

Record of Application for Permit to Appropriate

JONES GAP STATESMAN PRINTING CO., ROISE, IDAHO

1. Name of applicant Susan J. Foster
 Postoffice address: P. O. Soda Springs
 County Bannock

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 1.6 ^{Bear Lake} cubic feet per second

3. Source of water supply Eight Mile Creek, Bannock County

4. Location of point of diversion S. 1/4 N. E. 1/4 Sec. 16, Twp. 10 S. Range 42 E.

5. To be used for:

I. Irrigation and domestic use:

- (a) Number of acres to be irrigated 80 acres
 (b) In the following legal subdivisions N. 1/2 S. E. 1/4 Sec. 3, Twp. 10 South Range 42 E.

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 \$100.00

7. Description of works for diversion:

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

II. Dimensions of works:

- (a) Height of dam 4 feet, length of dam at top 18 feet
 length of dam at bottom 17 feet, material used in construction
 (wood, earth, stone or concrete) Wood, earth and stone
 (b) Capacity of reservoir acre feet.
 (c) Size of headgate, width 6 feet, height 3 feet.
 (d) Ditch (flume or pipe) width at bottom 5 feet, width at water
 line 6 feet, depth of water 2 1/2 feet. Average
 grade per mile is 1/4 feet. Length of ditch is 2
 miles, and it crosses the following quarter sections N. E. 1/4 Sec. 16, S. N. 1/4 and N. W.

1/4 Sec. 10, S. N. 1/4 and S. E. 1/4 Sec. 3, T. 10 S. R. 42 E.

to S. E. 1/4 Sec. 3, T. 10 S. R. 42 E. which is the point of intended use.

8. Time required for the completion of the construction of such work is Work is now completed
 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 Water is now being applied
 years. (The time must in no case exceed four years after the date set for the completion of works as defined in Section 8.)

Remarks:

the Public Waters of the State of Idaho. No. 1104.

APPROVAL OF STATE ENGINEER.

The number of this permit is 782
 Date of first receipt of application 8 a. m. August 15, 1904
 Returned to applicant for correction 190
 Corrected application received 190
 Recorded in Book 3 Page 782
 Approved August 15, 1904

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 February 15, 1905

The whole of said work to be completed on or before August 15, 1905

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to

August 15, 1906

Witness my hand this fifteenth day of August 1904

Maryne Dardington
 State Engineer.

Notice of Proof of Completion of Works (form 103) mailed applicant April 12, 1905.

" " " Application of Water to Beneficial Use (form 121) mailed applicant April 12, 1905.

Notice of Proof of Completion of works received April 20, 1905, fixing June 20, 1905, as the date and Soda Springs, Idaho, as the place of proof.

Notice of Proof of Application of Water to beneficial use received April 20, 1905, fixing June 20, 1905, as the date and Soda Springs, Idaho, as the place of proof.

Notice of Proof of Completion of Works, and Notice of Proof of Application of Water to Beneficial Use mailed E. S. Whittier of Soda Springs, April 20, 1905; to be turned over to the Montpelier Examiner, Montpelier, Idaho, for publication. See letter to E. S. Whittier under date of April 20, 1905, in regard to date of priority.

Deposition of holder, Susan J. Foster, and depositions of two witnesses, Joseph H. Foster and Hyman G. Durney, in the matter of proof of completion of works, and depositions of same parties, in the matter of proof of application of water to beneficial use, received May 8, 1905, accompanied by fee of \$5 for proof of Completion of Works and fee of \$4 for proof of application of water to beneficial use. Depositions show that works have been completed to comply with the terms of permit and are capable of diverting and carrying about 16 second feet of water. For amount of land actually irrigated see depositions.

Report of E. J. Turner, in the matter of proof of completion of works and proof of application of water to beneficial use, received July 17, 1905. Report shows that works have been completed of sufficient capacity to carry more than the amount of water applied for, and that water has been beneficially applied to about 60 acres.

Permit No 182

Certificate of Completion of Works

To all Whom It May Concern:

This is to certify that Susan J. Foster of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No 182, issued upon Application No 1104, bearing date of priority of August 15, 1904, authorizing the diversion of 1.6 second-feet of the waters of Eight Mile Creek County of Bear Lake, State of Idaho at NW 1/4 of NE 1/4 Sec. 16, Tp. 10 N., R. 42 E. B. M., 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 one and six-tenths second-feet of water, and that the lands proposed to be irrigated by the use of said water are described as follows, to wit: North half of South-east quarter of Section Three, Township Ten South, Range Forty Two East of Boise Meridian

Witness my hand this fourth day of August, A.D. 1905

Jas. Stephenson Jr
 State Engineer of the State of Idaho

License issued for 1 1/2 second feet

P 20

PIRELLA GÖTTSCHE LOWE

SUSAN J. FOSTER.

11.600.000

50	100	150	200	250	300	350	400	450	500	550	600	650	700	750	800	850	900	950	1000
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Approved August 15, 1904.

Wesley Park
State Engineer

Trap 10 Lower Range, 42 E.B.M.

SEC.

1

SEC-

-SE-

5

SEE

2

-SEC-

↓

-SEC-

7

SEC

8.

SEC.-

9

- SEC.

10

SEC.

1

SEC.

12

1782

SEC.

18

SEC

17

SEC

1/10

SFC

15

SEC-

14

-SFC

13

Office of
Received
APR 12 1908
Answered
State Engineer

Sub. Springs April 11 1908
 To State Engineer

Dear Sir (I hope you please)
 To send me copy of report no.
 782 which was granted me by
 Wayne Darlington State
 Engineer for the one received
 from him. Has been sent
 to Washington I am informed
 by the general land office
 at Washington that my final
 copy of report will not be
 mailed until I make some
 change or alteration right
 at the State Engineer's (782)
 house. I am sure and am

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you who I should make the
proof before would you
be so kind as to inform just
what I should do in this
matter, hoping to hear from
by return mail

Respectfully

Address Mrs Susan J. Felt
Chad Spring
Sumner Co Idaho

The preceeding letter is hereby copied for clarity in reading.

Margaret Roth

Soda Springs April 11 1905

To State Engineer
Boise, Idaho

Dear Sir Would you please to send me copy of permit No #782 which was granted me by Wayne Darlington State Engineer as the one I received from him has been sent to Washington. I am informed by the general land office at Blackfoot that my final proof papers will not be granted untill I make final proof on water right. Also that I would have to find out from you who I should make this proof before would you be so kind as to inform just what I should do in this matter. hoping to hear from by return mail

Respectfully yours,

Address Mrs Susan J. Foster
Soda Springs
Bannoc Co Idaho

C
O
P
Y

Boise, Idaho, April 12, 1905.

Mrs. Susan J. Foster,
Soda Springs, Idaho.

Dear Madam:-

As per your request of April 11 I enclose with this copy of your permit #782. If you wish a certified copy kindly return and I will attach certificate as to its being a true copy of the original. In case it is certified to it will cost you about 50¢.

