

No. 4071

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant - Roy George

Postoffice address: P.O. Montpelier

County - Bear Lake, Idaho.

2. The quantity of water claimed is .01 cubic feet per second.

3. Source of water supply - Small Spring

County of Bear Lake.

4. Location of point of diversion - 45 rods North and 42 rods West from N.E. corner NW $\frac{1}{4}$ of Sec. 13, Tp. 13 S., R. 44 E.

5. To be used for:

I. Irrigation and domestic use: both.

(a) Number of acres to be irrigated - $\frac{1}{2}$ acre.(b) In the following legal subdivisions - SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12 and N2 NW $\frac{1}{4}$ Sec. 13, Tp. 13 S., R. 44 E.

6. Estimated cost of works - \$80.00

7. Description of works for diversion:

I. Kinds of works: Small ditch and pipe.

II. Dimensions of works:

(a) Ditch (flume or pipe) width at bottom (ditch 1 foot, pipe 2 inches.

Average grade per mile is 100 feet. Length of ditch and pipe are 3 rods.

and it crosses the following quarter sections - A portion of SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13,Tp. 13 S., R. 44 E. to SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12 & N2 NW $\frac{1}{4}$ of said Sec. 13, which is the point of intended use.

8. Time required for the completion of the construction of such work is 2 years.

9. Time required for the complete application of the water to the proposed use is no additional years.

Remarks:

Time asked for in Section 8 is hereby reduced to one year.

Jas. Stephenson, Jr.

State Engineer.

APPROVAL OF STATE ENGINEER.

The number of this permit is 2885.

Date of first receipt of application 3:00 a.m. June 24, 1907.

Recorded in Book 8, page 2885. Approved June 29, 1907.

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:

Work to begin on or before August 28, 1907, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 29, 1907.

The whole of said work to be completed on or before June 29, 1908.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to June 29, 1908.

Witness my hand this 29 day of June, 1907.

Jas. Stephenson, Jr.

State Engineer.

Blank notice of proof of completion and beneficial use mailed applicant March 1, 1908.

Notices received March 6, 1908, fixing June 15, 1908, as date and Montpelier as place of proof.

Notice for publication mailed Montpelier Examiner April 2, 1908.

Deposition blanks mailed applicant April 2, 1908.

Edward Bucher authorized May 25, 1908. to make examination of works.

His report received June 17, 1908.

Affidavit of publication, depositions and fees received June 19, 1908.

Certificate and License issued July 24, 1908.

2885

Permit No. 2885.

Certificate of Completion of Works.

To All Whom it May Concern:

This is to certify that ROY GEORGE of Montpelier, County of Bear Lake, and State of Idaho, the holder of Permit No. 2885, issued upon Application No. 4071, bearing date of priority of June 24, 1907, authorizing the diversion of .01 of 1 second foot of the waters of Small Spring County of Bear Lake, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the work of diversion set out in said Permit; that said works are adequate for diverting and conveying to the place of intended use .01 of 1 second foot of the waters of Small Spring that the point of Diversion of said waters is 45 rods north and 42 rods west from northeast corner of northwest quarter, section 13, township 13 south, range 44 East of Boise Meridian and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: One-half acre in the Northeast quarter of Northwest quarter, Section 12, Township 13 South, Range 44 East of Boise Meridian.

Witness my hand this 24th day of July, A. D. 1908.

Jas. Stephenson, Jr.,

State Engineer of the State of Idaho.

License is issued for 1/100 second feet

P. 327

P2885 Tp. 13/6 R 44 E

Application No. 4071
Permit No. 2885.

Roy George
.01 sec. 11, Small Spring
Bear Lake County
Approved June 29, 1907

John A. Johnson
State Engineer

SEC.
6

SEC.
6

SEC.
4

SEC.
3

SEC.
2

SEC.
1

SEC.
7

SEC.
8

SEC.
9

SEC.
10

SEC.
11

SEC.
12

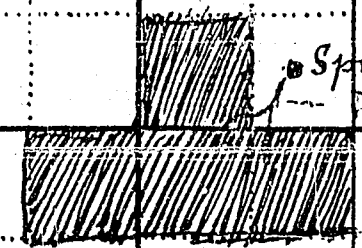
SEC.

SEC.

SEC.

SEC.
14

SEC.
13



Spring
Peters - etc

2885

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho,

July 29, 1907

Permit 2885 Roy George

DeMeade Austin,
Paris, Idaho

Dear Sir:

I enclose herewith above numbered permit.

JAS. STEPHENSON, Jr.,

State Engineer.

2885

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, March 1, 1908

Roy George
Montpelier, Idaho

Dear Sir:

I enclose herewith blank Notice of Proof of Completion of Works under your permit No. 2885 and blank Notice of Proof of Beneficial Application of Water under same permit, which notice should be filled out and returned to me at least 60 days before the date upon which it is desired to submit proof, which proof should be on or before June 29, 1908.

Yours truly,

JAS. STEPHENSON, Jr.,

State Engineer.

2885

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.) Montpelier Idaho.

(Date) March 3-1908

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

Dear Sir: Notice is hereby given that at 3 P. M. on the 15th day of June 1908, at Montpelier County of Bear Lake State of Idaho, before D M Austin proof will be submitted of the completion of works for the diversion of .01 cubic feet per second of the waters of Spring 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

Roy George

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

Montpelier County of Bear Lake State of Idaho.

