

No. 4865.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: George A. Hymas

Postoffice address: Liberty

County: Bear Lake State: Idaho.

2. The quantity of water claimed is 1/50 cubic feet per second.

3. Source of water supply: Small Spring.

County of Bear Lake.

4. Location of point of diversion: S5 rd W and S5 rd S from SE corner of Sec. 16 Tp 12

S. R. 43 E. D. M. in NW 1/4 NE 1/4 Sec 21 T. 12 S. R. 43 E.

5. To be used for:

I. Irrigation and domestic use: Yes.

(a) Amount of land to be irrigated: One acre.

(b) In the following legal subdivisions: SE 1/4 NW 1/4 Sec 21 Tp 12 S. R. 43 E.

6. Estimated cost of works: \$50.00

7. Description of works for diversion:

I. Kind of works: ditch.

II. Dimensions of works:

(a) Conduit ditch, width at bottom 2/3 feet, width at water line one foot, depth of water 4/12 feet. Average grade per mile is 80 feet. Length of conduit is 80 rods, and it crosses the following quarter sections: part of NE 1/4 Sec 21 Tp 12 S. R. 43 E. to land described in § 1. (b) above.

which is the point of intended use.

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

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

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

George A. Hymas,

Applicant.

By D. M. Austin

Agent.

APPROVAL OF STATE ENGINEER

The number of this permit is 3030

Date of first receipt of application 9:00 AM August 8, 1907.

Recorded in Book 9 Page 3030 Approved August 24, 1907.

This is to certify that I have examined the within application for a permit to appropriate to 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 October 23, 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 February 24, 1908.

The whole of said work to be completed on or before August 24, 1908.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to August 24, 1908.

Witness my hand this 24 day of August 1907.

Jas. Stephenson.

State Engineer.

--000--

Blank notice of proof of completion of the works of diversion, and beneficial use mailed applicant May 1, 1908.

Notice received May 16, 1908. Fixing August 24, 1908, as date, and Paris, Idaho, as place of proof.

Notice for publication mailed Paris Post. July 16, 1908.

Deposition blanks mailed applicant applicant July 16, 1908.

E.M. Austin authorized July 16, 1908. to make examination of works.

His report received August 26, 1908.

Affidavit of publication and fees received August 26, 1908.

Depositions received October 12, 1908.

Certificate of Completion of Works and Water License issued October 14, 1908.

---000---

Permit No. 3030.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that GEORGE A. HYMAS, of Liberty, County of Bear Lake, and State of Idaho, the holder of Permit No. 3030, issued upon Application No. 4265, bearing date of priority of August 8, 1907, authorizing the diversion of .02 of 1 second foot of the waters of a small spring, County of Bear Lake, State of Idaho, 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 .02 of 1 second foot of the waters of a small spring, that the point of Diversion of said water is at a point in the northeast corner of northwest quarter, section 21, township 12 south, range 43 east of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: The southeast quarter of the northwest quarter of section 21, township 12 south, range 43 east of the Boise meridian.

Witness my hand this 14th day of October A.D. 1908.

Jas. Stephenson, Jr.

State Engineer

License issued for 7100 second feet
P. 373

R3030

Township 12 S. Range 43 East

Application No. 4265

Permit No. 3030

CARL A. HAYES

1/50 sec. ft. Small Spring

Near Lake County

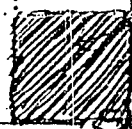
Approved Aug. 24, 1907

Geo. Stephenson
State Engineer

SEC.
19

SEC.
20

SEC.
21



SEC.
22

Spring

23
SEC.

24
SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

25
0
26
0

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, Sept. 5, 1907

Permit 3030, Geo. A. Hymas

De Maede Austin,
Paris, Idaho

Dear Sir:

I enclose herewith above numbered permit.

JAS. STEPHENSON, Jr.,

State Engineer.

3030

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, May 1, 1908.

George A. Hyman,
Liberty, Idaho

Dear Sir:

I enclose herewith blank Notice of Proof of Completion of Works under your permit No. 3030 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 August 24, 1908.

Yours truly,

JAS. STEPHENSON, Jr.,

State Engineer.

3030

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.) Paris, Idaho

(Date) May 14th 1908

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

Dear Sir: Notice is hereby given that at 2 P. M. on the 24th day of August 1908, at Paris County of Bear Lake State of Idaho, before J. C. Kinn, Probate Judge proof will be submitted of the completion of works for the diversion of 6 inches to cubic feet per second of the waters of Cool Spring - Bear Lake Co. 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

George A. Hymas

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

Liberty County of Bear Lake State of Idaho.

3. The number of such permit is 3030, and the date set for the completion of such work is

August 24, 1908

4. Said water to be used for Domestic and 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 6 inches to cubic feet per second.