I also enclose blanks upon which to notify this office of completion of works and application of water to beneficial use. If you desire to make both proofs immediately kindly fill out the blanks and mail them to this office, after which proper steps will be taken to complete the proofs.

Yours truly,

State Engineer

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PERMIT NO.

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) April 19th 1905

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

Dear Sir—Notice is hereby given that on the 20th day of June, 1905, at Soda Springs, County of Bannock, State of Idaho, proof will be submitted of the application to beneficial use of 1.6 cubic feet per second of the waters of Eight Mile Creek in accordance with the terms and conditions of Permit No. 782, 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 as Susan J. Foster Soda Springs Idaho
2. The use to which said water has been applied is Irrigation
3. The amount applied to beneficial use is 1.6 - cubic ft per sec. and
not more than
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) N² S E⁴ Sect 3 Tp 10. S. R 42 E B.M.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is None. Is common ditch for Eight Mile Creek
6. The right to take the water from such works is based upon Permit No. 782
7. The source of supply from which such water is diverted is Eight Mile Creek

8. The date of the priority which said user is prepared to establish is August 15, 1904
about April 15th 1902

Montpelier Examiner
Soda Springs

I desire that the above notice be published according to law, in the Montpelier, Idaho Chapman of Soda Springs, published in the county in which said water is to be used; the expense of which publication will be borne by me.

(Sign) Susan J. Foster

No. _____
**Notice of Proof of Application
of Water.**

Received
Date of proof
Place
Notice sent to
for publication on

Section 2. On or before the date set for the beneficial use of waters diverted under the provisions of this act, when in any case shall be more than four years from the date set for the completion of any canal or other works designed to divert and conduct the public waters of the State to a place of use, or the date for the enlargement or extension of the con-
dition of works for such purpose, the person or persons using such water shall submit proof that they have used such
water for the beneficial purpose for which the diversion of such water was intended. Such user of such water shall
first notify the State Engineer that he is prepared to prove that such water has been beneficially applied to the purpose
for which it was intended. Such notice to the State Engineer shall state (1) the name and postoffice address of the
user; (2) the use to which such water has been applied; (3) the amount used; (4) the place of such use; and, if for irri-
gation, the description by legal subdivisions of the lands so irrigated; (5) the name of the canal or ditch or other works
by which such water is conducted to such place of use; (6) the relation or understanding upon which the right to take
water from such works is based; (7) the source of supply from which such water is diverted; and (8) the date when the
priority which such user is prepared to establish.

Such notice and such written proof as may be required to be submitted by such user shall be upon forms furnished by
the State Engineer and such statements shall be sworn to by such user and be supported by the affidavits of two dis-
interested witnesses.

Upon receipt of such notice by the State Engineer, such engineer shall order its publication in some newspaper
designated by such user and published in the county in which the major portion of such land is situated, for a period of
four weeks, and shall fix a date when such proof shall be submitted and name a place where such proof will be received.

Such date shall be subsequent to the completion of such publication, and such engineer shall, on or before the date
set for such final proof, examine, or cause to be examined (1) the place where such water is used, and if the use is for
irrigation, shall ascertain the area and location of the land irrigated and the nature of all the improvements which
have been made as a direct result of such use; (2) the capacities of the ditches or canals or other means by which such
water is conducted to such place of use and the quantity of water which has been beneficially applied for irrigation or
other purposes. And the State Engineer or the person making such examination under the direction of such engineer shall
also, on the date set for such final proof, receive the written statements made by the person or persons submitting such
proof and the affidavits of the witnesses, which statements and affidavits, together with a report of the investigation
which he is instructed to make, shall be forwarded at once to the State Engineer. Provided, That whenever several of
such final proofs shall be offered from the same locality, such engineer shall arrange, whenever practicable, to have such
notices for publication combined, and to have such examinations made by the same person and on the same date as near as
may be with a view of minimizing the expense of taking such proofs, and such publication shall be at the expense of the
person or persons submitting such proof.

Section 3. Upon receipt by the State Engineer of all the evidence in relation to such final proof, it shall be his duty
to carefully examine the same, and if he is satisfied that the law has been fully complied with and that the water is
being used at the place claimed and for the purpose for which it was originally intended, he shall issue to such user or
users a license containing such use. Such license shall be issued under the seal of the office of the State Engineer
and such license shall state the name and postoffice address of such user, the purpose for which such water is used,
the quantity of water which may be used, which in no case shall be an amount in excess of the amount that has been bene-
ficially applied. If such use is for irrigation, such license shall give a description by legal subdivisions of the land which is
irrigated by such water.

Section 4. For examining the ditches and lands of the user at the time of making final proof of the application
of water, a fee of two (2) dollars shall be paid to the State Engineer at the time of making such proof for each legal sub-
division of forty (40) acres or fraction thereof to which such water may have been applied. For examining the ditches
or other works and the place where such water is used, when such use is not for irrigation, a fee of five (5) dollars shall
be paid the State Engineer at the time of making such examination and taking the proof of such use. Provided, That
in the case of water used for irrigation where two or more users, whose lands join or who take water from the same
common lateral, join in the publication of the notice of their intention to make such proof of application, a fee of one (1)
dollar for each legal subdivision of forty (40) acres or fraction thereof receiving such water shall be paid to the State
Engineer at the time of making such proof.

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) April 19th 1905

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

Dear Sir:

Notice is hereby given that on the 20th day of June 1905, at Soda Springs, County of Bannock, State of Idaho, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of the waters of Eight Mile Creek, in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho:

1. The name of the person or corporation holding said permit is Susan J Foster
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 782, and the date set for the completion of such work is August 16th 1905
4. Said water is to be used for Irrigation purposes.
5. Said works of diversion ^{are now} ~~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 1.6 cubic feet per second.
6. The amount of lands for which said water is available is (80) Eighty acres, particularly described as follows:
SW⁴ NE⁴ ~~SE⁴~~ - N² SE⁴ sec. 3. T⁴ 10. 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 Advertiser, of Soda Springs Idaho, published in the county in which said works are situated; the expense of which publication will be borne by me.

(Signature) Susan J Foster

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No.

NOTICE OF PROOF
—OF—
Completion of Works.

Received

Date of proof

Place

Notice sent to

for publication on

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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 agent, shall be prepared to submit proof of the completion of such works to the State Engineer.

Such holder of such permit shall first notify the State Engineer that he is prepared to submit such proof of completion of such works. Such notice to the State Engineer shall be given by registered mail and at least sixty days before the date set for the completion of such works, and shall be on a 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 the place of business of such corporation, (3) the number of such permit, and the date set for the completion of such works under the same, (4) the use for which said water is intended, (5) whether or not such works will be fully completed on the date set for such completion, and the amount of water which such works are capable of conducting to the place of intended use in accordance with the plans of the same accompanying the application for such permit, (6) if for irrigation, the amount of, and the description of the lands for which said water is available according to such plans, 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 for 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 the State 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.

APR 10 1906

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Hot Springs Ida Apr 19th 06
Frederic Darlington, Esq
State Engineer.