3. The number of such permit is 2885, and the date set for the completion of such work is

June 29, 1908

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

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is .01 cubic feet per second.

6. The amount of lands for which said water is available is 1/2 acres, particularly described as follows: S W 1/4, S W 1/4 Section 12
and N 1/2, N W 1/4 Section 13. T 13 S.
R 44 East

(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.

desire that the above notice be published, according to law, in the Montpelier Examiner of Montpelier Ida published in the county in which said works are situated; the expense of which publication will be borne by Roy George

(Signature)

David J. Tallich

Parley P. George

David R. Tallich

2885

Permit No. 2885

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.) Montpelier Idaho
(Date) March 3-1908

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

DEAR SIR: Notice is hereby given that at 3-P. M. on the 15th day of June 1908, at Montpelier County of Bear Lake State of Idaho, before D. M. Austin proof will be submitted of the application to beneficial use of .01 cubic feet per second of the waters of Spring in accordance with the terms and conditions of Permit No. 2885 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

Roy George, Montpelier, Idaho

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

Irrigation and domestic use

3. The amount applied to beneficial use is

.01 cubic ft. per second

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

S. 1/4 & N. 1/4 section 12, and N. 1/4 N. 1/4 section 13 T. 18 South R. 44 East

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

6. The right to take the water from such works is based upon Permit No. 2885

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

Spring

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

June 24-1907

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

Montpelier Examiner

of Montpelier Idaho, published in the county in which said water is to be used; the expense of which publication will be borne by me.

(Sign)

Roy George

OFFICE OF STATE ENGINEER

2885

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

INSTRUCTIONS.

Proof of Completion of Works
and
Proof of Beneficial Use of Water.

Boise, Idaho, April 2, 1908

Roy George
Montpelier, Idaho

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works and proof of application of water to beneficial use under your permit No. 2885.

Depositions of Permit Holder,

Depositions of Two Witnesses.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of your rights:

1. On June 15, 1908, the date set for the proof of completion of works, the enclosed deposition forms (two for permit holder and two each for two witnesses) should be filled out and sworn to, at Montpelier, Idaho, before D. M. Austin.

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

3. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$5.00 for completion of work and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received, together with report of examining engineer, if everything is properly executed, Certificate of Completion of Works and License will issue.

Yours truly,

JAS. STEPHENSON, JR.,

State Engineer.

2885

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Notice of Proof of Completion of Works
and
Application of Water to Beneficial Use.

Notice is hereby given that at 3 P.M.
on the 16th day of June, 1908, at Montpelier,
County of Bear Lake, State of Idaho, before D. M. Austin,
proof will be submitted of the completion of works for the diversion of
.01 of 1 cubic feet per second of the waters of Spring
and of the application to beneficial use of said water in accordance
with the terms and conditions of Permit No. 2885 heretofore issued
by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said
permit ~~is~~ are Roy George, Montpelier, Idaho.

2. 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 .01 of 1
cubic feet per second.

3. The use to which said water has been applied is irrigation
and domestic purposes, and the amount applied to beneficial use is .01 of 1
~~per second.~~ cubic foot per second.

4. The place where said water is used is SW4 SW4 Section 12 and
N2 NW4 Section 13, Tp.13 S., R. 44 E.B.M.

5. The date of priority which said user is prepared to estab-
lish is June 24, 1907.

JAS. STEPHENSON, Jr.,
State Engineer.

2885

(Place) Montpelier, Idaho

(Date) Apr 4, 1908

State Engineer, Boise, Idaho.

Dear Sir:

I have your letter of Apr 2 enclosing Notice of
Completion of Works and Notice of Application of Water to Beneficial
Use under Permit No. 2885 which will be published as you request,
beginning with our issue of Apr 10

RECEIVED

APR 6 1908

Montpelier Examiner 2885
G. S. Bradley

RECEIVED

Montpelier Vt 7/23/08

MAY 20

State Engineer here dear

I am sorry in
regard to proof as I fear
will say that you may
name Edward Bucher
to look over the same
in regard to these
blanks you sent me
shall I send them
in before proof is made
are not all right or to
please let me so at once
and oblige yours R. H. George

25821

2585

Boise, May 25, 1908.

Permit 2885.

Mr. Roy George,
Montpelier, Idaho.

Sir:

Replying to yours of the 22nd inst. would say that we have this day mailed letter of instructions authorizing Edward Eicher to make the examination as requested.

The deposition blanks sent you should not be filled out until the date set for making proof, June 15, 1908. On that date you should appear, with two disinterested witnesses, before DeLoade Austin and make your proof. They should then be returned to this office. The fees for proof of completion will be \$5.00 and for proof of beneficial use will be \$2.00 for each forty acre tract or fraction to which water has been beneficially applied. It will also be necessary for you to obtain the affidavit of publication from the publisher of the Montpelier Examiner. This he will furnish upon receipt of advertising fees.

Very truly yours,

State Engineer.

By...

2885

Boise, Idaho,-----May 25, 1908.-----

-----Edward Bucher, Surveyor,

-----Montpelier, Idaho.-----

DEAR SIR:

The holder of Permit No.-----2885-----Re y George-----, residing
 at -----Montpelier, Idaho,-----, which permit authorizes the diversion of-----01-----
 second-feet of the waters of-----Spring-----
 at -----, desire to make proof of the completion of works of
 diversion, at -----, on-----June 15, 1908.-----

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

Your report should be of sufficient detail to enable me to determine the amount of water the
 works are capable of diverting and conveying to the place of use; giving also the description of the loca-
 tion of point of diversion, and, in case of irrigation, the legal description of the land to be irrigated.

