

APPLICATION FOR PERMIT

No. 1319.

To appropriate the Public Waters of the State of Idaho.

1. Name of applicant - MARGARETA M. SCHMIDT

Postoffice address: P. O. - Soda Springs

County - Idaho.

2. The quantity of water claimed is 1.6 cubic feet per second.

3. Source of water supply - Soda Creek Spring in Bannock County,

4. Location of point of diversion - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 8 S., R. 41 E. B. M.

5. To be used for:

1. Irrigation and domestic use:

(a) Number of acres to be irrigated 80 acres.

(b) In the following legal subdivisions - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.

23, Twp. 8 S., Range 41 E. B. M.

6. Estimated cost of works - \$250.00

7. Description of Works for Diversion:

1. Kind of works - Dam, ditch, wind mill, pump and ditches.

II. Dimensions of Works:

(a) Height of dam 2 ft., length of dam at top 150 feet, length of dam at bottom 150 feet, material used in construction stone & earth.

(c) Size of headgate, width 2 feet, height 2 feet.

(d) Ditch (flume or pipe) width at bottom 1 $\frac{1}{2}$ feet, width at water line 2 feet, depth of water 1 foot. Average grade per mile is 13 feet. Length of ditch is one mile, and it crosses the following quarter sections - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, T. 8 S., Range 41 E. B. M., to SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 8 S., Range 41 E. B. M., which is the point of intended use.

8. Time required for the completion of the construction of such work is - Work is now completed.

9. Time required for the complete application of the water to the proposed use is - Water is now being applied.

Approval of State Engineer.

The number of this permit is 949.

Date of first receipt of application 8 a.m. November 18, 1904.

Recorded in Book 4, Page 949. Approved November 28, 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 May 28, 1905.

The whole of said work to be completed on or before November 28, 1905.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to November 28, 1905.

Witness my hand this twenty-eighth day of November, 1904.

Jas. Stephenson, Jr.
State Engineer.

Form 105, Notice of Proof of Completion of Works, and form 121, Notice of Proof of Application of Water to Beneficial Use, mailed applicant September 1, 1905.

Notice of Proof of Completion of Works and Notice of Proof of Application of Water to Beneficial Use received September 16, 1905, fixing November 3rd, 1905 as the date, and Soda Springs, Idaho, as the place of proof.

Notice for publication mailed Soda Springs Chieftain, Soda Springs, Idaho, September 26, 1905, and deposition blanks mailed applicant same date.

Fee of \$3.00, affidavit of publication of notice, report of E. J. Turner, depositions of holder in the matter of proof of completion of works and application of water to beneficial use, and depositions of witnesses in the matter of both proofs, received November 20, 1905.

Depositions and report show that works have been completed to comply with the terms of the permit, and are of sufficient capacity to divert and convey to the place of intended use the amount of water for which application was made, and that water has been beneficially applied to 35 acres of land.

Certificate of Completion of Works and License issued November 28, 1905.

Permit No. 949

C E R T I F I C A T E O F C O M P L E T I O N O F W O R K S .

To All Whom It May Concern:

This is to certify that MARGARETA M. SCHMIDT of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No. 949, issued upon Application No. 1319, bearing date of priority of November 18, 1904, authorizing the diversion of one and six-tenths second-feet of the waters of Soda Creek Spring, County of Bannock, State of Idaho, at Southeast Quarter of Southeast Quarter of Section Fourteen, Township Eight South, Range Forty-one East of Boise Meridian, 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: Southeast Quarter of Southeast Quarter of Section Fourteen; Northeast Quarter of Northeast Quarter of Section Twenty-three, Township Eight South, Range Forty One East of Boise Meridian.

Witness my hand this twenty-eighth day of November, A. D., 1905.

Jas. Stephenson, Jr.

State Engineer of the State of Idaho.

License issued forsecond feet

2.95

Application No. 1319.

PERMIT NO. 949

Wm. G. Schmidt.

1.6 sec. ft. Soda Creek Spring.

APPROVED NOVEMBER 20, 1904.

State Engineer.

SEC.
17

SEC.
16

SEC.
15

SEC.
14

SEC.
13

SEC.
19

SEC.
18

SEC.
21

SEC.
22

SEC.
23

SEC.
24

SEC.
30

SEC.
29

SEC.
28

SEC.
27

SEC.
26

SEC.
25

949

Township 8 South Range 4 East



Soda Creek Spring

Boise, Idaho, September 1, 1905.

Margareta M. Schmidt,

Soda Springs, Idaho.

Dear Madam:-

I enclose herewith blank upon which to notify this office of completion of works under your Permit #949. Kindly fill out this blank and mail to me at least 60 days before the date upon which you wish to submit proof, which proof must be submitted on or before November 28, 1905.

