If you have any questions or if we may be of further assistance, please feel free to contact me.

Very truly yours,

ERNEST M. CARLSEN
Water Resource Agent

EMC:CW

Attachment

Enclosures



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

January 19, 1977

Dr. James E. McEntire
696 18th Avenue
Salt Lake City, Utah 84103

Dear Dr. McEntire:

Please find enclosed your check No. 31-5 in the amount of \$30.00 and your application for transfer. We find it necessary to return your application for the reasons discussed during our telephone conversation January 18, 1977. For your convenience, also enclosed is a new application for transfer which we have taken the liberty to partially complete in this office.

To the best of our knowledge, Section A reflects the water right as it presently exists and has not been changed. Since our telephone conversation conveyed the impression the springs are connected by a common ditch which diverts the water at the site of each spring, it is not necessary to change the points of diversion. In lieu of this, we have left Item 1 of Section C blank. Please note, you may pump water at a point of your choosing along this ditch without changing the designated points of diversion. In Section C, Item 2a, you must fill in the acreages to be irrigated for each 40-acre subdivision (circled in pencil) being certain the sum equals 56 acres.

Prior to forwarding this transfer to our office, please review it in its entirety to insure accuracy and sign it in the presence of a notary making sure to include any deeds or other evidence of ownership of the land to which the right is appurtenant back to Ross Allen, the original owner of the right, and the mandatory filing fee of \$30.00.

If we can be of any further assistance, please feel free to contact this office.

Very truly yours,

ERNEST M. CARLSEN
Water Resource Agent

EMC:cw

Attachment

Enclosures

February 4, 1977

RE: Application for Transfer No. 11-2000

James E. McEntire
696 18th Avenue
Salt Lake City, Utah 84103

Dear Mr. McEntire:

Attached herewith is departmental receipt No. 4527 in the amount of \$30.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 11-2000

Notice is hereby given that James E. McEntire & Nancy P. McEntire, Salt Lake City, Utah, have applied to the Department of Water Resources for a change in the place of use of the waters of Two Springs tributary to Bear River. The right sought to be changed is evidenced by License No. 11-2000 and is recorded as follows:

AMOUNT: 1.12 cfs

PRIORITY: 8-09-1903

POINTS OF DIVERSION: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 9S,
R. 42E, B.M., Caribou County.

The water is used ^{for domestic} ~~to~~ irrigate 56 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 29, T. 9S, R. 42E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 56 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 29, T. 9S, R. 42E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before February 28, 1977.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho, on February 10 and February 17, 1977

Chas. H.

*me-
the-
G.*

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
No. 11-2000**

Notice is hereby given that James E. McEntire & Nancy P. McEntire, Salt Lake City, Utah, have applied to the Department of Water Resources for a change in the place of use of the waters of Two Springs tributary to Bear River. The right sought to be changed is evidenced by License No. 11-2000 and is recorded as follows:

AMOUNT: 1.12 cfs

PRIORITY: 8-09-1903

POINTS OF DIVERSION:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29,
T. 9S, R. 42E, B.M., Caribou
County.

The water is used to irrigate
56 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29,
T. 9S, R. 42E, B.M.

**TO BE CHANGED
AS FOLLOWS**

The water will be used to
irrigate 56 acres within the
SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29,
T. 9S, R. 42E, B.M.

Any protest against approval
of the above proposed change of
water right must be filed with
the Idaho Department of Water
Resources, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401, on or
before February 28, 1977.

R. KEITH HIGGINSON
Director

Published in the Caribou County
Sun, Soda Springs, Idaho, on
February 10 and February 17,
1977

*Called 2-08-77
CW*

February 4, 1977

RE: Application for Transfer No. 11-2000 MC ENTIRE
Application for Permit No. 29-7365 LONGENBOHN
29-7366 OZBURN

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 2-13-77 by CW

RDC:CW

Enc: Legal Notice (3)

February 4, 1977

RE: Application for Transfer No. 11-2000 McENTIRE

Mr. Russell Stoker, Watermaster
Water District No. 11
Box 726
Soda Springs, Idaho 83276

Dear Mr. Stoker:

Please find enclosed a copy of the above referenced application and a watermaster recommendation form. Please review the application and complete the form, returning it to this office on or before February 28, 1977.

Your cooperation in this matter is appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosures (2)

February 28, 1977

C

RE: Application for Transfer No. 11-2000 McENTIRE
Application for Permit No. 29-7365 LONGENBOHN
29-7366 OZBURN

O

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on February 10 and February 17, 1977.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

2

8

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 11-2000

MAR 8 1977

RECOMMENDATION OF WATERMASTER

Department of Water Resources
Eastern District Office

I, Russell D. Stoker, watermaster of Bear River,
of Water District No. 11, County of Caribou, State of Idaho,
whose address is 279 E 3rd N., Soda Springs, Idaho
have read the attached copy of the application for transfer of water right for James E
and Nancy P. McEntire, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: None

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Soda Springs, Idaho, this 7th day of March 19 77.

Russell D. Stoker
(signature)

Please use reverse side if needed.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 18, 1977

Re: Transfer No. 11-2000

James E. & Nancy P. McEntire
696 18th Ave.
Salt Lake City, Utah 84103

Dear Mr. & Mrs. McEntire:

Enclosed is a copy of your approved application for transfer no. 11-2000. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your transfer. We are enclosing a letter describing different types of measuring devices approved by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:ch

Encl: Copy of Transfer

cc: Russell D. Stoker, Watermaster
279 E. 3rd N.
Soda Springs, ID 83276