

No. 4380.

APPLICATION FOR PERMIT To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Thomas L. Gunnell.

Postoffice address: Alexander.

County: Bannock State: Idaho.

2. The quantity of water claimed is one half cubic foot per second.

3. Source of water supply: Shepherd Springs in N.W. 4, N.W. 4, Sec. 21 T. 9 S. R. 41 E. N.M.

County of Tannock. *Caribou*

4. Location of point of diversion: near SW Corner NE 4, NW 4, Sec. 21 T 9 S. R. 41 E. N.M.

5. To be used for:

1. Irrigation and domestic use.

(a) Amount of land to be irrigated: Eighty (80) acres.

(b) In the following legal subdivisions: NW 4, NE 4, & NE 4, NW 4 Sec 21, T. 9

S. R. 41 E. N.M.

6. Estimated cost of works: \$500.00

7. Description of works for diversion:

I. Kind of works: Reservoir & Ditch.

II. Dimensions of works:

(a) Height of dam ten feet, length of dam at top sixty feet, length of dam at bottom forty feet. Material used in construction: Wood, earth & stone.

(b) Capacity of reservoir: ten acre-feet

(c) Size of headgate: Width, one foot, height one foot.

(d) Conduit Ditch, width at bottom two feet, width at water line

Two and one half feet, depth of water one half foot. Average grade per

mile is six feet. Length of conduit is one half mile, and it crosses

the following quarter sections: W2, NW 4 Sec. 21 T. 9 S. R. 41 E. to land

described in 5 T (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is 16th Novr. 1907.

9. Time required for the complete application of the water to the proposed use is 16th

Novr. 1907.

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.

Thomas L. Gunnell

Applicant.

3119

APPROVAL OF STATE ENGINEER.

The number of this permit is 3119.

Date of first receipt of application 9.00 AM September 11, 1907.

Recorded in Book 9 Page 3119 Approved September 14, 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 November 15, 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 14, 1907.

The whole of said work to be completed on or before March 14, 1908.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to March 14, 1908.

Witness my hand this 14 day of September 1907.

Jas. Stephenson, Jr.,

State Engineer.

Blank notice of proof of completion and beneficial use mailed applicant.

Notice received September 18, 1907, fixing November 19, 1907, as date and Soda Springs as place of proof.

Notice for publication mailed Soda Springs Chieftain September 18, 1907.

Deposition blanks mailed applicant September 18, 1907.

C. B. Wilson authorized to examine works September 18, 1907.

Report, Affidavit, depositions and fees received November 20, 1907.

Certificate and license issued November 25, 1907.

Permit No. 3119

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that THOMAS L. GUNNELL of Alexander, County of Bannock and State of Idaho, the holder of Permit No. 3119, issued upon Application No. 4380, bearing date of priority of September 11, 1907, authorizing the diversion of .5 of 1 second foot of the waters of Shepherd Springs, County of Bannock, 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 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 .5 of 1 second foot of the waters of Shepherd Springs, that the point of diversion of said waters is near the Southwest corner of Northeast quarter of Northwest quarter, Section 21, Township 9 South, Range 41 East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northwest quarter of Northeast quarter and Northeast quarter of Northwest quarter Section 21, Township 9 South, Range 41 East of Boise Meridian.

Witness my hand this 25th day of November, A.D. 1907.

Jas. Stephenson, Jr., State Engineer.

SODA SPRINGS, IDAHO, Aug. The 28 1907

James Stevenson Esq

Dear Sir I have had my papers
made out since Aug the 20 but
I have had sickness. one of my
little girls had to be put under
a serious operation & and in my
worry I mislaid the papers I hope
you will excuse me for this
and fix it up for me

yours Truly Thomas L Gummell

P.S. I name ~~the~~ H B Wilson
as the Surveyor and Engineer

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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.) Alexander Licks

(Date) Aug. 20 1904

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

DEAR SIR: Notice is hereby given that at 10 A. M. on the 19 day of October Nov 1904, at Soda Springs County of Bannock State of Idaho, before Herbert Hordley (Notary Public) proof will be submitted of the completion of works for the diversion of One half cubic foot per second of the waters of Shepherd 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

Thomas L. Gunnell

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

Alexander County of Bannock State of Idaho.

3. The number of such permit is

3119
2689

, and the date set for the completion of such work is

March 14 - 1908 October 20, 1907 Nov 14, 1908

4. Said water to be used for Irrigation & 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 One half cubic foot per second.

6. The amount of lands for which said water is available is Eighty acres,

particularly described as follows: NW 4 NE 4 and NE 4 NW 4 Sec 2 T. 9 S. R. 4 E. B. 4.

(In case of all canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the above notice are true.

Engineer.