As the date set for proof of application of water to beneficial use is the same as the date for proof of completion of works, I enclose blank for this proof also, which should be filled out and mailed to me at the same time as notice of proof of completion of works.

Yours truly,

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.)

(Date)

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

Dear Sir:

Notice is hereby given that at 7 P.M. on the 3rd day of November 1905, at Soda Springs County of Blaine State of Idaho, before E. J. Turner proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of the waters of Soda Creek 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 _____

Margaret M. Schmidt

2. The postoffice address of such person or the place of business of such corporation is _____

Soda Springs, County of Blaine, State of Idaho.

3. The number of such permit is 949, and the date set for the completion of such work is November 28, 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 _____ cubic feet per second.

6. The amount of lands for which said water is available is 80

acres, particularly described as follows:

SE 1/4 Sec 14, NE 1/4 NE 1/4
Dec 23, Twp 8 South Range 41 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 Chief Soda Springs, published in the county in which said works are situated; the expense of which publication will be borne by me

(Signature)

Margaret M. Schmidt

No.

Notice of Proof of Completion of Works.

Received *Sept 16, 1885*
Date of proof
Place
Notice sent to
for publication on
.....
.....

PERMIT No. 949

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) Sept 14, 1905

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

Dear Sir—Notice is hereby given that at 2 P. M. on the 3rd day of November 1905, at Soda Springs County of Bannock State of Idaho, before E. J. Towner proof will be submitted of the application to beneficial use of 160 cubic feet per second of the waters of Soda Creek Springs in accordance with the terms and conditions of Permit No. 949 heretofore issued by the State Engineer of the State of Idaho.

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

Margaret M. Schmidt, Soda Springs, Bannock Co., Idaho

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

Irrigation

3. The amount applied to beneficial use is

160 cubic feet

4. The place where said water is used is (if for irrigation, give full and accurate description of the

lands irrigated, SE 1/4, SE 1/4, Sec 14 and NE 1/4
NE 1/4 Sec 23, Twp 8 South
Range 41 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 Schmieds Ditch6. The right to take the water from such works is based upon Permit No. 949

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

Soda Creek Springs

8. The date of the priority which said user is prepared to establish is

Sept 14, 1905
March 18, 1904

I desire that the above notice be published, according to law, in the

Chiefman 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)

Margaret M. Schmidt

No.-----

**Notice of Proof of Application
of Water.**

Received

Sept 16 1895

Date of Proof-----

Place-----

Notice sent to-----

for Publication on-----

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
STATE ENGINEER

Boise, Idaho, September 1, 1905.

Margareta M. Schmidt,
Soda Springs, Idaho.

Dear Madam:-

I enclose herewith blank upon which to notify this office of completion of works under your Permit #949. Kindly fill out this blank and mail to me at least 60 days before the date upon which you wish to submit proof, which proof must be submitted on or before November 28, 1905.

As the date set for proof of application of water to beneficial use is the same as the date for proof of completion of works, I enclose blank for this proof also, which should be filled out and mailed to me at the same time as notice of proof of completion of works.

949

Yours truly,

*Here with papers
enclosed 9/14/05*
Jas. Stephenson Jr.
State Engineer.

Boise, Idaho, September 28, 1905.

Soda Springs Chieftain,

Soda Springs, Idaho.

Dear Sirs:-

I enclose herewith notice for publication in the matter of proof of completion of works and proof of application of water to beneficial use under permit #949, which please publish once a week for four consecutive weeks in your paper. The expense of this publication will be paid by Margaret M. Schmidt of Soda Springs, to whom you will please furnish proof of publication of this notice on or before November 3rd, 1905.

Yours truly,

State Engineer.

Boise, Idaho, September 28, 1905.

Margareta, M. Schmidt,
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 and proof of application of water to beneficial use under your permit #949.

I enclose herewith set of deposition blanks for proof of completion of works and set for proof of application of water to beneficial use, these blanks to be filled out on the date of proof. I presume you have arranged with Mr. Turner to look after this.

Yours truly,

State Engineer.

Boise, Idaho, September 28, 1905.

Mr. E. J. Turner,

Coe, Idaho.

Dear Sir:-

I enclose herewith copy of notice of publication in the matter of proof of completion of works and proof of application of water to beneficial use under permit #949. I presume the holder of this permit has arranged with you for taking the depositions and making the examination, as the blank was filled out in that way.

Yours truly,

State Engineer.

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

PERMIT NO. 949

Proof of Application of Water to Beneficial Use.

DEPOSITION OF WITNESS.