6. The amount of lands for which said water is available is a garden of 1 acre acres, particularly described as follows: in the North west part of S. E. " of N. W. " of Sec. 21 in Twp. 12 S., R. 43 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 Paris Post of Paris, Idaho published in the county in which said works are situated; the expense of which publication will be borne by George A. Hymas

(Signature) George A. Hymas

3030

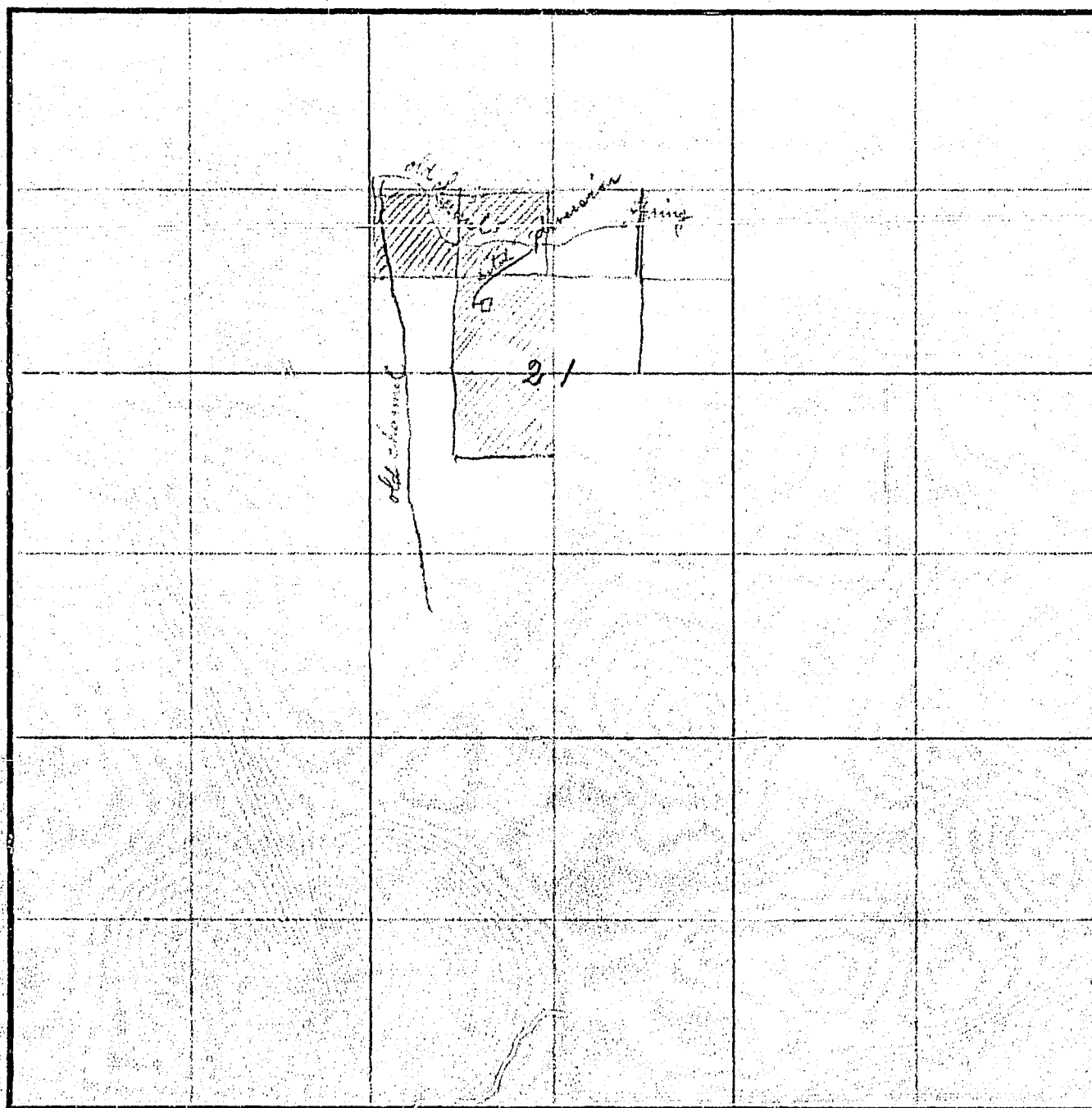
No.

Map of the Property Described in the Foregoing Caption.

SCALE: 40 CHAINS TO THE INCH.

Township..... Range.....

NORTH



SOUTH

3030

Farm Loans
Land Business
Land Attorney

Walter Hoge
OFFICIAL ABTRACTOR
BEAR LAKE COUNTY

Real Estate Business
Deed and Conveyancing
Abstracting

Paris, Idaho. May 14th, 1908.

Hon. James Stephenson, Jr.
State Engineer.