Sir, Mrs Foster has
asked me to fill out this paper
for her which I have done as
best I could. The land is stated
in the permit to be in Bannock
County. This an error in
the permit as it is in Bear
Lake County. Though Mrs Foster's
PO address is in Bannock.
The mineral proof made here & the
paper on her designated as the
ground the land. And if it
must be in County of Bannock

land is situated please
substitute Montpelier Exam-
iner for the Chief Clerk.

We would prefer not changing
place of making proxy if pos-
sible as Soos Springs is most con-
venient for Mrs Foster and all
her relatives.

James T.
Ed Whittier
Notary Public

Boise, Idaho, April 20, 1905.

Mr. E. S. Whittier,

Notary Public, Soda Springs, Idaho.

Dear Sir:-

I am in receipt of your letter of April 19th enclosing notice of proof of completion of works and notice of proof of application of water under permit #782, Susan J. Foster.

Instead of sending the notices direct to the Montpelier Examiner for publication I enclose them herewith, for the reason that I note in the Notice of Proof of Application of Water to Beneficial Use Mrs. Foster states that the date of priority she is prepared to establish is "about April 15, 1902". This is an impossibility under the present irrigation law of Idaho, as the date of priority cannot antedate the date upon which the application is first received in this office. If it is desired to establish date of priority prior to March 11, 1903 it will be necessary to have the matter passed upon by the district court and a decree issued. This can be done by taking the matter into the court and producing sufficient testimony that the water was used at a certain time. I have placed in the notice August 15, 1904 as the date of priority, which is the date of first receipt of the application in this office. If Mrs. Foster desires she can abandon this permit and proceed to establish her right in the manner outlined above. If she desires to proceed with the proofs under permit #782 kindly forward the notices to the Montpelier Examiner

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#2.

for publication.

I also enclose deposition blanks for both proofs, which should be filled out and sworn to on the date and at the place named in the notices. This can be done before you as a Notary Public. There are two deposition blanks for witnesses and one for permit holder to be used in connection with each proof, that of proof of completion of works and that of application of water to beneficial use. The two witnesses can serve in both instances.

I am also notifying Commissioner Turner of Cove, Idaho, to make the examination of the works. When the deposition blanks have been filled out kindly mail to this office, accompanied with affidavit of publication of notices, fee of \$5.00 for completion of works and fee of \$4 for proof of application of water to beneficial use, and as soon as report is received from Mr. Turner, Certificate of Completion of Works and License will issue at once.

Yours truly,

Boise, Idaho, April 20, 1905.

Hon. E. J. Turner,
Cove, Idaho.

Dear Sir:-

I enclose herewith copy of notice of publication in the matter of proof of completion of works under permit #782, Susan J. Foster; also copy of notice of publication in the matter of proof of application of water to beneficial use under the same permit.

I am mailing the applicant deposition blanks to be used in connection with both proofs, and I trust you will be able to make the examination by the 20th of June.

Yours truly,

State Engineer.

(Place) ----- Montpelier, Idaho -----

(Date) ----- April 27, 1905 -----

State Engineer,

Boise, Idaho.

Dear Sir:—

I have your letter of ----- April 20 -- 05 enclosing Notice of Completion of Works under
Permit No. 782, which will be published as you request, beginning with our issue of -----

----- April 28, 1905 -----

----- O. E. Wright -----
Editor Examiner

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(Place) Montpelier, Idaho

(Date) April 27, 1905

State Engineer,

Boise, Idaho.

Dear Sir:

I have your letter of April 20—, enclosing Notice of Proof of Application of Water under Permit No. 782—, which will be published as you request, beginning with our issue of—

April 27, 1905

C. E. Wright
Editor Examiner

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

PERMIT NO. _____

Proof of Application of Water to Beneficial Use.

DEPOSITION OF WITNESS.

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

Ans. Wynum F. Durney Age 84, 8 mile near Soda Springs
Ravenshaw, Soda Springs Id.Ques. 2. Are you acquainted with Susan J. Foster
the holder of Permit No. 782? How long have you known him, and where does she reside?Ans. About fifteen years. She resides on 8 mile near
Soda SpringsQues. 3. Have you read or heard read said Permit No. 782, and you are familiar with its provisions and conditions?Ans. I have, and am familiar with it

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. 8 mile creek. Set 4" x 4" set 16 of 10 S. R 42 E
dam 17 ft at bottom 18 at top & 4 ft high. Ditch about 2 miles
5 ft at bottom 6 ft at top & about 3 1/2 deep. - About 450 acres

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. I know nothing of water measure but I have seen the ditch full

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. Irrigation. for 80 acres. set 2" x 4" set 8 of 10 S. R 42 E.

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

Ans. _____

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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. Sage brush land. About 1000 acres for a year.

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

Ans. No interest

Permit No. 782

Proof of Application of Water
to Beneficial Use.

DEPOSITION OF WITNESS.

Received and filed May 25, 1905

Notary Public

Signature

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 Sevenshings, County of Bennett, State of Idaho, on this fourth day of May, A. D. 1905

(Sign) Thompson H. D. Denny

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of the water diverted under said permit.
Ans. in 1903 & 1904 about 20 ft per acre of water used on about 100 acres

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

PERMIT NO. _____

Proof of Application of Water to Beneficial Use.

DEPOSITION OF WITNESS.

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

Ans. Joseph H. Foster, Age 22, 8 mile near Soda Springs
Wanklingman, or Horn Lake, Soda Springs IdahoQues. 2. Are you acquainted with Susan J. Foster
the holder of Permit No. 782? How long have you known her and where does she reside?Ans. Yes. Have known her about 10 years. at 8 mile near
Soda Springs IdahoQues. 3. Have you read or heard read said Permit No. 782, and you are 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. 8 mile creek. S. 11⁴ E. 4⁴ sec 16 T. 10 R. 42 E.
Dam 17 ft bottom, 18 top 4 ft high. Ditch about 2 miles
long. About 5 ft at bottom 6 at water line & about
3 1/2 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. I cannot measure water but can see ditch running full.

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. Irrigation, on her 80 acres N. 2 S. E. 4 sec 9
T. 10 R. 42, E. - 40 acres or more has been watered

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

Ans. _____

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

Ans. Sage Brush land. - About 1 minus inch to 1 1/2 per
acre in winter of season end of ft.

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

Ans. None whatever

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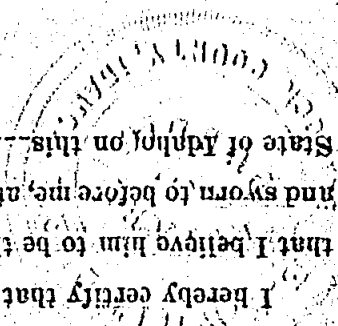
Permit No. 982

Proof of Application of Water
to Beneficial Use.

DEPOSITION OF WITNESS.

Received and filed May 5-1905

Ques. 10. State when, how, in what amount and to what extent you have witnessed the applica-
tion to beneficial use of the water diverted under said permit.
Ans. Water in 1903 & 4, after moving across
just before and near the same
just before and near the same
(Sign) Joseph H. Dwyer.
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 Swanton, County of Benning,
State of Vermont, on this fourth day of May, A. D. 1905.