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

Ans. James Rolando 38 years Soda Springs LaborerP. O. Soda SpringsQues. 2. Are you acquainted with yesthe holder of Permit No. 949? How long have you known him, and where does he reside?Ans. Six years resides at Soda SpringsQues. 3. Have you read or heard read said Permit No. 949, 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. Soda Creek Springs place of diversion located at center of S E 1/4 S E 1/4 Sec 14 T. 8 South - Range 41 E B M by dam windmill pump and ditches

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. 1.6 cubic feet per second have seen that amount carried

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 the S E 1/4 S E 1/4 Sec 14 T. 8 R 41 E B M N E 1/4 N E 1/4 Sec 28 T. 8 R 41 E B M

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. Low lying sage land requiring about a inch of water 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. None

949

Permit No.

Proof of Application of Water
to Beneficial Use.

DEPOSITION OF WITNESS.

Received and filed *May 20-05*

Water Commissioner

Edward J. Hines

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 *Boise Springs*, County of *Bannock*, State of Idaho, on this *19th* day of *November*, A. D. 1905.

Samuel H. Hanks (Sign)

Ans. *Since April 1905 the amount of water diverted under said permit is from one and one-half million feet and about*

tion to beneficial use of the water diverted under said permit.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the appli-

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

PERMIT NO. 949

Proof of Application of Water to Beneficial Use.

DEPOSITION OF WITNESS.

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

Ans. Age 22 years, Louis Porchio, Soda Springs
Rancher, P.M. Soda SpringsQues. 2. Are you acquainted with Margaret Dr. Schmidt
the holder of Permit No. 949? How long have you known him, and where does he reside?Ans. About five years resides at Soda SpringsQues. 3. Have you read or heard read said Permit No. 949, 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. Soda Creek Springs point of diversion
Located at the SE 1/4 SE 1/4 Sec 14 T₂ & R Range 41 E B.M.
by dam windmill pump and ditches

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. 16 cubic feet per second

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.)

Ans. Irrigation on the SE 1/4 of SE 1/4 Sec 14 ^{20 acres} and
NE 1/4 NE 1/4 Sec 28 T₂ & R 41 E B.M. 13 acres

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

Ans. None

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

Ans. Age loan requiring 1/2 sec foot or 25 inches
of water

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

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Permit No.

Proof of Application of Water
to Beneficial Use.

DEPOSITION OF WITNESS.

Received and filed *July 20-03*

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. Since April 1902 to the amount of one
and one fourth acre feet per second to the
dam pump and will end after
(Sign) *George D. ...*
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 *10th* day of *November*, A. D. 1903.
Edward J. Turner
Notary Commissioner

Permit No. 949

Proof of Application of Water to Beneficial Use.

DEPOSITION OF HOLDER.

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

Ans. Margaret M. Smith - Age 42 years housewifeSoda 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. _____

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

Ans. Number 949 November 18th 1904

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

Ans. Soda Creek Springs. Point of diversion locatedat the center S E 1/4 of S E 1/4 Sec 14 T. 8 South Range 41 E B M

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

Ans. By dam wind mill pump and ditches capableof conveying 1.6 cubic feet per second of waterBehnoldt ditch

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

Ans. for irrigation on the S E 1/4 of S E 1/4 Sec 14 T. 8 SouthRange 41 E B M twenty acres and the N E 1/4 of N E 1/4Sec 28 T. 8 South Range 41 E B M fifteen acres

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

Ans. _____

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

Ans. one half second foot or 25 inches

949

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. _____

Pernit 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

Nov 29 1905

949

....., A. D. 1905

....., State of Idaho, on this

8th

day of November

....., County of Benewah

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-

(Sign) Margaret M. Johnson

Ans. First used April 1903 for the purpose of 1.6 cu ft for use in dam and ditch and windmill

mentioned permit has been used.

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

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

PERMIT NO. 949**Proof of Completion of Works.**

DEPOSITION OF WITNESS.

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

Answer. Louis Torchio age 22 RancherPO Soda Springs

Ques. 2.—Are you acquainted with Margaret M Schmitt, the holder of Permit No. 949, authorizing the diversion of 1.6 second-feet of the waters of Soda Creek Springs, at SE 1/4 SE 1/4 S. 14 T. 8 S. R. 41 for irrigation purposes? How long have you known him, and where does he reside?

Ans. at Soda Springs 5 years at Soda Springs

Ques. 3.—Have you read or heard read said Permit No. 949, and are you familiar with its terms and conditions?

Ans. yes

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

Ans. I am acquainted with the same dry sage land requiring about an inch of water 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. dam windmill pump and ditches capable of carrying 1.6 cubic feet per second of water

= = Louis Torchio

(Sign here.) ✓

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 2nd day of November, A. D., 1905

949

Edward J. Turner
Water Commissioner

Permit No.

To appropriate second

feet of water from

County, Idaho.

by

Proof of Completion of Works

Deposition of Witness

Received and filed *May 20*

1905

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

PERMIT NO. 949**Proof of Completion of Works.**

DEPOSITION OF WITNESS.

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

Answer.