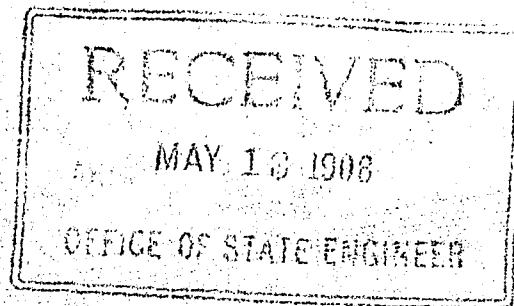
Dear Sir:-

Find enclosed "Notice of Proof of Completion of Works" of George A. Hymas.

If there ^{is any} correction to make kindly return them to me and I will attend to the matter.

Yours very respectfully

Walter Hoge



1000

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, July 16, 1908

George A. Hymas
Liberty, 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. 3030.

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 August 24, 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 Paris, Idaho, before D. C. Manz, Probate Judge.

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.

3030

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 ^{2 P. M.}
 on the 24th day of August, 1908, at Paris,
 County of Bear Lake, State of Idaho, before D. C. Kunz, Probate Judge,
 proof will be submitted of the completion of works for the diversion of
1 inch ~~one inch~~ cubic feet per second of the waters of Small Spring in Bear Lake Co.
 and of the application to beneficial use of said water in accordance
 with the terms and conditions of Permit No. 3030 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 George A. Hyman, Liberty, 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 one inch
~~one inch~~ 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 one inch
 per second.

4. The place where said water is used is Northwest part of SE4 of NW4
Sec. 21, Tp. 12 S., R. 43 E. B.M.

5. The date of priority which said user is prepared to estab-
 lish is August 8, 1907.

JAS. STEPHENSON, Jr.,

State Engineer.

3030

(Place)

Paris, Idaho.

(Date)

July 18, 1908.

State Engineer, Boise, Idaho.

Dear Sir:

I have your letter of July 16, 1908, enclosing Notice of Completion of Works and Notice of Application of Water to Beneficial Use under Permit No. 3030 which will be published as you request, beginning with our issue of July 24, 1908.

Paris Post, per E. T. Hyde, Mgr.

3030

Sept. 1, 1908
RECEIVED
AUG 5 1908
OFFICE OF STATE ENGINEER

Geo. A. Thompson
Pocatello, Idaho

Dear Sir:

If it is necessary to have the
work examined under my Permit
No. 3035.

I would suggest the name of
E. M. Austin.

Liberty
Idaho.

Mr. Austin is a surveyor living
in my neighborhood who is capable
of doing the work.

Yours Truly,

George A. Hyman
Liberty
Idaho.

3035

Boise, Idaho, ---August 5, 1908.---

Mr. E. E. Austin,-----

-----Liberty, Idaho.-----

DEAR SIR:

The holder of Permit No. 3030, -----George A. Hymas-----, residing at -----Liberty, Idaho-----, which permit authorizes the diversion of $\frac{1}{50}$ second-feet of the waters of -----Small Spring, Bear Lake Co.----- at -----, desire to make proof of the completion of works of diversion, at -----, on -----August 24, 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 location 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 40 acre tract.

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

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

Yours, truly,

JAS. STEPHENSON, JR.,

State Engineer.

3030

RECEIVED

Liberty Idaho
Aug 11/08

My dear Sir

Aug 11/08

Yours of the 1st inst.

regard to Geo A Hyman's permit
3030 to divert water from Arrow
Spring recd. Will attend to
the matter if Mr Hyman desires
me to
Resp E. M. Austin

3030



THE SPACE ABOVE IS RESERVED FOR POSTMARK.

POSTAL CARD

THE SPACE BELOW IS FOR THE ADDRESS ONLY.



James Stephenson Jr
State Engineer
Boise City, Idaho

Lulu's Lake

RECEIVED

AUG 26 1908

OFFICE OF THE ENGINEER

Aug 22/08

James Stephenson Jr

Dear Sir

In accordance with your instructions I went upon the premises of George A. Thomas who holds Permit No 3030 which authorizes the diversion of water and made an examination and survey as follows. I found the entry man located on $N\frac{1}{2} - S\frac{1}{2}$ of $NW\frac{1}{4} - NE\frac{1}{4}$ of SW $\frac{1}{4}$ Sec 21 T. 28. R. 35 E. B.M. which is fenced in with a good wire fence, and about four or five acres under cultivation. He also has a dwelling house, out houses and corals on the tract.

I found a substantial Earthen dam on a small spring creek in the N.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ Section twenty one township Twelve South Range forty three East B.M. and a small forebay which is the intake of a small ditch.

3030

12x8 inches with an average fall
 of about 4 inches to the foot. from
 which intake the N.E. Cor. of N.W. $\frac{1}{4}$ Sec.
 21. T. 12 S. R. 43 E B m. Bear N. 10° E. 5-15 feet
 dist, said ditch running through and part
 way across E $\frac{1}{2}$ of N.W. $\frac{1}{4}$ Sec. 21 where it is used
 to measure the water flowing through
 said ditch and found $1\frac{1}{2}$ Sec-
 ond feet used for culinary
 purposes and irrigating land in
 the E $\frac{1}{2}$ of N.W. $\frac{1}{4}$ Sec 21.