Will you also make a map on the enclosed plat, giving all the essential features of the works,
 such as point of diversion, route of ditch, place of use, etc. Also give the number of acres
 under cultivation in each forty.

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

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

Yours, truly,

JAS. STEPHENSON, JR.,

State Engineer.

2885

DE MEADE AUSTIN

Prosecuting Attorney
Bear Lake County

PARIS - IDAHO

6 / 18 / 08.

James Stephenson Jr.,

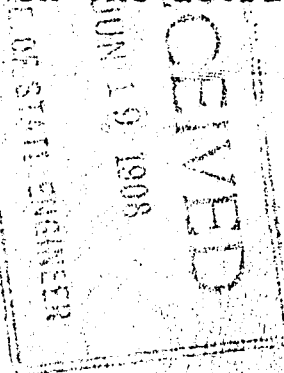
State Engineer, Boise, Idaho.

Dear Sir:-

I hand you herewith proof ^{papers} in matter of permit of Roy George. They were delayed on account of having been taken at Montpelier when my seal was at Paris, and I did not find it convenient to come over before. Find also check for \$7.00, your fees; you will note in the proof that this small stream cannot be used ~~for~~ on more than 1/2 acre for irrigation purposes and that only on the NW1/4 of NW1/4 of Sec. 13, Tp. 13 S., R. 44 E., so I told Mr. George, that in my opinion he would not have to pay more than \$2.00 on the acreage basis.

Very respectfully,

De Meade Austin



2885

PERMIT NO. _____

Proof of Completion of Works.

DEPOSITION OF HOLDER.

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

Ans. Roy George, aged 28 yrs; Montpelier, Idaho;
Rancher, P.O. Montpelier, 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. (not so acting)

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

Ans. 4078, dated June 29th 1907; .01 Second foot;
Small Spring; 45 rods N. and 42 rd. W. from NE Cor. NW⁴
Sec. 13, Tp. 13 S. R. 44 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 and domestic; 1/2 acre to be
irrigated, in SW⁴ NW⁴ Sec. 12 NE^{1/4} NW⁴ Sec
13 Tp. 13 S. R. 44 E. Also for house use in same
40; and to water animals in SW⁴ NW⁴ said Sec. 12.

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

Ans. Yes. June, 1908. The entire
stream claimed. Used for a month before
that for domestic purposes.

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. They completely comply in all
respects.

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. Fully comply

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

Ans. Small pipe, 2 inch wood pipe, about
and small ditch 6 to 8 rods long; capacity
of amt of water claimed.

(Sign here.)

Roy George

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

and sworn to before me, at my office in _____, County

of Bear Lake, State of Idaho, on this _____ day, of

June

A. D. 1908

D. M. Madell
Notary Public 2885

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

PERMIT NO. _____

Proof of Completion of Works.**DEPOSITION OF WITNESS.**

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

Ans. *Frank W. Miles, aged 32, Residence Montpelier, Idaho; Milling business, P.O. Montpelier, Idaho*Ques. 2. Are you acquainted with *Ray George*, theholder of Permit No. *4071*, authorizing the diversion of *.01* second-feet of the waters of*Small Spring*, at *Bear Lake County*for *Irrig. & Domestic* purposes? How long have you known him, and where does he reside?Ans. *Nearly 3 years on his homestead near Montpelier, Idaho*Ques. 3. Have you read or heard read said Permit No. *4071*, and are you familiar with its terms and conditions?Ans. *I have. I am*

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. It is 1 inch sagebrush land requiring one miner's inch per acre for profitable cultivation*

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

Ans. *They are. Yes.*

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

Ans. *Wood pipe with 2 inch bore for length of 300 feet or more, emptying into small ditch running 6 to 8 rods to land and house for domestic use. Will carry more than Spring furnishes*

(Sign here.)

Frank W. Miles

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 *Montpelier*, County of *Bear Lake*,State of Idaho, on this *15th* day of *June*, A. D. 190*8**D. Meade Austin*
Notary Public

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

PERMIT NO. _____

Proof of Completion of Works.**DEPOSITION OF WITNESS.**

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

Ans. *David Follick, aged 47; Montpelier Idaho, Contractor & builder; P. O. ad. Montpelier, Idaho.*

Ques. 2. Are you acquainted with _____, the

holder of Permit No. *4071*, authorizing the diversion of *.01* second-feet of the waters of*Small Spring*, at *Bear Lake County* for *Irrig & domestic* purposes? How long have you known him, and where does he reside?Ans. *yes, 14 years; He resides on his Homestead near Montpelier, Idaho.*Ques. 3. Have you read or heard read said Permit No. *4071*, and are you familiar with its terms and conditions?Ans. *I have. I am.*

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. It is bench sage brush land. Requiring one miner's inch per acre for profitable irrigation & cultivation.*

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

Ans. *They are. yes.*

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

Ans. *Wood pipe with 2 inch bore, for distance of 300, or, about that, emptying into small ditch, running about 6 to 5 rods to place of use. Works will carry at least .02 cu ft. per sec.*

(Sign here.)