James Rolando age 38 years occupation
laborer P O Soda SpringsQues. 2.—Are you acquainted with Margaret M Schmidt, theholder of Permit No. 949, authorizing the diversion of 1.6 second-feet of the waters ofSoda Creek Springs, at the S E 1/4 S E 1/4 Sec 14 T 4
S. P. R. 41 E 15 W. for irrigation purposes? How long have you known him, and where does he reside?

Ans.

Six years resides at Soda SpringsQues. 3.—Have you read or heard read said Permit No. 949, and are you familiar with its terms and conditions?

Ans.

yes

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

Ans.

I am, dry sage land requiring an
inch of water for use

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.

dam pump wind mill and ditches
capable of carrying 1.6 cubic feet per
second of water

(Sign here.)

James RolandoI 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 8th day of
November, A. D., 1903

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Edward J. TurnerNotary Commissioner

Permit No.

To appropriate second

feet of water from

County, Idaho.

by

Proof of Completion of Works

Deposition of Witness

Received and filed *March 20-1905*

PERMIT NO. 949**Proof of Completion of Works.****DEPOSITION OF HOLDER.**

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

Answer. Margaret M Schmidt age 42 years homemaker
Soda Springs

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. #949 date November 18th 1904

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 of 80 acres of arid land
SE 1/4 SE 1/4 sec 14 and NE 1/4 NE 1/4 sec 23 T48S R41E8M

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. water was turned into ditches during
April 1908

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. in full compliance with permit

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

Ans. Dam two feet in height 13-0 feet in length
wind mill pump and ditch capacity of 1.6 cubic
feet per second cost \$260.00(Sign here.) Margaret M. SchmidtI 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, CountyBannock, State of Idaho, on this 2nd day ofNovember

A. D., 1905

Edward J. Turner

949

Permit No.

To appropriate second

feet of water from

..... County, Idaho.

Proof of Completion of Works

DISPOSITION OF HOLDER

Received and filed *Nov. 20*

1905

Affidavit of Publication.

STATE OF IDAHO.

COUNTY OF BANNOCK.

SS.

Received Nov. 20 - 05

I, **JOE H. DeWITT**, do solemnly swear that I am the publisher of **THE SODA SPRINGS CHIEFTAIN**, a newspaper of general circulation; published once each week at Soda Springs, Bannock County, State of Idaho; that the notice attached hereto, and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper for four consecutive weeks; the first publication being made on the 5th day of October 1905; that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and that the notice was published in the newspaper and not in a supplement.

Joe H. De Witt

Subscribed and Sworn to before me this 2nd day of

November A. D., 1905

Herbert Hershey
Notary Public

I, _____, Register, do hereby certify that a notice, a printed copy of which is hereunto annexed, was by me posted in a conspicuous place in my office for a period of thirty days, I having posted said notice on the _____ day of _____ A. D., 190_____

NOTICE FOR PUBLICATION

Notice is hereby given that at 2 p. m. on the 3rd day of November, 1905, at Soda Springs, County of Bannock, State of Idaho, J. Turner, proof will be submitted for the diversion of water for the purpose of irrigating the land of said water, in accordance with the terms and conditions of Permit No. 1000 issued by the State Engineer of Idaho.

1. The name and postoffice address of the person holding said permit is J. Turner, Soda Springs, Idaho.

2. Said works of diversion will be completed on the 1st day of December, 1905, and the amount of water which said water is capable of conducting to the place of use, in accordance with the plans filed with the application for such permit is 1.6 cubic feet per second.

3. The use to which said water is applied is irrigation, and the amount of water which said water is capable of conducting to the place of use, in accordance with the plans filed with the application for such permit is 1.6 cubic feet per second.

4. The place where said water is to be used is Soda Creek Spr.

5. The name of the ditch by which water is conducted to such place is _____

6. The right to take the water is based upon Permit No. 1000.

7. The source of supply from which water is diverted is Soda Creek Spr.

8. The date of the priority which is claimed to establish is November 1st 1905.

9. The date of the priority which is claimed to establish is November 1st 1905.

STATE OF IDAHO
BOARD OF IRRIGATION

COVE, IDAHO, Nov 8th 1902

Jas Stephenson Jr
State Engineer
Dear Sir

Find enclosed depositions of proof
for completion of works and application of water
to beneficial use, under permit 8949, Margaret
Mc Smith, of Soda Springs. Also affidavit of
publication, together with check for \$900 to pay
fees, for completion of works \$400 for beneficial
application of water. It is 2 1/4 of 5 2/4 of Sec 14 and 2 1/4 of
N 2 1/4 Sec 23 T 8 S R 41 E B M. I found upon
examination that the works were fully completed
according to the permit. That 33 acres was reclaimed
by the beneficial application of water, "as described
the enclosed plat". The balance of this land
about 45 acres is high ground above the ditch
or water level and very rocky bare rock making
unfit for cultivation. Owing to there being
scarcely any wind on the day I made examination
"Nov 8th" the pump was not working, but all the
work was fully complete
water marks quite plain in ditches
from my observation