Permit No. 782

Proof of Application of Water to Beneficial Use.

DEPOSITION OF HOLDER.

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

Ans. Susan J. Foster. 27 years - 8 miles near soda springs.Homemaker. Soda Springs Idaho

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. I act only for myself

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

Ans. #782. Aug 15th 1904 book 3. Aug 15th 1904

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

Ans. 8 mile creek. SW⁴ NE⁴ Sect 16 T⁴ 10 S. R 42 E.

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

Ans. Dam 4 ft high 17 ft long bottom 18 ft top. At gates 3 ft high - 6 ft wide. Ditch about 2 miles long - 5 ft wide at bottom 6 at top. I think it will carry 1.6 cubic ft per second or about that - or more.

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 - 80 acres. N² SE⁴ Sect 3, T⁴ 10 S. R. 42 E.

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

Ans. See aboveQues. 8. What is the minimum amount of water required for the use specified above? 782Ans.

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. I own it

Permit No. 782

Proof of Application of Water to Beneficial Use.

DEPOSITION OF HOLDER.

Amount of water 1.6 second feet

Source English Meadows

County Benneville

Purpose Irrigation

Place of use M. 1/2 S. E. 1/4 Sec. 3

Tracts 10 S. Range 42 E.

Date of priority August 15, 1914

Received and filed May 5-1915

, A. D. 1904

Benneville, State of Idaho, on this 10th day of May

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 Saco Springs, County of Benneville, Idaho.

(Sign)

John J. Carter

mentioned permit has been used.

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

Ans. used in 1903 & 1904 to grow about 2000 lbs.

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

PERMIT NO. 782

Proof of Completion of Works.

DEPOSITION OF WITNESS.

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

Answer. Wynnon I Durney Age 34 - 8 mile creek near Soda Springs, Ranchman, Soda Springs Idaho

Ques. 2.—Are you acquainted with Samuel J. Foster, the holder of Permit No. 782, authorizing the diversion of 1.6 second-feet of the waters of 8 mile creek, at near Soda Springs Idaho for Irrigation purposes? How long have you known him, and where does he reside?

Ans. about fifteen years. 8 mile near Soda Springs Idaho

Ques. 3.—Have you read or heard read said Permit No. 782, 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. 500 bush land. About 80 minus inches, or near as I know. I know nothing of water measurement

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. I believe so, they are completed, I think they will carry that amount of water.

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

Ans. Dam 4 ft high about 17 ft at bottom & 18 at top. Head gate 3 ft high 6 ft wide, ditch about 2 miles long, 5 ft at bottom, 6 at top & about 3 1/2 ft deep. I estimate they will carry 1.6 cubic feet per second or about 400,000 minus inches.

(Sign here.)

Wynnon I Durney

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 Soda Springs, County of Bannock, State of Idaho, on this fourth day of May, A. D. 1905.

782

E. S. WhittierNotary Public

Permit No. 782

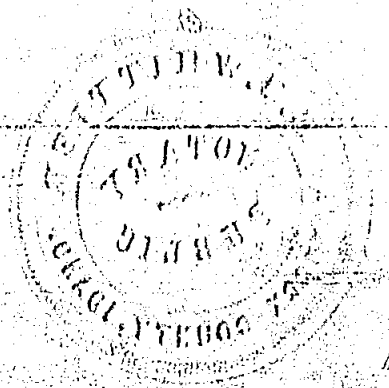
To appropriate 1.6 second
feet of water from Eight Mile
Creek

Bannock County, Idaho.
by Edward J. Foster
Proof of Completion of Works.

DEPOSITION OF WITNESS.

Received and filed May 8

1905



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

PERMIT NO. 782

Proof of Completion of Works.

DEPOSITION OF WITNESS.

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

Answer. Joseph H Foster Age 22, 8 mile near Soda Springs
working man. Soda Springs Idaho

Ques. 2.—Are you acquainted with Susan J Foster, the
holder of Permit No. 782, authorizing the diversion of 1.6 second-feet of the waters of
8 mile creek, at near Soda Springs Idaho
for Irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes. I have known her about 10 years, 8 mile near
Soda Springs Idaho. She is my sister in law.

Ques. 3.—Have you read or heard read said Permit No. 782, 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 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. Sage Brush Land, about 80 minus
inches as near as I know. I know nothing of
second ft in measuring water

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

Ans. The are completed. I think they carry water enough.

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

Ans. Dam, about 4 ft high 17 ft at bottom & 18 ft at top
Head gate 8 ft high 6 ft wide ditch 2 miles long, 3 1/2 ft
deep about 6 ft at top on water line, I don't know
much of water measure. Estimate 70 or 80 minus inches
of water

(Sign here.) Joseph H Foster

I 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, County
of Blaine, State of Idaho, on this 7th day of
May, A. D., 1906

E. B. Whittier
Notary Public

Permit No. 782

To appropriate 1.6 second

feet of water from Eight mile
Creek.

Barnes County, Idaho.

by *Edward J. Foster*

Proof of Completion of Works.

DEPOSITION OF WITNESS.

Received and filed May 8

1905



PERMIT NO. 782

Proof of Completion of Works.

DEPOSITION OF HOLDER.

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

Answer. Susan J. Foster, 27 years - 8 miles near Soda Springs
Locals. Housekeeper, 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. I appear in my own behalf and am not
acting only for myself.

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

Ans. # 782 Aug 16th 1904 BORNS. 1.6 cu's ft per second
SRR 4th NE 4th Sec 16th of 10 S. R. 42, E.

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 - 80 acres, N² SE⁴ sec 3, T¹⁰ S. R. 42 E. B. M.

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

Ans. It has. About full extent of my claim, since
over two years

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. They are, I think they comply with permit

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

Ans. See above

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

Ans. Dam & Ditch, Dam 4 ft high 18 ft long. Top & 17 bottom.
Made of masonry, earth, & stone. Head gate 3 ft high, 6 ft wide,
Ditch - 2 miles long 5 ft wide at bottom, 6 ft at top & 3 1/2 inch
estimated cost \$1,000.00

(Sign here.)

Susan J. Foster

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 Soda Springs, County of Blaine, State of Idaho, on this Fourth day of August, 1905.

A. E. 1905

P. S. M. H. H.

Permit No. 782

To appropriate 1.6 second
feet of water from English Creek
Creek.

Danmark County, Idaho.
by *James J. Foster*
Proof of Completion of Works.

DEPOSITION OF HOLDER.

Received and filed May 8,

1905



Section 40 water diversion
PERMIT NO. 782

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that

Susan J. Foster

of Indian Springs, County of Bannock, and State of Idahothe holder of Permit No. 782, issued upon Application No. 1104bearing date of priority of August 15-04, authorizing the diversion of 1.6second-feet of the waters of Eight mile creekCounty of Bannock, State of Idaho at SW 1/4 NE 1/4 Sec. 16 T. 4 N. R. 42 E. 1/4for Irrigation

purpose, 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 1.6

second-feet of water; and that the lands proposed to be irrigated by the
 use of said water are described as follows, to wit:

SW 1/4 Sec. 16 T. 4 N. R. 42 E. 1/4 North one half of Southeast
 one fourth of Section three Township Ten
 North Range Forty Two East of Boise
 meridian

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

130

782

State Engineer of the State of Idaho.