I marked plat as near as I
 could with course of ditch, but
 it on so small a scale it gives
 but a poor showing. So I will
 give courses & distances as I run them
 along the ditch.

Com. at the intake of ditch. Thence
 run S 54° W - 340 ft. Thence S 36° W - 225 ft. Thence S 19° W -
 135 ft. Thence S 21° W - 200 ft. Thence S 27½° W - 110 ft.
 Thence S 56° W - 225 ft. but here it is distrib-

uted onto the cultivated land

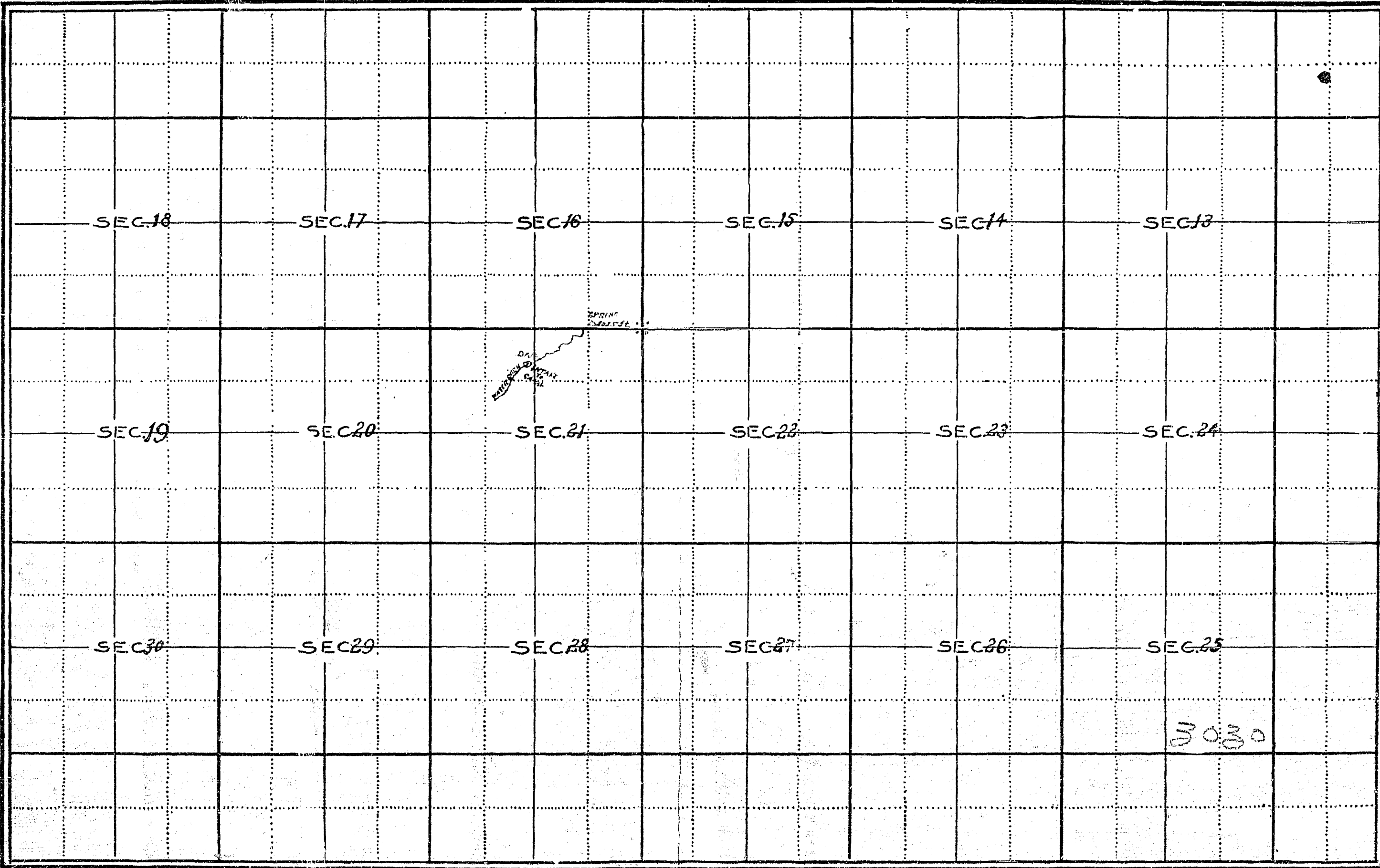
The spring from which
this water flows is situated
in the S.W. Cor^{SE 1/4} of S.E. 1/4 of Sec 16.
T. 12 S. R. 43 E. B.M. and 13 1/2 ft. high from
Cor to Sec. 15, 16, 21, 42, 22

Prof E. N. Austin Surveyor

T.12 S. R.43 E.