STATE OF IDAHO
BOARD OF IRRIGATION

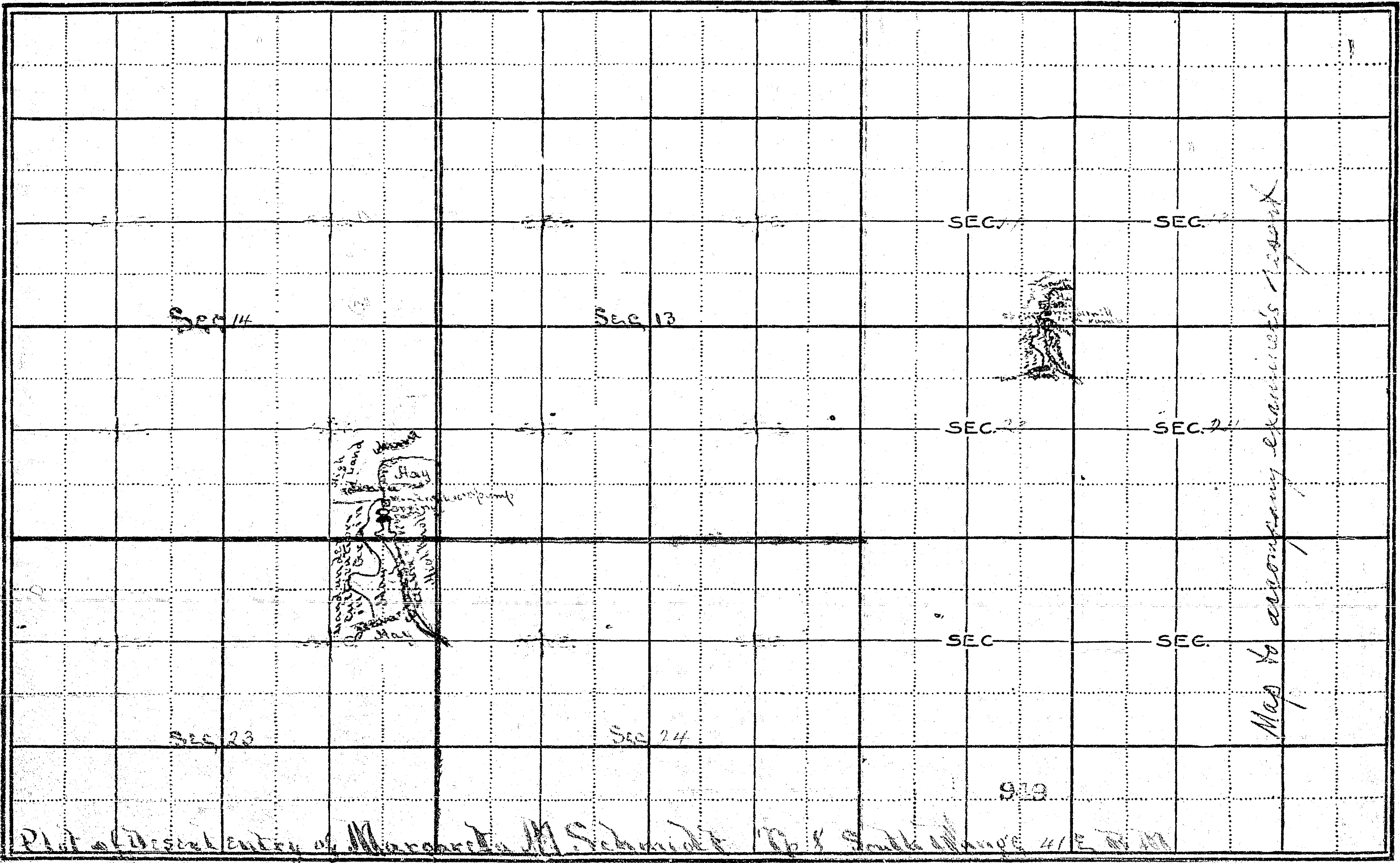
COVE, IDAHO, _____ 190__

of the water marks. I estimate the flow of water
in the ditches to have been one half cubic foot
per second. The soil is of a damp nature
and I should judge would not require more
than 1/2 inch of water per acre for profitable
irrigation.

Yours truly
Edward J. Turner
Water Commissioner

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

Printed and for sale by Government Printing Company, Boston, 1930



Plot of Desert entry of Margaret M. Schmidt Op 8 South Range 41 E T 10 N

Boise, Idaho, November 29, 1905.

Margareta M. Schmidt,
Soda Springs, Idaho.