Permit No.

CERTIFICATE OF COMPLETION
OF WORKS.

Dated 190...

Stream

County

Amount

Date of priority

Recorded in book

of page

U

STATE OF IDAHO

BOARD OF IRRIGATION

COVE, IDAHO, July 13th 1905Hon Jas Stephenson Jr.
State Engineer
Boise Ida

782

Dear Sir,

I hereby respectfully report to you

that I made an examination of the works
permit #782 held by Susan J Foster Soda Springs
on June 20th 1905. Proof for the completion of
works also of the application use having been
published for to be made on that date.

I found however the ~~the~~ applicant had previously
made proof and forwarded you the same
on examination I found the works completed
according to the permit as applied for and
capable of carrying more than the amount
water applied for, by means of a ditch 4 wide
at bottom 6 feet wide at water line carrying
water depth of 2 feet on a grade of 6 feet per mile
point of diversion is near S E corner of SW 1/4 N 2 1/4
Sec 16 T 10 S R 42 E. The ditch crosses the following
quarter sections N E 1/4 Sec 16 S W 1/4 N W 1/4 Sec 10. S W 1/4
Sec 8 T 10 S R 42 E. to N 1/2 S E 1/4 Sec 3 T 10 S R 42 E
where it covers and has been applied to 60 acres

JAS. STEPHENSON, JR., PRESIDENT, BOISE
STATE ENGINEER

E. H. LOWELL, SECRETARY, CALDWELL
COMMISSIONER DIVISION NO. 2

FRANK RHODETT, ALBION
COMMISSIONER DIVISION NO. 2

EDWARD J. TURNER, COVE
COMMISSIONER DIVISION NO. 1

STATE OF IDAHO
BOARD OF IRRIGATION

COVE, IDAHO, _____ 190__

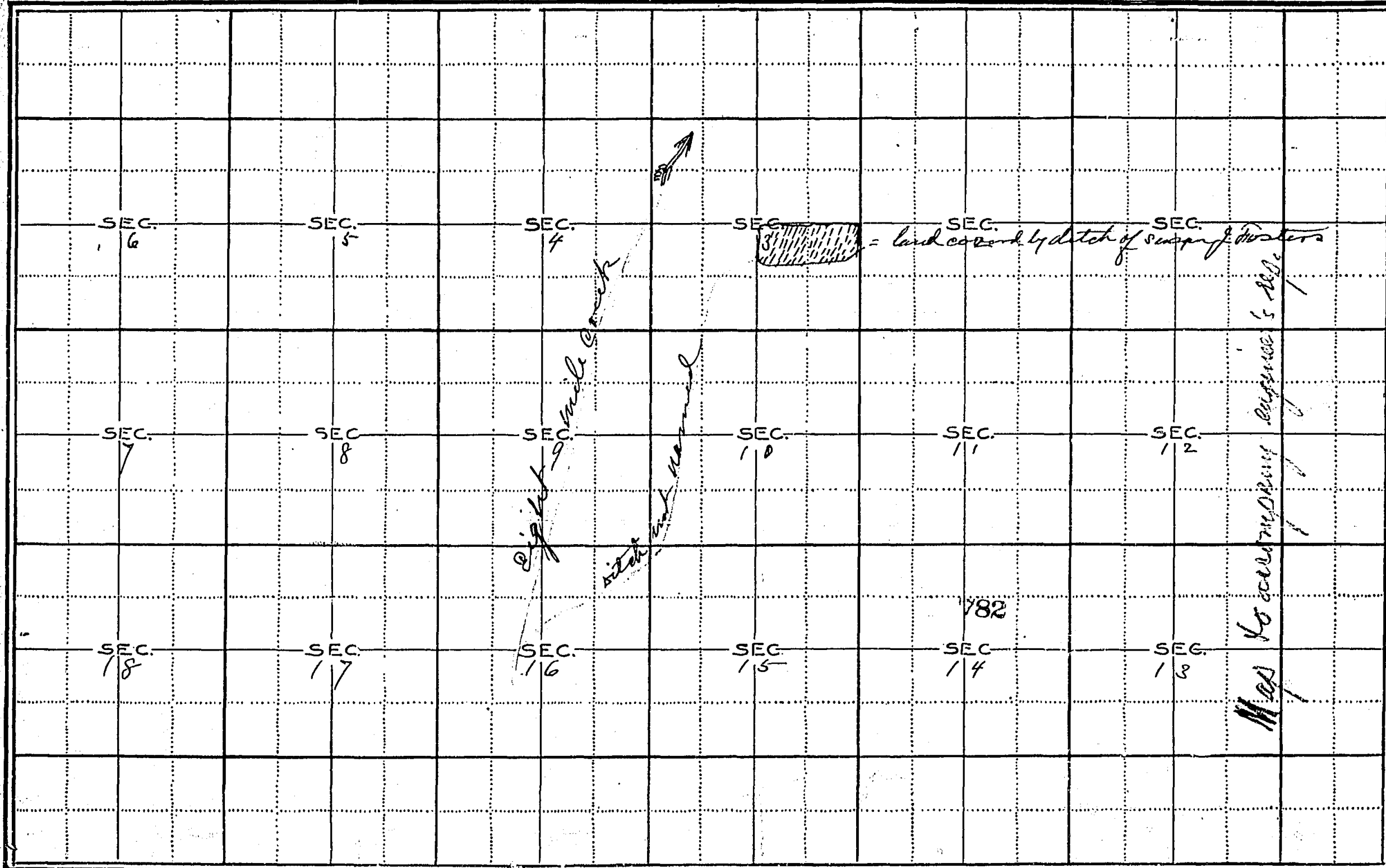
*of land for which 1.6 cubic feet per second of
water would be sufficient*

Edward J. Turner

Water Commissioner

SCALE: 2 INCHES-1 MILE. DRAW PLAIN IN INK.

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



Boise, Idaho, July 17, 1905

Mrs. Susan J. Foster,

Soda Springs, Idaho.

Dear Madam:

I received today from E. J. Turner, Coeur d'Alene, Idaho, Water Commissioner of your District, report in regard to proof of completion of works and proof of application of water to beneficial use under your permit No. 782. To complete the proof, it is still necessary to make the affidavit of publication of notice which you will procure from the Montpelier Examiner. Upon receipt of this, certificate of completion of works and license will issue.

Yours truly,

State Engineer.

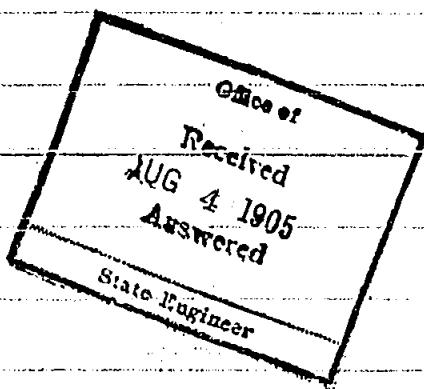
782

Soda Springs July 2 Aug 3
1905

to the State engineer

Dear Sir
you will find here inclosed affidavit
of publication for you asked.
yours Truly

Susan J. Foster



Affidavit of Publication.