David Follick

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 *Montpelier*, County of *Bear Lake*, State of Idaho, on this *15th* day of *June*, A. D. 190*8*.

Dep. Judge Austin
Notary Public
2885

Permit No. _____

Proof of Application of Water to Beneficial Use.

DEPOSITION OF HOLDER.

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

Ans.

Roy George, aged 28, Montpelier, Idaho,
Rancher, P.O. Montpelier, 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.

In individual capacity

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

Ans.

4071, date of priority June 29th 1907, being
date of permit

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

Ans.

Small Spring; 45rd N. & 42rd W. from
NE cor. NW⁴ Sec. 13, Tp. 13 S. R. 44 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.

about 300 ft of wood pipe, 2 in. bore, and
6 or 8 rods of small ditch; will carry at
least 0.2. Small individual concess.

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 & Domestic purposes, for irrigation
it is used on small plot of garden 1/2 acre in
NE 1/4 NW⁴ Sec. 13, Tp. 13 S. R. 44 E. The use
to be made of water in SW⁴ Sec. 12, Tp. 13 S. R. 44 E,
was merely to water stock in pasture.

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

Ans.

Only for house use, and for stock

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

Ans.

For irrigation - one inch per acre

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

I am individual to whom issued

Permit No.

Proof of Application of Water to
Beneficial Use.

DEPOSITION OF HOLDER.

Amount of water second feet.

Source

County

Purpose

Place of use

Date of priority

Received and filed

day of

June

A. D. 1908

, State of Idaho, on this

New York

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

Warwick

County of

15th

(Sign.) Roy H. Hays

under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and all rights claimed thereunder.

Ans. The other water has or it is to be used on said land in addition to above

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted

Ans. Have used at 3 times since I started June 1908 on garden plot, to extent of entire stream, estimated at 0.1 A. M. H. per second. Used for domestic purposes for 30 days or more.

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

mentioned permit has been used.

PERMIT No.

Proof of Application of Water to Beneficial Use.

Deposition of Witness:

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

Answer. David Fallick, aged 47. Montpelier, Idaho;
Contractor & builder, Montpelier, Idaho
Roy George

Question 2. Are you acquainted with

the holder of Permit No. 4071? How long have you known him, and where does he reside?

Ans. I am, have known him 12 years
He resides on his homestead near
Montpelier, Idaho

Question 3. Have you read or heard read said Permit No. 4071, and are you familiar with its provisions and conditions?

Ans. I have, I am.

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

Ans. Small Spring rising in SE⁴ SW⁴ Sec. 17, Tp. 13 S. R. 44 E; 45 rods N. 42 rods W. from 7th Cor. NW⁴ Sec. 13 Tp. 13 S. R. 44 E, 300 feet wood pipe - 2 in. bore, and 6 to 8 rods small ditch

Question 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. 02 sec. ft. entire supply of about 01 sec. ft.

Question 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. For domestic (house) and irrig. on NE⁴ NW⁴ Sec. 13 Tp. 13 S. R. 44 E; also small portion at intervals goes to SW⁴ SW⁴ Sec. 17, Tp. 13 S. R. 44 E. to water cattle etc., being used for pasture

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

Ans. nothing outside of irrig, except domestic

Question 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. Upland (sage brush) on miner's land

Question 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

Permit No.

Proof of Application of
Water
to Beneficial Use.

DEPOSITION OF WITNESS.

Received and filed.

THE IVY PRESS, BOISE

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. First week of June, 1908, saw Mr. Roy George
Kearse and wife, with their stream and garden
for 2 days; these, near the garden
floor, making the garden and being used
for domestic purposes. (Sign) I and F. M. Lick
May 4 June 1908;

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

in _____ County of _____ State of Idaho, _____
on this _____ day of _____ A. D. 1908

James M. Lick
Notary Public

2885

PERMIT No. _____

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

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

Answer. Frank W. Miles, aged 32, Residence Montpelier, Idaho, Milling business, P.O. Montpelier, Idaho

Ques. 2. Are you acquainted with _____

Roy George

the holder of Permit No. 4071? How long have you known him, and where does he reside?

Ans. ^{Yes} About 3 years; he resides on his homestead near Montpelier, Idaho

Ques. 3. Have you read or heard read said Permit No. 4071, and are you familiar with its provisions and conditions?

Ans. I have, I am.

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. Small Spring; 45 rods N + 42 rd W from NE Cor, NW⁴ Sec. 13, Tp 13 S. R. 44 E. 300 feet wood pipe, - 2 in. bore, continued to place of use by 6 to 8 rds of small ditch

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. .02 Sec. ft., entire flow, estimated .01 Sec. ft.

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

Ans. For house use + water stock; also to irrigate small garden, latter purpose, it is used on NE⁴ NW⁴ Sec. 13, Tp. 13 S. R. 44 E; also house use in same 40. used for stock in SW⁴ NW⁴ Sec. 12, Tp 13 S. R. 44 E. It cannot be used on NW⁴ NW⁴ Sec. 13, as above.

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

Ans. ^{other} no application except, domestic as above

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. For one half acre upland, (sage brush) requires inch 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. I have none whatever.

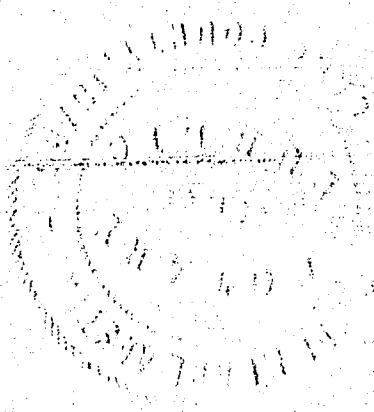
Permit No.