Dear Madam:-

I enclose herewith Certificate of Completion of Works and License issued under your Permit No. 949. Also enclose receipt for \$5.00 in the matter of Proof of Completion of Works, and receipt for \$4.00 in the matter of proof of application of water to beneficial use.

Yours truly,

State Engineer.

Permit No. 949

Certificate of Completion of Works.

To All Whom It May Concern:

This is to certify that

Margaret M. Bennettof Loda Spring, County of Bannock, and State ofIdaho, the holder of Permit No. 949, issued upon ApplicationNo. 1319, bearing date of priority of November 18, 1904, authorizing the diversion ofone and six-eighths second-feet of the waters of Loda Creek SpringCounty of Bannock, State of Idaho, at SE 1/4 of SE 1/4, Sec 14, T4R. 41 E 2m, for irrigation & 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-eighths

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

lows, to-wit:

East Quarter of Southeast Quarter of
Section Fourteen, Northeast Quarter of North
East Quarter of Section Twenty, Township
Eight South, Range Forty, East of
Prime Meridian

Witness my hand this

day of

949

A. D. 190

State Engineer of the State of Idaho.

PERMIT No. 949

Certificate of Completion
of Works.

Dated

190

Stream

State Creek Agency

County

Connecticut

Amount

16 Dec 1904

Date of priority

Nov. 18, 1904

Recorded in Book

Four

of

Trunks

page

949

STATE OF IDAHO

WATER LICENSE NO. ~~21~~ 949

WHEREAS, On the ~~twenty-third~~ 28th day of November, A. D. 1904,

Margareta M. Schmidt
of Soda Springs, County of Bannock, and State of Idaho,
duly made application (No. 949) to me for a permit to use one and six tenths
cubic feet per second of the waters of Soda Creek Spring
County of Bannock, State of Idaho, for Irrigation Domestic
purposes; and,

WHEREAS, On the 28th day of November, A. D. 1904,
Permit No. 949 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 28th day
of November, A. D. 1905; and for the application to beneficial use of said
water on or before the 28th day of November, A. D. 1905;
and,

WHEREAS, On the 3rd day of November, 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 949, dated , confirming the completion of works
of sufficient capacity for diverting and conveying to the place of intended use one and six tenths
cubic feet per second of water, with date of priority of November 18, 1904 and,
WHEREAS, On the 3rd day of Nov. A. D. 1905
proof was duly made of the application to beneficial use of Seven tenths cubic feet
per second of said water;

STATE OF IDAHO

Water License No. 949

To Margaret M. Smith

for use of the

Source of Supply Jackson Creek

Blaine County

Amount 1.00 Sec. Feet.

Point of Diversion at the Section

CR & R. Hillborn

Place of Use at the Section

ME 112 Sec 23 T4N88

Purpose for irrigation & domestic

Date of Priority Nov. 18, 1904

Recorded

in Book of Page

State Engineer.

949

drawn 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.

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

for the purpose of

Margaret M. Smith

2.5 ft. 8.8 R. 41.8 sec.

and conducted to and upon

Acres 14.1.88 R. 41.8 sec.

esary for the purposes hereinbefore mentioned, to be diverted at

83 401 824

in the County of Blaine 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

Nov. 18, 1904, to the use of

the holder and owner of said Permit No 949

I hereby grant and confirm to

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

E.G. GALLEY,
CLERK OF
DISTRICT COURT
EX OFFICIO
AUDITOR AND
RECORDER

D.N. CAMPBELL,
CHIEF DEPUTY.

BANNOCK COUNTY,

POGATELLO, IDAHO.

July 3rd, 1906.

James Stephenson, Jr.,

State Engineer,

Boise, Idaho.

Dear Sir:--

Some time in November 1905, Mrs. Margareta M. Schmidt, of Soda Springs filed on a certain Spring near Soda Creek to the extent or amount of 1-1/6 cubic feet per second of time and latter on made proof on the same and was accepted by E. J. Turner, and she also made proof on her Desert Entry of 80 acres near Soda Springs in this County and she has never received a license for the water which she has proved up on and they are holding her proof at the last office for said license, if said license has been mailed it must have been lost in transit and will you mail me the original or a copy of said license together with you bill and I will remit,

Yours truly,

D.N. Campbell

Boise, Idaho, July 5, 1906.

Mr. D. H. Campbell,
Pocatello, Idaho.

Dear Sir:-

I have your letter of 3rd inst., and in reply will say that Certificate of Completion of Work and License under Permit No. 949 were issued and mailed to Margareta M. Schmidt, Soda Springs, Idaho, on November 29, 1905, and I do not understand why same have not been received. However, I enclose certified copy of the License, for which kindly send me \$1.00.

Yours truly,

State Engineer.

Permit 949

Soda Springs July 10th 1906
Mr. Jas. Stephenson
State Engineer
Boise Idaho.

Dear Sir.