State of Idaho, }
County of Bear Lake. } ss

NOTICE FOR PUBLICATION.

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that on the 20th day of June, 1905, at Soda Springs, County of Blaine, State of Idaho, proof will be submitted of the application to beneficial use of one and six-tenths cubic feet per second of the waters of Eight Mile Creek in accordance with the terms and conditions of Permit No. 782, heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Susan J. Foster, Soda Springs, Idaho.

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

3. The amount applied to beneficial use is one and six-tenths cubic feet per second.

4. The place where said water is used is N 1/4 of Sec 3, Tp. 10, S. 14, E. 11, M.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is not named.

6. The right to take the water from such works is based upon Permit No. 782.

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

8. The date of the priority which said user is required to establish is August 15, 1901.

1st pub April 28th

C. E. Wright

~~Chas E Harris~~, being first

duly sworn, deposes and says that he is the publisher of the MONTPELIER EXAMINER; that said MONTPELIER EXAMINER is a weekly newspaper published at Montpelier, Bear Lake County, Idaho, of general circulation in said county and state.

That the attached notice was published in said MONTPELIER EXAMINER, and not in a supplement, for ~~4~~... successive weeks, the first publication was on the 28th... day of April.... 1905

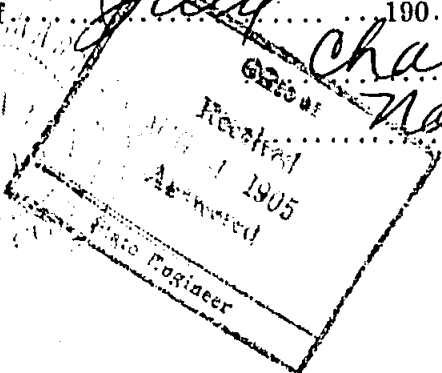
C. E. Wright

31st

Subscribed and sworn to before me this

day of *July*..... 1905

Chas E Harris
Notary Public



Affidavit of Publication.

State of Idaho, }
County of Bear Lake. } ss

Notice of Publication.

Notice is hereby given that on the 5th day of June, 1905, at Soda Springs, County of Blannock, State of Idaho, proof will be submitted of the completion of works for the diversion of 1.0 cubic feet per second of the waters of Eight Mile Creek, in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho:

1. The name of the person holding said permit is Susan J. Foster.

2. The post office address of such person is Soda Springs, County of Blannock, State of Idaho.

3. The number of such permit is 782, and the date set for the completion of such work is August 15, 1905.

4. Said water is to be used for Irrigation 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 1.0 cubic feet per second.

6. The amount of lands for which said water is available is 80 acres, particularly described as follows: N1/2 of SE1/4 of Section 2, Tp. 10, S. 11, E. B. M.

Witness my hand and seal April 25th.

C. E. Wright

~~Chas. E. Harris~~, being first duly sworn, deposes and says that he is the publisher of the MONTPELIER EXAMINER; that said MONTPELIER EXAMINER is a weekly newspaper published at Montpelier, Bear Lake County, Idaho, of general circulation in said county and state.

That the attached notice was published in said MONTPELIER EXAMINER, and not in a supplement, for 4... successive weeks, the first publication was on the 25th day of April 1905

C. E. Wright

31st

Subscribed and sworn to before me this 5th day of July 1905

Chas. E. Harris
Notary Public

Boise, Idaho, August 4, 1905.

Susan J. Foster,

Soda Springs, Idaho.

Dear Madam:-

I enclose herewith Certificate of Completion
of Works and License issued to you under Permit #782 .

Yours truly,

State Engineer.

782

STATE OF IDAHO

WATER LICENSE NO. 782

WHEREAS, On the fifteenth day of August, A. D. 1904,

Lusan J. Foster
of Soda Springs, County of Bannock, and State of Idaho,
duly made application (No. 1104) to me for a permit to use one and six-tenths
cubic feet per second of the waters of Eight mile Creek
County of Bear Lake, State of Idaho, for irrigation and domestic
purposes; and,

WHEREAS, On the fifteenth day of August, A. D. 1904,
Permit No. 782 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 fifteenth day
of August, A. D. 1905, and for the application to beneficial use of said
water on or before the fifteenth day of August, A. D. 1906;
and,

WHEREAS, On the twentieth day of June, A. D. 1905,
the holder of said permit duly made proof of the completion of adequate works for the diversion of
One and six-tenths cubic feet per second of said waters, as evidenced by my Certificate
No 702, dated _____, confirming the completion of works
of sufficient capacity for diverting and conveying to the place of intended use
cubic feet per second of water, with date of priority of August 15, 1904 and,

WHEREAS, On the twentieth day of June, A. D. 1905,
proof was duly made of the application to beneficial use of One and six-tenths cubic feet
per second of said water;

STATE OF IDAHO

Water License No. 782

To *William J. Foster*

Ande Springs

Idaho

Source of Supply *Eight mile*

Creek

Bar Lake

County

Amount *7 1/2* Sec. Feet

Point of Diversion *South of 21st 4th*

Sec. 16, T. 11 N. R. 42 E. 21st

Place of Use *21st 2nd 22nd 23rd 24th Sec. 3*

T. 10 N. R. 42 E. 21st

Purpose *Drainage and*

irrigation

Date of Priority *August 15, 1904*

Recorded

in Book of Page

782 State Engineer.

and

, A. D. Ninteen Hun-

day of

Boise, Idaho, this

WITNESS My hand and the seal of my office, at

their object the economical use of such water.

ply, canal or lateral from which such water may be taken, when such rules and regulations have for been or may be adopted from time to time by a majority of the users from a common source of sup- of the State, and subject, also, to the local or community customs, rules and regulations which have subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters

for the purpose of *Drainage and Irrigation*

Party was east of Bar Lake

Section three, Township 10 North, Range

and conducted to and upon the north half of Section 24

near quarter 1. North of quarter 1 Section 24, Township 10 North, Range 42 East of Bar Lake

esary for the purposes hereinbefore mentioned, to be diverted at a point in the Bar Lake

in the County of *Bar Lake* and State of Idaho, or so much thereof as may be nec-

cubic feet per second of the waters of

a perpetual right, dating from *August 15, 1904*, to the use of *one and two tenths*

of *Ande Springs* the holder and owner of said Permit No 782

I hereby grant and confirm to

William J. Foster

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho,

1
Cedar Springs Sept 27, 1905
to the State Engineer,

Dear Sir, I
wrote you some time ago and
sent you applications of publication
under your request and having
not heard from you thought
I would write and find out what
in the mean time have not received
any certificate of approval final
passed upon water right. Hoping to
hear from you by return mail.
and Oblige

Mrs Susan J. Foster
Cedar Springs Branch Collier

Boise, Idaho, September 27, 1905.