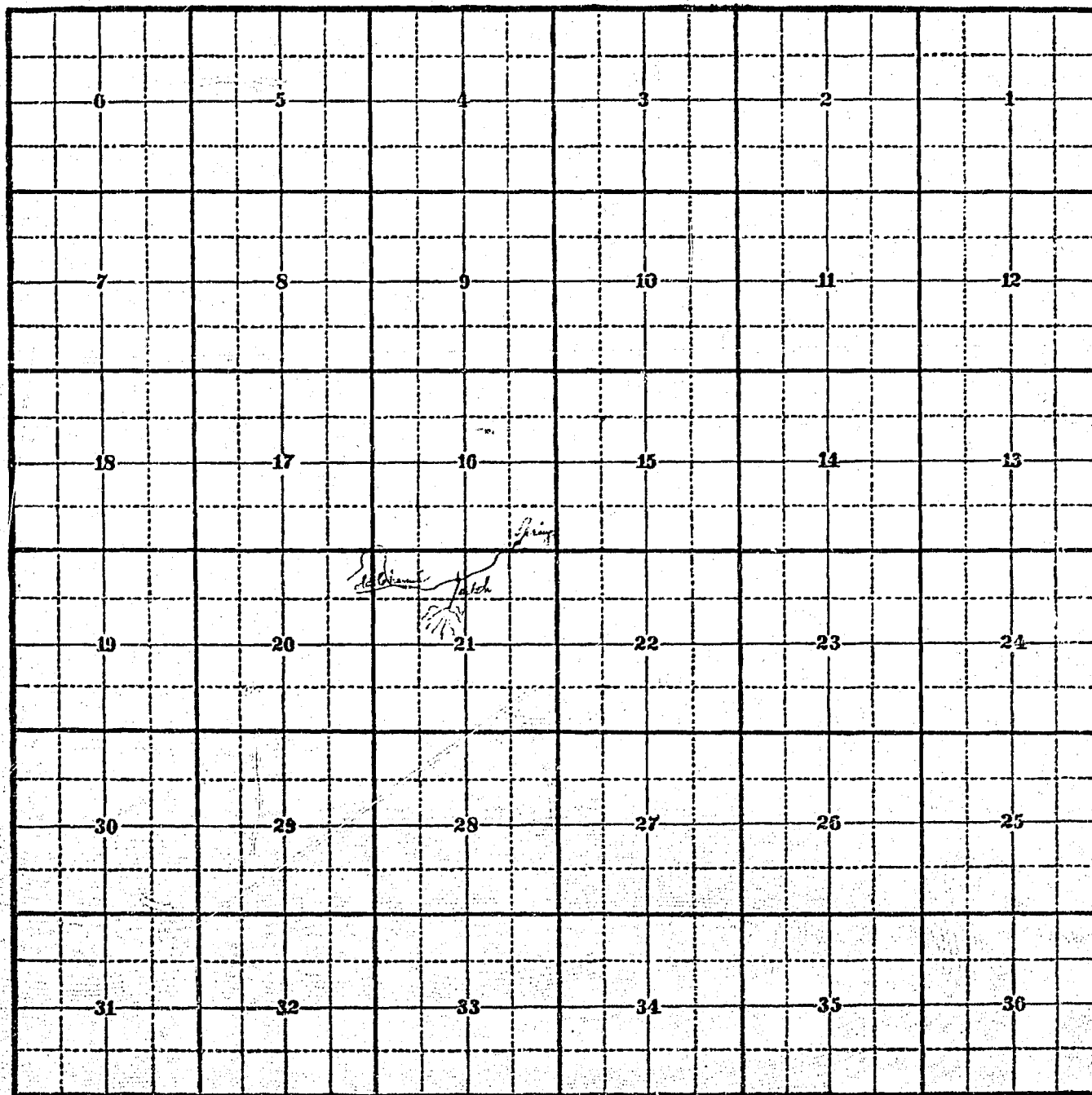
Printed and for sale by the Statesman Printing Co., Boise, Idaho.

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



3030

Township No. _____ Range No. _____ Mer.



GOFF'S LAND OWNER PRINT, WASHINGTON, D. C.

Scale 30 chains to an inch.

True Meridian

RECEIVED

AUG 20 1899

RECEIVED

30 0 0 0

State Commission! Our will notice that the location of the Spring is not exactly the same on this plot and the of an application. It was a mistake in the first instance and he has had the land surveyed recently and this is the correct location. There is no other spring near this one.

Walter H. Hager

Farm Loans
Land Business
Land Attorney

Walter Hoge
OFFICIAL ABTRACTOR
BEAR LAKE COUNTY

Real Estate Business
Deed and Conveyancing
Abstracting

Paris, Idaho. August 24, 1908.