Enclosed please find \$1.00 for
certified copy of License which you
send to Mr. D. W. Campbell, Pocatello
on July 5th.

Yours Respectfully
Margareta M. Schmitt

Receipt mailed July 12, 1906.

- Brief -

Bannock County *
Soda Creek Spring *
7/10 sec. ft. *
Irrigation *
Priority 11-18-04. *

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

- Water License No. 949 -

Whereas, On the eighteenth day of November, A. D., 1904, Margareta M. Schmidt of Soda Springs, County of Bannock, and State of Idaho, duly made application (No. 1319) to me for a permit to use one and six-tenths cubic feet per second of the waters of Soda Creek Spring, County of Bannock, State of Idaho, for irrigation & domestic purposes; and,

WHEREAS, On the twenty-eighth day of November, A. D. 1904, Permit No. 949 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 28th day of November, A. D. 1905, and for the application to beneficial use of said water on or before the 28th day of November, A. D. 1905; and,

WHEREAS, On the third day of November, 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. 949, dated November 28, 1905, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one and six-tenths cubic feet per second of water, with date of priority of November 18, 1904, and,

WHEREAS, On the third day of November, A. D. 1905, proof was duly made of the application to beneficial use of seven-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 MARGARETA M. SCHMIDT of Soda Springs, the holder and owner of said Permit No. 949 a perpetual right, dating from November 18, 1904, to the use of seven-tenths cubic feet per second of the waters of Soda Creek Spring, 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 Southeast Quarter of Southeast Quarter of Section Fourteen, Township Eight South, Range Forty One East of Boise Meridian, and conducted to and upon Southeast Quarter of Southeast Quarter of Section Fourteen; Northeast Quarter of Northeast Quarter of Section Twenty-three, Township Eight South, Range Forty One 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 twenty-eighth day of November, A. D. Nineteen Hundred and five.

(Seal)

Jas. Stephenson, Jr.
State Engineer.

- Brief -

Bannock County *
Soda Creek Spring *
7/10 sec. ft. *
Irrigation *
Priority 11-18-04. *

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

- Water License No. 949 -

Whereas, On the eighteenth day of November, A. D., 1904, Margareta M. Schmidt of Soda Springs, County of Bannock, and State of Idaho, duly made application (No. 1319) to me for a permit to use one and six-tenths cubic feet per second of the waters of Soda Creek Spring, County of Bannock, State of Idaho, for irrigation & domestic purposes; and,

WHEREAS, On the twenty-eighth day of November, A. D. 1904, Permit No. 949 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 28th day of November, A. D. 1905, and for the application to beneficial use of said water on or before the 28th day of November, A. D. 1905; and,

WHEREAS, On the third day of November, 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. 949, dated November 28, 1905, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one and six-tenths cubic feet per second of water, with date of priority of November 18, 1904, and,

WHEREAS, On the third day of November, A. D. 1905, proof was duly made of the application to beneficial use of seven-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 MARGARETA M. SCHMIDT of Soda Springs, the holder and owner of said Permit No. 949 a perpetual right, dating from November 18, 1904, to the use of seven-tenths cubic feet per second of the waters of Soda Creek Spring, 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 Southeast Quarter of Southeast Quarter of Section Fourteen, Township Eight South, Range Forty One East of Boise Meridian, and conducted to and upon Southeast Quarter of Southeast Quarter of Section Fourteen; Northeast Quarter of Northeast Quarter of Section Twenty-three, Township Eight South, Range Forty One 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 twenty-eighth day of November, A. D. Nineteen Hundred and five.