Mrs. Susan J. Foster,

Soda Springs, Idaho.

Dear Madam:-

I am in receipt of your letter of 25th inst.
in regard to your Permit #782. The papers in the matter
of proof under this permit were all received, and according
to the records in my office Certificate of Completion of
Works and License was mailed you at Soda Springs on August
4, 1905.

Yours truly,

State Engineer.

782

Lake Springs Sept 29
to the State Engineer 1904

Dear Sir

I am in receipt of your
letter of Sept 27 and must
say that I have not received
the certificate nor heard
from it would you please
to look this matter up.

and oblige

Sincerely Susan L. Foster
Lake Springs, Arkansas

John

Boise, Idaho, September 30, 1905.

Mrs. Susan Foster,

Soda Springs, Idaho.

Dear Madam: -

Your Certificate of Completion of Works and License must have gone astray, or been lost in the mails. It is possible that the letter will be returned to this office in time. The only thing I see to be done is to wait a while for its return. However, if it is not returned I can send you certified copies of the Certificate of Completion of Works and License.

Yours truly,

State Engineer.

Soda Springs Nov 4, 1897
to the State engineer

Dear Sir
we have not heard any
thing from the engineer
on the water, do not think
it will be sent any longer
if you will please to
send him a note and report
of the water right.
And please

Yours Sincerely
Soda Springs, Nevada
John W. Smith

The preceeding letter is hereby copied for purposed of clarity in reading.

August Barth

Soda Springs
Nov 4, 1905

To the State Engineer

Dear Sir

As we have not heard any thing from those papers on the water I do not think it wise to wait any longer. If you will please to issue Certificate and papers of final proof right away.

And oblige.

Mrs. Susan J. Foster
Soda Springs, Bannock Co Idaho

No. Permit 782

782

C
O
P
Y

Tracing letter to
Mrs. Susan J. Foster

Boise, Idaho, November 10, 1905.

Mr. W. C. Fenton,
Postmaster, City.

Dear Sir:-

I enclose herewith a letter received from Mrs. Susan J. Foster, Soda Springs, Idaho, in regard to a lost communication to her from this office.

On August 2, 1905, I mailed Mrs. Foster at Soda springs a letter and some other papers in an envelope similar to the one in which this letter is enclosed. This package never reached her and has never been returned to me. Mrs. Foster has written me several times in regard to this, but I have put her off thinking the letter would show up .

If there is any possible way of tracing the letter I would be glad to have you do it. Kindly return the enclosed letter.

Yours truly,

1 Enclosure

State Engineer.

7 87W

Boise Post Office.

OFFICE OF THE POSTMASTER.

Boise, Ada Co., Idaho, Nov 11th, 1905., 190

Hon Jas Stephenson, Jr
State Engineer
Boise Idaho.

Sir:

Yours of the 10th Inst, relative to the loss of a letter addressed to Susan J. Foster, Soda Springs Idaho, received and in reply will say that the matter has been taken up with the view of locating the letter.

Very respectfully yours

W C Tamm
Postmaster.

Foster letter returned
herewith

Boise, Idaho, November 13, 1905

Loss of license and certificate
under permit 782.

Mrs. Susan J. Foster,
Soda Springs, Idaho.

Dear madam:--

Replying to your letter of the 4th inst would say that the above papers have been lost by the postal authorities as they were mailed out of this office O.K. We have asked the postmaster here to take the matter up and try to locate them and by this morning's mail have a letter from him stating that the authorities will attempt to straighten the matter out.

Very truly yours,

State Engineer.

W.

782

Boise, Idaho, November 17, 1905.

Mrs. Susan J. Foster,

Soda Springs, Idaho.

Dear Madam:-

I enclose herewith some correspondence in regard to the lost letter addressed to you. I would suggest that you make inquiries of your neighbors who may have called for your mail, and see if the letter cannot be located with some of them.

Yours truly,

State Engineer.

[illegible]

The preceeding letter is hereby copied for purposes of clarity in reading.

Margaret Rath
Soda Springs
Jan 3, 1906

To State Engineer

Dear Sir

Having not heard any more from those papers I must ask you to please issue new ones immediatly and forward to me by return mail. If I am to have these proofs I want to know it. Which you say they have been approved. I have not received them and do not think it best to wait any longer.

Yours truly

Mrs. Susan J. Foster
Soda Springs, Idaho

No. of permit 782

Boise, Idaho, January 6, 1906.

Mrs. Susan J. Foster,
Soda Springs, Idaho.

Dear Madam:-

Referring to your letter of January 3, 1906. Upon receipt of \$1.50 I will send you certified copies of Certificate of Completion of Works and License issued to you. The law provides that a charge of 20¢ per folio shall be made for all certified copies of records of this office. I have been endeavoring to save you this expense by using every effort to locate the original papers. I wrote you on November 17th, enclosing some correspondence had with the postoffice, but you made no mention of those papers, so I presume that has gone astray also.

Yours truly,

State Engineer.

Wahs

Shes Springs 10/10/10
to Steaming 10/10/10

Dear Sir,
will find here inclosed money
order for one dollar and half
\$1.50 being amount required for
issuing papers of final proof
making right line of permit to
build road across to register the
papers that I am sure to get them
the papers you will find
inquiry made reached me until
after I had written you the last
time I am certain it lies with
our postmaster here at the other
end of the line but I am
sure truly
Oscar S. S. S.

The preceeding letter is hereby copied for purposes of clarity in reading.

Margaret B. B.

Soda Springs, Idaho
Feb 5, 1906

To State Engineer

Dear Sir

You will find here inclosed money order for one dollar and half \$1.50 being amount required for issuing papers of final proof on water right. No of permit 782. Would you please to register these papers then I am sure to get them. The papers you sent me of inuirey never reached me untill after I had written you the last time. I am certain it lies with our postmaster here, Of the other papers being lost but don't know.

Yours truly

Mrs. Susan J. Foster

Please register the return paper for which I enclose postage

C
O
P
Y

Boise, Idaho, February 6, 1906.

Mrs Susan J. Foster,
Soda Springs, Idaho.

Dear Madam:-

I will have prepared and forward to you within a few days certified copies of your Certificate of Completion of work and License.

Yours truly,

State Engineer.

Boise, Idaho, February 7, 1906.

Mrs. Susan J. Foster,

Soda Springs, Idaho.