Hon. James Stephenson Jr.
State Engineer,

Dear Sir:-

Find enclosed Proof of Application of Water of George A. Hymas. You will notice that the Proof was taken before Wm.R. Holmes, Clerk of District Court, instead of D.C.Kunz, Probate Judge. The reason for this change is that Judge Kunz is at Battle Creek, Michigan, and will not be home for a month yet, and the Claimant and his witnesses appeared and were ready to make the necessary proof.

I trust that this change will be satisfactory to you inasmuch as the Proof was made in the office of Judge Kunz and there were no one objected and no one protested or had any objection to the Proof being made.

Enclosed find my check for \$7.00 in payment of expenses as required by your letter.

Yours very respectfully

RECEIVED

AUG 26 1908

OFFICE OF STATE ENGINEER

Walter Hoge

2030

Boise, Idaho, August 29, 1908.

Re Proof-Permit 3030.
George A. Hymas.

Walter Hoge,
Paris, Idaho.

Sir:--

Replying to yours of the 24th inst. enclosing papers in the above, would say that they will be acceptable but I enclose you herewith deposition blanks for proof of completion, which it will be necessary to have filled out by the witnesses in the same manner as the ones sent in. We cannot issue a license until proof of completion has been made.

Very truly yours,

State Engineer.

By _____

G. Enc. GFR.1403.

3030

Farm Loans
Land Business
Land Attorney

Walter Hoge
OFFICIAL ABTRACTOR
BEAR LAKE COUNTY

Real Estate Business
Deed and Conveyancing
Abtracting

Paris, Idaho. Oct. 3, 1908.

Hon. James Stevenson Jr.
Boise, Idaho.

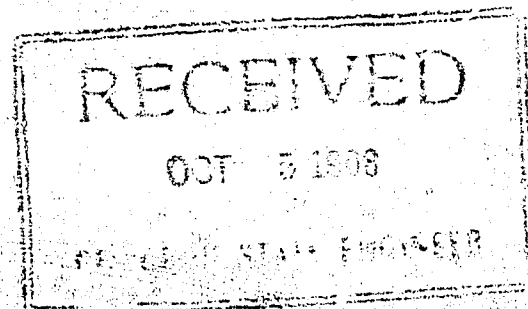
Dear Sir:-

Find enclosed "Proof of Completion of Works"
of George A. Hymas, for a small spring of water.

If there is anything further required on this Proof kindly inform me and it
will be complied with.

Yours very respectfully

Walter Hoge



3030

Boise, October 6, 1908.

Permit 3030-Geo.A.Hymas.

Walter Hoge,
Patis, Idaho.

Sir:

Am just in receipt of your letter of the 3rd inst., enclosing depositions in proof of completion under above permit. These depositions, as well as those in proof of beneficial use of water, should bear date of August 24, 1908, and I return them to you herewith in order that same may be corrected. As soon as these are received bearing the required date the matter of issuing certificate and license will be taken up.

Very truly yours,

State Engineer.

Inc. Dep.

By.....

3030

Farm Loans
Land Business
Land Attorney

Walter Hoge
OFFICIAL ABTRACTOR
BEAR LAKE COUNTY

Real Estate Business
Deed and Conveyancing
Abstracting

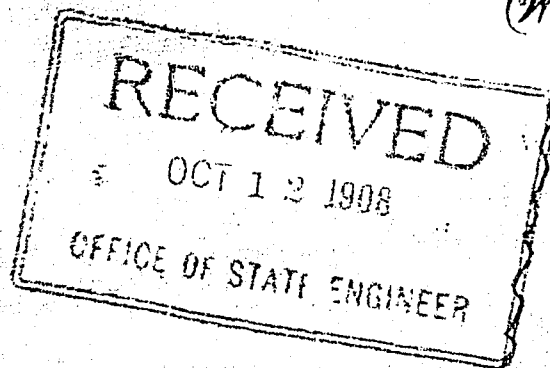
Paris, Idaho. Oct. 9th, 1908.

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

Dear Sir:-

Find enclosed Proof of
Completion of works, corrected and per your letter of Oct. 8,
Very truly yours

Walter Hoge



3030

PERMIT NO. _____

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

RECEIVED

001 3 1908

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

Ans. George A. Hyman; 35; Liberty, Idaho; Farmer;

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. 3030 1/2 of a second foot in S. E. " P. E. "
of Sec. 16 Tp. 12 S. R. 43 E. B. M.

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

Ans. Culinary Domestic and Irrigation, about 2 acres on S. E. "
of N. W. " of Sec. 21 S. R. 43 E. B. M.

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

Ans. Yes the water has been diverted and run through my ditch
during the last two irrigation seasons. all of the water contained in Spring.