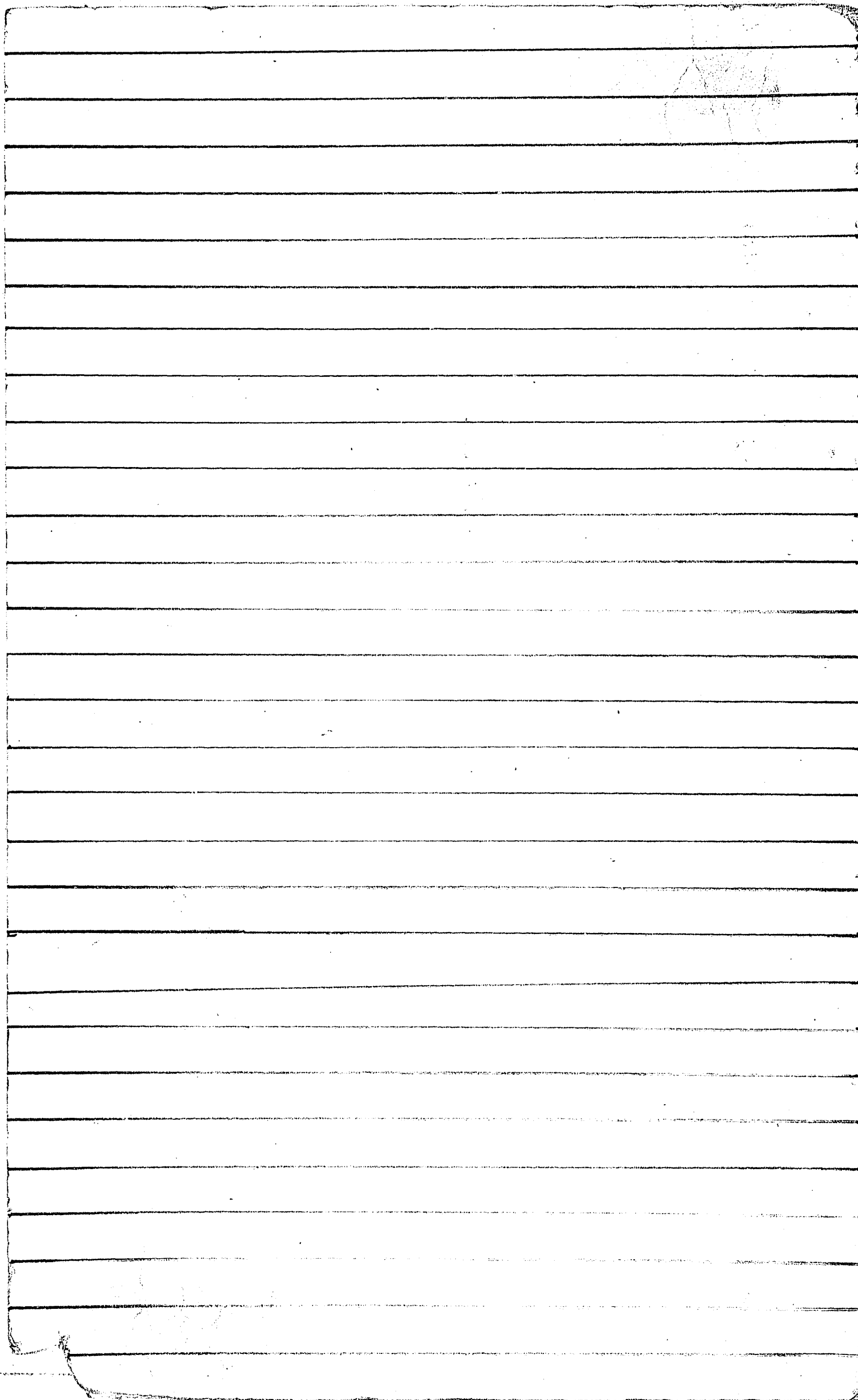
Jas. Stephenson, Jr.

State Engineer.

(Seal)

Recorded November 28, 1905.

11 2003



RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

NOV - 4 2003

RECEIVED

OCT 30 2003

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
11-02003					
11-00442					

2. The following **REQUIRED** information must be submitted with this form:

- The appropriate **FILING FEE**. See instructions for fee amounts.
- A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a **USDA Farm Service Agency AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

MARGARITA M. SCHMIDT - DECEASED

JOHN GEORGE SCHMIDT - DECEASED

4. New Owner/Claimant(s)

PRESBYTERY OF KENDALL, INC/HILDA THOMPSON RAYEN

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

c/o LARRY BULL

New Mailing Address

5187 W. PORTNEUF RD

City, State and ZIP Code

POCATELLO, IDAHO 83204

New Telephone Number

(208) 775-4582

5. Date you acquired the property

27 December 1988

SUPPORT DATA

IN FILE # 11-442

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number	Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
	Irrigation		
	Stock		
	Domestic		
	Other		
	Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number	Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
	Irrigation		
	Stock		
	Domestic		
	Other		
	Total		

7. *

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Larry BULL - Pres of Kendall

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>JC</u>	Date <u>10-30-03</u>	Fee <u>\$ 50-</u>
Received by <u>JC</u>	Date <u>10-31-03</u>	Receipt No. <u>F 029321</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 5, 2003

PRESBYTERY OF KENDALL INC
C/O LARRY BULL
5787 W PORTNEUF RD
POCATELLO ID 83204

RE: Change of Ownership for Water Rights 11-442 and 11-2003

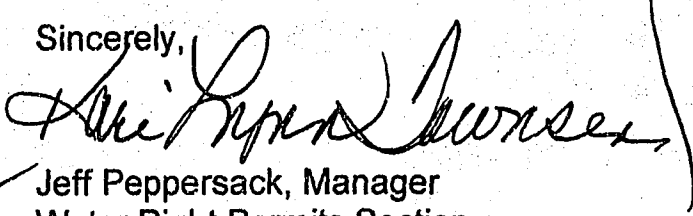
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

Cc: DON R AYERS
PO BOX 91
SODA SPRINGS ID 83276