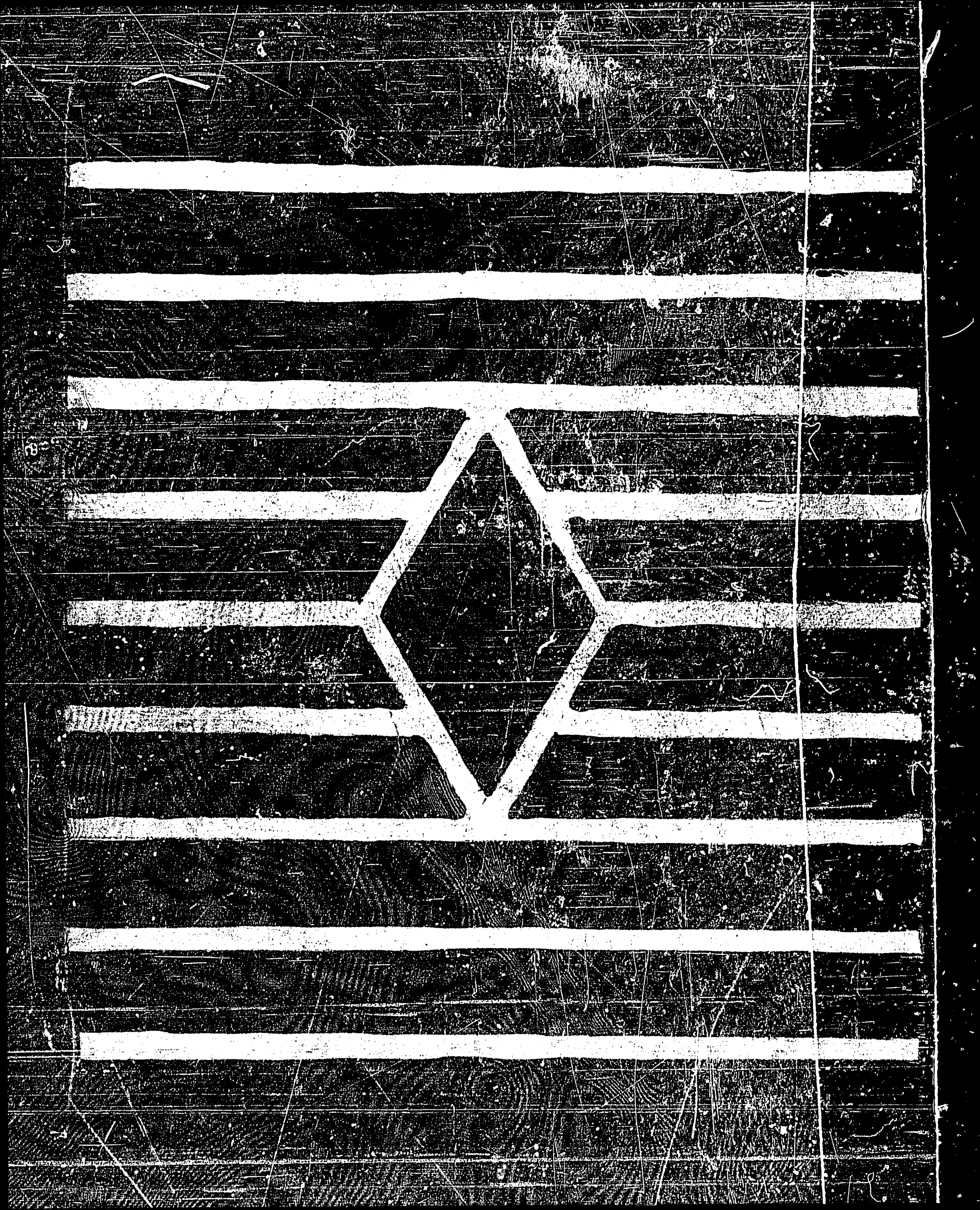
Dear Madam: -

I enclose herewith certified copy of Certificate of Completion of Works and certified copy of License issued under your permit No. 782. Also enclose receipt for \$1.50.

Yours truly,

State Engineer.

782



- Brief -

Bear Lake County
1 2/10 sec. ft.
Eight Mile Creek
Irrigation
Priority 8-15-04

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

--Water License No. 782 --

WHEREAS, On the fifteenth day of August, A. D. 1904, SUSAN J. FOSTER of Soda Springs, County of Bannock, and State of Idaho, duly made application (No. 1104) to me for a permit to use one and six-tenths cubic feet per second of the waters of Eight Mile Creek, County of Bear Lake, State of Idaho, for Irrigation and Domestic purposes; and,

WHEREAS, On the fifteenth day of August, A. D., 1904, Permit No. 782 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 fifteenth day of August, A. D. 1905, and for the application to beneficial use of said water on or before the fifteenth day of August, A. D. 1906; and,

WHEREAS, On the twentieth day of June A. D. 1905, the holder of said permit duly made proof of the completion of adequate works for the diversion of one and six-tenths cubic feet per second of said waters, as evidenced by my Certificate No. 782, dated August 4, 1905, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.6 cubic feet per second of water, with date of priority of August 15, 1904, and,

WHEREAS, On the twentieth day of June, A. D. 1905 proof was duly made of the application to beneficial use of one and two-tenths 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 Susan J. Foster of Soda Springs, the holder and owner of said Permit No. 782 a perpetual right, dating from August 15, 1904, to the use of one and two-tenths cubic feet per second of the waters of Eight Mile Creek, in the County of Bear Lake 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 South-west quarter of Northeast quarter of Section Sixteen, Township ten South, Range forty^{two}/east of Boise Meridian, and conducted to and upon the North half of south-east quarter of Section Three, Township Ten South, Range Forty-two 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, this fourth day of August, A. D. Nineteen Hundred and five.

Seal

Jas. Stephenson, Jr.

State Engineer?

- Brief -

Bear Lake County
1 2/10 sec. ft.
Eight Mile Creek
Irrigation
Priority 8-15-04

STATE OF IDAHO

--Water License No. 782 --

11-2001

WHEREAS, On the fifteenth day of August, A. D. 1904, SUSAN J. FOSTER of Soda Springs, County of Bannock, and State of Idaho, duly made application (No. 1104) to me for a permit to use one and six-tenths cubic feet per second of the waters of Eight Mile Creek, County of Bear Lake, State of Idaho, for Irrigation and Domestic purposes; and,

WHEREAS, On the fifteenth day of August, A. D., 1904, Permit No. 782 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 fifteenth day of August, A. D. 1905, and for the application to beneficial use of said water on or before the fifteenth day of August, A. D. 1906; and,

WHEREAS, On the twentieth day of June A. D. 1905, the holder of said permit duly made proof of the completion of adequate works for the diversion of one and six-tenths cubic feet per second of said waters, as evidenced by my Certificate No. 782, dated August 4, 1905, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.6 cubic feet per second of water, with date of priority of August 15, 1904, and,

WHEREAS, On the twentieth day of June, A. D. 1905 proof was duly made of the application to beneficial use of one and two-tenths 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 Susan J. Foster of Soda Springs, the holder and owner of said Permit No. 782 a perpetual right, dating from August 15, 1904, to the use of one and two-tenths cubic feet per second of the waters of Eight Mile Creek, in the County of Bear Lake 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 South-west quarter of Northeast quarter of Section Sixteen, Township ten South, Range forty^{two} east of Boise Meridian, and conducted to and upon the (North half of south-east quarter of Section Three, Township Ten South, Range Forty-two 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, this fourth day of August, A. D. Ninteen Hundred and five.

Jas. Stephenson, Jr.

Seal

State Engineer?

11 2001

Recorded August 4, 1905