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

Ans. They are completed and comply strictly with terms of Permit.

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

Ans. They do comply.

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

Ans. A rock and earth dam, and ditch to convey water
about \$75.00(Sign here.) George A. HymanI 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 Paris, Countyof Blaine Lake, State of Idaho, on this 21st day, of October August A. D. 1908Walter Hoge 3030
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. Rich Johnson age 62. Parma P.O. Quid

Ques. 2. Are you acquainted with George A. Haymas, the holder of Permit No. 3030, authorizing the diversion of 1/2 of a second-foot of the waters of a certain Spring, at Liberty, Idaho for Domestic & Irrigation purposes? How long have you known him, and where does he reside?

Ans. 20 years at Liberty, Idaho

Ques. 3. Have you read or heard read said Permit No. 3030, 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. There is a very limited amount of water in the Spring, only sufficient to supply Culinary uses and irrigate a garden of one or two acres

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 fully completed and of sufficient Capacity

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

Ans. He has built an earth and rock dam to divert the water, and made a ditch through which to convey it, which would have cost about \$100.

(Sign here.)

Rich Johnson

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 Paris, County of Blaine Lake, State of Idaho, on this 21st day of October A. D. 1908

Walter H. Cooper
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. William E. Poulsen, 32, Liberty, Idaho, Farmer
Liberty, Idaho.Ques. 2. Are you acquainted with George A. Hymas, the
holder of Permit No. 3030, authorizing the diversion of 1/2 of a second-foot of the waters of
a certain spring, at Liberty, Idaho
for Domestic & Culinary purposes? How long have you known him, and where does he reside?Ans. Yes, Twenty years, At Liberty, Idaho.Ques. 3. Have you read or heard read said Permit No. 3030, 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. The water of the spring is very limited, and will only
supply an amount for domestic use and irrigate about
2 acres of land.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 ca-
pacity.Ans. There is an earth and rock dam and a ditch
to convey all the waters of the spring to his house
and the land he irrigates. About 100^{ac}

(Sign here.)

W. E. PoulsenI 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 Paris, County of Blaine,
State of Idaho, on this 21st day of October A. D. 1908Walter H. Hays 3030
Notary Public

Permit No. _____

Proof of Application of Water to Beneficial Use.

DEPOSITION OF HOLDER.

RECEIVED

AUG 26 1906

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

Ans. *George A. Hymas, 25, Liberty, Farmer, Liberty, 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. *No.*

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

Ans. *No 3030. July 1906.*

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

Ans. *The spring is located in the S.W. corner of S.E. "S.E." Sec. 16. Tp. 12 S. R. 43 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. *A dam of rock and earth, ~~15~~ a ditch 12 inches wide on bottom and 18 inches on top and 6 inches deep. It is my own private ditch and it is large enough to convey all the water from spring as it has a fall of 4 inches to the road.*

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. *Culinary and domestic use. To irrigate S.E. "N.W." of Sec. 21. Tp. 12 S. R. 43 E. B. M.*

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

Ans. *No.*

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

Ans. *1/12 of one second foot*

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. *No.*

3030

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. *William E. Poulsen, 32, Farmer, Liberty, Idaho.*Ques. 2. Are you acquainted with *George A. Hymas*
the holder of Permit No. *3030* Yes? How long have you known him, and where does he reside?Ans. *all his life, Liberty, Idaho.*Ques. 3. Have you read or heard read said Permit No. *3030*, _____, and are you familiar with its provisions and conditions?Ans. *Yes. 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. *A small spring, rising in the S.W. Corner of S.E. " S.E. " Sec. 16 Tp. 12 S. R. 43 E. B. M. about 90 rods below spring, a rock & earth dam. Ditch 18 inches ^{wide} on top and 12 inches wide on bottom and six inches deep with 4 inches fall to the rod.*

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. *about 1/2 of a second foot. I have seen that amount conveyed.*

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 domestic use at his residence, and to irrigate S.E. " N. W. " of Sec. 21 Tp. 12, S. R. 43 E. B. M.*

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

Ans. *N.*

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. *His homestead will require all the water from this spring and then he will only be able to irrigate more than 100 acres of it.*

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 no interest in any of them.*

3030

Permit No.

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

DEPOSITION OF WITNESS.

Received and filed

THE IVY PRESS, BOISE

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 Paris, County of Blaine, State of Idaho, on this 24th day of August, A. D. 1908.

(Sign) William L. Sauter

Ans. In summer of 1908, I saw him using the water irrigating
potatoes, roots and other vegetables. The water was also used
for culinary and domestic purposes.
the water diverted under said permit.
Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of

PERMIT No.