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

DEPOSITION OF WITNESS.

Received and filed

THE ILY PRESS, BOISE



on this

day of

June, A. D. 1908

in

Franklin, County of

State of Idaho,

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

(Sign) Frank W. Miller

Ans.

the water diverted under said permit.

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

Ans. I have witnessed the application to beneficial use of water in the amount of 100,000 feet, to water vegetables.

Affidavit of Publication.

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

Notice of Proof of Completion of Works and Application of Water to Beneficial Use.

Notice is hereby given that at 3 p. m. on the 15th day of June, 1908, at Montpelier, County of Bear Lake, State of Idaho, before D. M. Austin, proof will be submitted of the completion of works for the diversion of .01 of 1 cubic foot per second of the waters of spring and of the application to the beneficial use of said water in accordance with the terms and conditions of Permit No. 2885 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Roy George, Montpelier, Idaho.

2. 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 .01 of 1 cubic foot per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is .01 of 1 cubic foot per second.

4. The place where said water is used is S W 1/4 S W 1/4 section 12 and N 1/2 N W 1/4 section 13, T. 10 S. R. 41 E. B. M.

5. The date of priority which said user is prepared to establish is June 24, 1907.

JAS. STEPHENSON, JR.,
State Engineer.

Notice of Sale of Real Estate of the

L. G. Bradley

~~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 10th day of April, 1908

L. G. Bradley

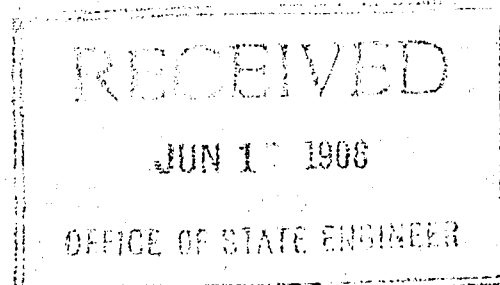
Subscribed and sworn to before me this 15th

day of June, 1908

D. M. Austin
Notary Public

2885

OFFICE OF
EDWARD BUCHER
SURVEYOR
BEAR LAKE COUNTY.



Montpelier, Idaho, 15th June 1908

Report on Permit No 2885, Roy George Holder.

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

Sir!

In Your letter of 25th May 1908 I was requested to examine and report on works done by holder of Permit No 2885. The examination was made the 13th May 1908.

The supply is taken from a little spring located in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 12 T4 P13 S. R44 E. E. M. A bearing was taken at SW corner SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 12 which is N 59° 13' E 816 feet. The bearing of pipeline to place of use of water is taken at the spring S 21° 32' W 488 feet.

The pipeline consists of wooden pipes, bore of pipes 1 $\frac{1}{2}$ in diam. The spring is cased by a wooden box and at the end of discharge is a wooden trough 12 x 14 in x 12 feet long.

The water was flowing thru the pipeline at the time of inspection and it took 6 min of time to fill a 5 gal. Can. The water is used for domestic purposes.

Respectfully submitted

2885

E. W. Bucher, County Surveyor.

*Map To Report on Permit No 2885
Township 13 N. R 44 E B. 16*

SEC. 6

SEC. 5

SEC. 4

SEC. 3

SEC. 2

SEC. 1

SEC. 7

SEC. 8

SEC. 9

SEC. 10

SEC. 11

SEC. 12

SEC. 18

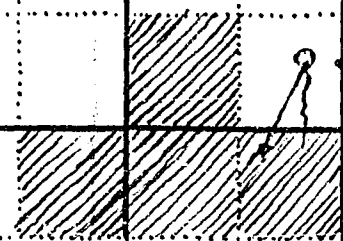
SEC. 17

SEC. 16

SEC. 15

SEC. 14

SEC. 13



Spring

2885

June 15th 1908

Edward W. Bucher, Surveyor
Bear Lake County,

Boise, August 3, 1908.

Permit 2885.

Roy George,

Montpelier, Idaho.

Sir:

Enclosing you herewith certificate and license issued under above permit, also receipts for fees.

Very truly yours,

State Engineer.

C&I-R1256-57

By...

2885

RECEIVED
FEB 4 1957

Boise, Idaho
January 30, 1957

Department of Reclamation

State Water Permitt Office
Boise, Idaho.

2885

Dear Sirs:

I would like some information about a water permitt on a farm that I recently purchased. I will inclose the legal description of my farm which is as follows:

The South east quarter of the North west Quarter and the North east quarter of the South West quarter of Section Thirteen (13) in Township thirteen (13) South of Range fortyfour (44) East of the Boise Meridian, Containing 80 acres according to Government survey.

Also, the Southeast quarter of the Southeast quarter of Section Eleven (11), The Southwest quarter of

the Southwest quarter of Section Twelve (12), The East half of the Northeast ~~bottom~~ quarter of Section Fourteen (14), The North half of the Northwest quarter and the Southwest quarter of the Northwest quarter of Section 13, all ~~the~~ in Township thirteen (13) South of Range forty-four (44) East of the Boise Meridian, containing 280 acres, more or less.

Together with a certain Spring of water on said land to the amount of .61 cubic foot per second under state permit No. 4071.

I would like a copy of permit No. 4071 and would like to know all the information possible with respect to

this Spring of water. Whether it was filed on and proved up on, and just what legal claim I have on the water. The spring is not actually located on my property but is a short distance off my place located on south east quarter of the southwest of section Twelve (12) same as section 12 on my description.

Please let me hear from you as soon as possible.

Yours Truly,
A 2885. L. p. 327 Leland D. Kunz

February 5, 1957

Mr. Ieland D. Kurez
Barn
Idaho

Dear Mr. Kurez:

We acknowledge receipt of your letter of January 30, 1957.

The records of this department disclose that water license No. 2885 was issued to Roy George of Montpelier, County Bear Lake, Idaho, for .01 of 1 cubic foot per second of the waters of a small spring located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, Township 13 South, Range 44 East B.M., the place of use being upon one-half acre in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, Township 13 South, Range 44 East B.M.

A certified copy of this license can be forwarded to you upon request and the receipt of \$1.50 which is the statutory fee for copy-work and certification.

We shall await your reply.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:nls

GREGG R. POTVIN
L. R. SCHOU

BRANCH OFFICE
ABERDEEN, IDAHO

LAW OFFICES
POTVIN & SCHOU
Phillips Building
American Falls, Idaho

March 22, 1957

RECEIVED
MAR 25 1957
Department of Reclamation

Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Re: Permit No. G-26739

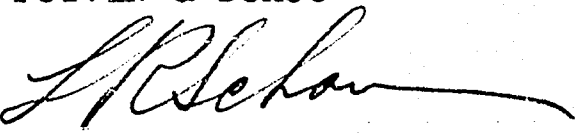
Dear Sir:

Mr. John Tiede, the holder of the above permit is desirous of transferring the same to Otto Tiede who is now the record owner of the real property to which the permit is appurtenant.

Will you please send us any forms and information you may have to effectuate such a transfer at your earliest convenience?

Very truly yours,

POTVIN & SCHOU

Send Assignment form

By L. R. Schou

5885

March 29, 1957

RE: Permit No. G-26739

Potvin & Schou
Phillips Building
American Falls, Idaho

ATTENTION: Mr. L. R. Schou

Dear Mr. Schous

We acknowledge receipt of your letter of March 22, regarding an assignment of Permit No. G-26739 which is at present recorded in the name of John Tiede.

We are enclosing a Form for Assignment which must be signed by both Mr. Tiede and his wife and acknowledged by a Notary Public.

When this Form is filled out and properly signed please return to this Department for recording and the Form will then be returned to Mr. Tiede for his files.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Encl.

2885

Mark R. Kulp,
State Reclamation Engineer
Boise, Idaho.

* Bern, Idaho
March 14, 1957

RECEIVED
MAR 15 1957
Department of Reclamation

Dear Mr. Kulp.

In regard to your letter February
fifth, respecting water licence
No. 2885. I am enclosing a
check of \$1.50. which I'd like
to obtain the certified copy
of same.

There seems to have been a
mistake in the water licence
permit number recorded on
the deed to my farm, and I would
like to know if the recording
done by Roy George is legally
attached to the heirs of this
property forever; or if it is
necessary for the correct water
licence number to accompany
the deeds as the land is transferred
from party to party. My deed is
recorded with water permit No 4071
which evidently is a mistake.
Would it be necessary to locate
the erroneous deed back in the
records and have the last 2885

party who held the correct
deed issue me a statement,
or could I have Roy George
issue a transfer to me?

I would very much appreciate
it if you could supply me
information as to how to
properly correct this error.

Yours Truly,

Leland D. Kunz

March 26, 1957

Re: Permit No. 2885
Licensed

Mr. Island D. Kunz
Barn
Idaho

Dear Mr. Kunz:

To comply with your letter of March 14, 1957, we have enclosed a photo-copy of license No. 2885.

Even though this license is in the name of Roy George, the water in connection with said license is appurtenant to the land to which it refers as the place of use. A license, being appurtenant to the land, should have been turned over to you by Mr. George, however, whether you have the original license or not, the water right now stands for the land as referred to in it, as is on record in the Department of Reclamation.

Regarding Water Permit No. 4071 - this permit in the records of this department is not for Bear Lake County, therefore, it will not be necessary for Roy George to issue a transfer to you. Even though Permit No. 4071 is indicated in your Deed we do not think this will make any particular difference since it is no doubt an error made in stating the permit number.

We have returned your check for \$2.50 which you sent to cover the payment of a certified copy of the above mentioned license. The fee for a photo-copy of this size is \$1.00, therefore, will you please mail a check made out to The Department of Reclamation for the sum of \$1.00, at your earliest convenience.

If this letter does not clarify this matter for you please feel free to make additional inquiries.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

ET:llh
nc:

2885

CA 6000, 100

Bern, Idaho
Mar. 27, 1957

Mark R. Kulp
State Reclamation Engineer

Dear Mr. Kulp

RECEIVED
MAR 29 1957
Department of Reclamation

Enclosed please find
check of \$7.00 for photo copy
of my water license which
you asked for in your letter of
Mar. 26. Thank you for all your
trouble and the information you
sent.

Very truly yours,
Leland P. Karp

March 29, 1957

RE: Permit No. 2885

Mr. Leland D. Kunz
Bern, Idaho

Dear Mr. Kunz:

We acknowledge receipt of your check in the amount of \$1.00 in payment of fee for the photo-copies of License No. 2885 which was mailed you March 26, 1957.