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

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

Answer. *Wills Johnson, 63, Arvid, Idaho Farmer, Arvid Idaho.*Ques. 2. Are you acquainted with *George A. Hymas.*the holder of Permit No. *3030* ? How long have you known him, and where does he reside?Ans. *Yes. Five years. Liberty, Idaho.*Ques. 3. Have you read or heard read said Permit No. *3030* , and are you familiar with its provisions and conditions?Ans. *Yes. 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. *A small spring rising in the S.W. corner of S.E. "S.E." Sec. 16, Tp. 12, S. R. 43 E. R. M. about 90 rods below spring, a rock and earth dam, ditch 18 inches wide on top, and 12 inches wide on bottom and 6 inches deep with 11 inches fall to the rod.*

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. *About 12 of a second foot. I have seen that much in use.*

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

Ans. *For domestic and culinary use at his home, and to irrigate S.E. "N.W." of Sec. 21 Tp. 12, S. R. 43 E. R. M.*

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

Ans. *W.*

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. *Land is clay sage brush land. It will require all the spring water to irrigate 40 acres.*

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

Ans. *None whatever.*

3030

Permit No.

Proof of Application of
Water
to Beneficial Use.

DEPOSITION OF WITNESS.

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. I have seen him use the water for culinary and domestic purposes, and irrigating his farm consisting of Rye, Potatoes and other crops during the years 1907 and 1908.

(Sign) *W. H. Johnson*

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 *Paris*, County of *Bear Lake*, State of Idaho, on this *24th* day of *August*, A. D. 1908.

W. H. Johnson
Clark Dist Court

Received and filed

Affidavit of Publication.

STATE OF IDAHO,

COUNTY OF BEAR LAKE.

SS.

RECEIVED

AUG 2 6 1908

OFFICE OF STATE ENGINEER

NOTICE OF PROOF

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

Notice is hereby given that at 2 p. m. on the 24th day of August, 1908, at Paris, County of Bear Lake, State of Idaho, before D. C. Kunz, Probate Judge, proof will be submitted of the completion of works for the diversion of 1 inch per second of the waters of Small Spring in Bear Lake Co., and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 3030, heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said permit is George A. Hyman, Liberty, 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 one inch 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 one inch per second.

4. The place where said water is used is Northwest part of S E 1 of N W 1, Sec. 21, Tp. 12 S., R. 43 E. B. M.

5. The date of priority which said user is prepared to establish is August 8, 1907. JAS. STEPHENSON, JR., State Engineer.

Jacob A. Wahlen, being first duly sworn deposes and says that he is the publisher of the PARIS POST; that said PARIS POST is a weekly newspaper published at Paris, Bear Lake County, Idaho, of general circulation in said county and state.

That the attached notice was published in the said PARIS POST, and not in a supplement for five successive weeks: the first publication was on the 24th day of

July, 1908

the last publication on the 21st day of August, 1908.

Jacob A. Wahlen, dep.

before me this — 24th day of

1908.

Walter H. Cochrane
Notary Public

3030

Boise, Idaho, October 16, 1908

Certificate No. 3030
Water License No. 3030

George A. Hymas,
Liberty, Idaho.

Sir:--

Inclosed herewith find Certificate of Completion
of Works, and Water License No. 3030

Very truly yours,

State Engineer

By _____

Enc . C. W.L.

3030

Bear Lake County *
A Small spring *
.02 of 1 second foot *
Irrigation and domestic *
Priority 8-8-1907 *

STATE OF IDAHO

Water License No. 3030.

---000---
WHEREAS, On the 8th day of August A.D. 1907, GEORGE HYMAS, of Liberty, County of Bear Lake, and State of Idaho, duly made application (No. 4265) to me for a permit to use .02 of 1 cubic foot per second of the waters of a small spring, County of Bear Lake, State of Idaho, for irrigation and domestic purposes; and.

WHEREAS, On the 24th day of August A.D. 1907, Permit No. 3030, 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 24th day of August A.D. 1908, and for the application to beneficial use of said water on or before the 24th day of August A.D. 1908, and,

WHEREAS, On the 24th day of August A.D. 1908, the holder of said permit duly made proof of the completion of adequate works for the diversion of .02 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 3030, dated October 14, 1908, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use .02 of 1 cubic foot per second of water, with date of priority of August 8, 1907, and,

WHEREAS, On the 24th day of August A.D. 1908, proof was duly made of the application to beneficial use of .02 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 GEORGE HYMAS, of Liberty, Idaho, the holder and owner of said Permit No. 3030 a perpetual right, dating from August 8, 1907, to the use of .02 of 1 cubic foot per second of the waters of a 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 northeast corner of northwest quarter of section 21, township 12 south, range 43 east of the Boise meridian, and conducted to and upon about (1 acre in the southeast quarter of the northwest quarter of section 21, township 12 south, range 43 east of the 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 14th day
of October A.D. Nineteen Hundred and eight.

Jas. Stephenson, Jr.

State Engineer

(SEAL)

Recorded October 14, 1908.

11 2016