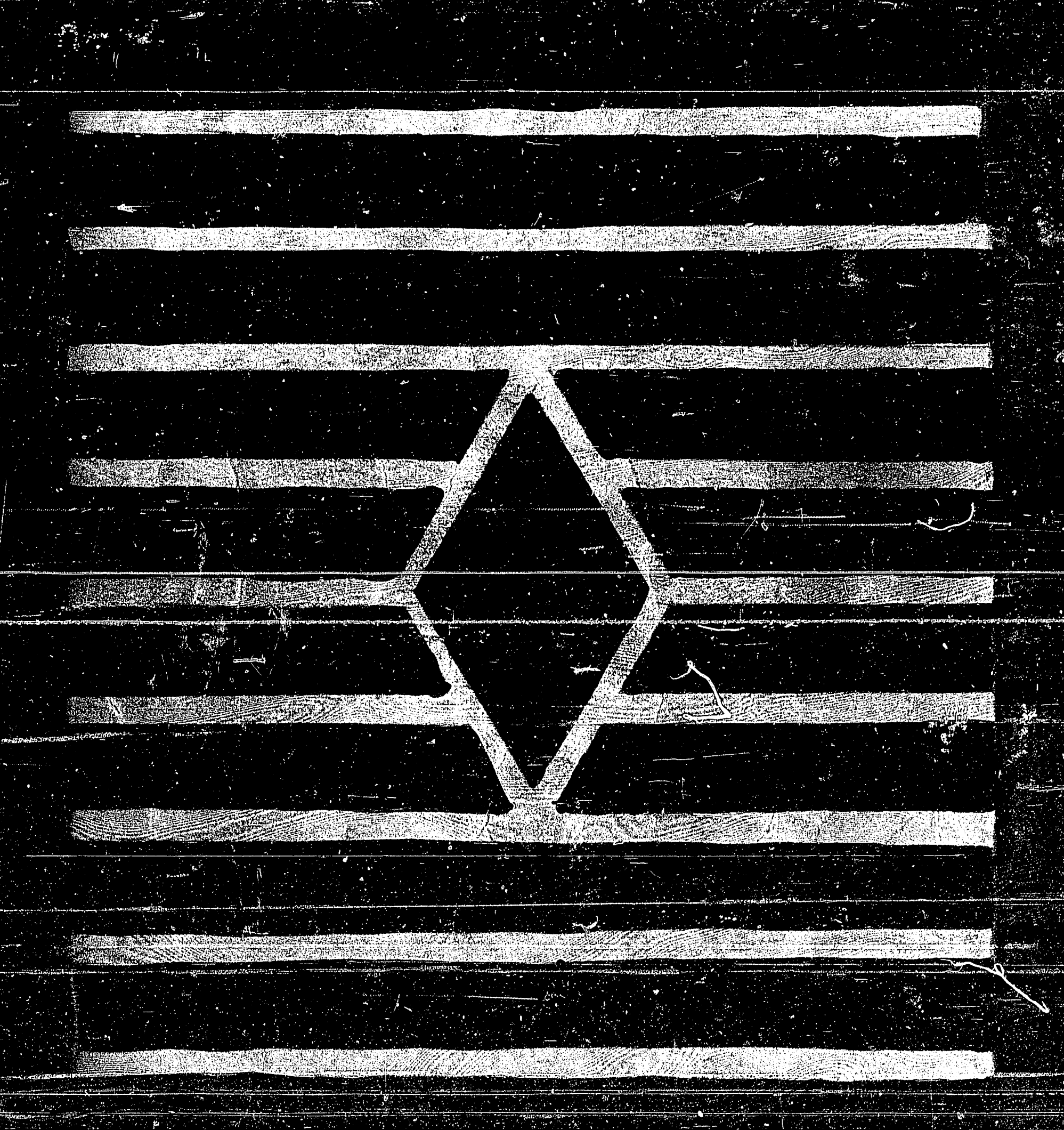
We are enclosing departmental receipt No. 28512 for that fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
Encl.



 ar Lake County *
 all Spring *
 l Of 1 second foot *
 rigation and domestic *
 iority -6-24-1907 *

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

Water License No. 2885

ROY GEORGE

WHEREAS, On the 24th day of June A.D. 1907, of Montpelier, County of Bear Lake and State of Idaho, ly made application (No. 4071) to me for a permit to use .01 of 1 cubic foot per second of the waters of Small Spring County of Bear Lake, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 29th day of June, A.D. 1907, Permit No. 2885 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described or before the 29th day of June, A.D. 1908, and for the application to beneficial use of said water or before the 29th day of June, A.D. 1908, and,

WHEREAS, On the 15th day of June, A.D. 1908, the holder of said permit duly made proof of the completion of adequate works for the diversion of .01 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 2885 dated July 24, 1908, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use .01 of 1 cubic foot per second of water, with date of priority of June 24, 1907, and,

WHEREAS, On the 15th day of June, A.D. 1908, proof was duly made of the application to beneficial use of .01 of 1 cubic foot 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 ROY GEORGE of Montpelier, Idaho, the holder and owner of said Permit No. 2885, a perpetual right, dating from June 24, 1907, to the use of .01 of 1 cubic foot of the waters

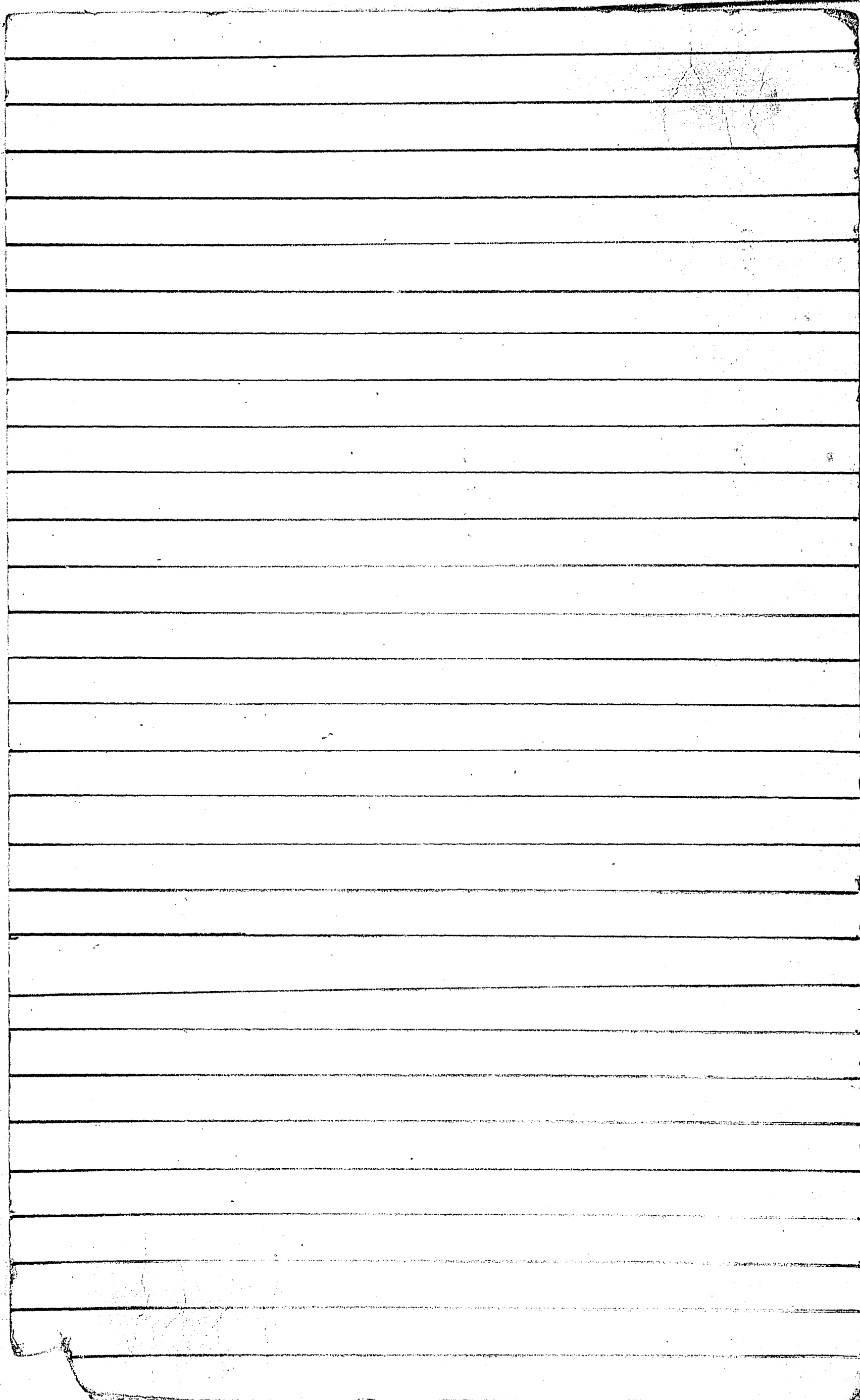
Small Spring in the County of Bear Lake and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Southeast quarter of Southwest quarter Section 12, Township 13 South, Range 44 E.B.M., and conducted to and upon one-half acre in the Northeast quarter of Northwest quarter, Section 13, township 13 South, Range 44 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 24th day of July, A.D. Nineteen
 Hundred and eight.

---Jas. Stephenson, Jr.-----
 State Engineer.

seal)

July 24, 1908.



sent Jan

● Connecticut Mutual Life INSURANCE COMPANY, SINCE 1846

140 Garden Street, Hartford, Connecticut 06115 Tel: (203) 549-4111

RECEIVED

NOV 13 1979

Department of Water Resources

Mortgages - Agricultural

11-2015

November 7, 1979

Department of Reclamation
State of Idaho
Boise, Idaho

Re: Water Permit No. 2885
Loan No. 91804-H, Kunz

Gentlemen:

This loan has been paid in full. Therefore, we wish to inform you that we are no longer interested in water permit number 2885 as described in mortgage deed dated June 27, 1960, given by Leland D. Kunz.

Said mortgage was recorded in the Public Records of Bear Lake, Idaho in Book 28, page 139.

Sincerely,

Jean Wright

Jean Wright
Agricultural Investment Division

jw
cc: Ag-Land Mortgage Company

CM

● Connecticut Mutual Life
140 GARDEN STREET • HARTFORD, CT 06115

HARTFORD, CT
NOV 15 1979

Department of Reclamation
State of Idaho
Boise, Idaho