I desire that the above notice be published, according to law, in the Soda Springs Chieftain of Soda Springs published in the county in which said works are

situated; the expense of which publication will be borne by me

(Signature)

Thomas L. Gunnell

3119
Permit No. 2689

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.) Alexander Idaho

(Date) Aug 20 1904

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

DEAR SIR: Notice is hereby given that at 10 A. M. on the 19 day of October 1904, at Soda Springs County of Bannock State of Idaho, before Herbert Hornby (Notary Public) proof will be submitted of the application to beneficial use of one half cubic foot per second of the waters of Shepherd Springs in accordance with the terms and conditions of Permit No. 2689 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 Thomas L. Gummell, Alexander Idaho
2. The use to which said water has been applied is Irrigation & Domestic
3. The amount applied to beneficial use is One half cubic foot
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) NW4, NE4, and NE4, NW4, Sec 21, T9, SR 41, LBM
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Gummell
6. The right to take the water from such works is based upon Permit No. 2689
7. The source of supply from which such water is diverted is Shepherd Springs
8. The date of the priority which said user is prepared to establish is April 14 1904

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

(Sign) Thomas L. Gummell

Application No. 4580.
Permit No. 3119.
Thomas A. Gunnell,
1 sec. ft. Shepherd Springs,
Bannock County.
Approved September 14, 1907.

John Stephenson Jr.
State Engineer.

Desert Entry
Thomas A. Gunnell
Shepherd Springs

15510

Township 9. South Range 41. 6

2119

Boise, Idaho, September 18, 1907

Mr. C. B. Wilson

Soda Springs, Idaho

DEAR SIR:

The holder of Permit No. 3119, Thomas L. Gunnoll, residing at Soda Springs, Idaho, which permit authorizes the diversion of $\frac{1}{8}$ second-feet of the waters of Shepherd Springs at _____, desire to make proof of the completion of works of diversion, at _____, on November 19, 1907.

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

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

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

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

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

Yours truly,

JAS. STEPHENSON, JR.,

State Engineer.

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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, September 18, 1907

Mr. Thomas L. Gunnell
Soda Springs, 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. 3119.

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 November 19, 1907, 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 Soda Springs, Idaho, before Herbert Horsley, N.P.

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.

3119

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 ~~Soda Springs~~,
on the 19th day of November, 1907, at Soda Springs,
County of Bannock, State of Idaho, before Herbert Horsley, Notary Public
proof will be submitted of the completion of works for the diversion of
one half cubic feet per second of the waters of Shepherd Springs
and of the application to beneficial use of said water in accordance
with the terms and conditions of Permit No. 3119 heretofore issued
by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said
permit is Thomas L. Gunnell, Alexander, 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 half
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 half
~~one half~~ cubic foot per second.

4. The place where said water is used is ~~NW 1/4 Sec. 21, T. 9 S. R. 41 E. B. M.~~ NW 1/4 Sec. 21,
T. 9 S. R. 41 E. B. M.

5. The date of priority which said user is prepared to estab-
lish is September 11, 1907.

JAS. STEPHENSON, Jr.,
State Engineer.

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(Place)

Soda Springs

(Date)

Sept 19/1907

State Engineer, Boise, Idaho.

Dear Sir:

I have your letter of *Sept 18* enclosing Notice of Completion of Works and Notice of Application of Water to Beneficial Use under Permit No. *3119* which will be published as you request, beginning with our issue of *Sept 24/07*

Joe H. E. Keith

3119

Soda Springs

Idaho

Sept 25 1904

Geo Stephenson Esq
State Engineer
Boise, Idaho

Dear Sir. - Permit No 3119. Thomas L. Gurnell -

Your favor of 16 inst is acknowledged & beg to
say I will make the examination & report
as requested.

Yours Truly
Charles W. Wells

3119

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, Oct. 9, 1907.

Permit 3119.
Thomas L Gunnell,
Alexander, Idaho.

Dear Sir:

I enclose herewith above numbered permit. Be sure to note limitations and conditions of same as given under approval of State Engineer on the third page.

JAS. STEPHENSON, Jr.,
State Engineer.

3119

PERMIT NO. 3119.

Proof of Completion of Works.

DEPOSITION OF HOLDER.

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

Ans.

Thomas L. Gunnell 42. Soda Springs Farmer, Alexander
Bannock County, Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans.

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

Ans.

No. 3119 Sep 11 1904 1/2 second foot Shephard Springs, NW 1/4
NW 1/4 Sec 21, T. 9. S. R. 41 E. B. 14

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

Ans.

Irrigation & Domestic use. 80 acres Sage Brush

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 1904 30 inches

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

Ans.

Yes

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

Ans.

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

Ans.

Reservoir & Ditch, Height of dam 10 feet Length @ top 65 feet @ bottom 45 feet
average width of Reservoir at top 150 feet, at bottom 110 feet, Ditch width @ bottom 2 feet
width at waterline 2 1/2 feet, average grade for mile 13 1/4 Length of Ditch one half mile
Head gate of Reservoir width on foot height on foot 500 000
(Sign here.) Thomas L. Gunnell

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

of

Bannock

State of Idaho, on this

19

day, of

November

A. D. 1907

Herbert Kersley

3119

Notary Public

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

PERMIT NO. 3119**Proof of Completion of Works.****DEPOSITION OF WITNESS.**

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

Ans. Thomas P. Gummell .21. Soda Springs, Farmer, Alexander Bannock
County, Idaho.Ques. 2. Are you acquainted with Thomas L. Gummell, theholder of Permit No. 3119, authorizing the diversion of 1/2 second-foot of the waters of
Shepherd Springs, at Soda Springs
for irrigation & domestic purposes? How long have you known him, and where does he reside?Ans. Yes 10 yrs Soda Springs, Bannock County, IdahoQues. 3. Have you read or heard read said Permit No. 3119, and are you familiar with its
terms and conditions?Ans. YesQues. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated
under said permit? If so, describe same, state its character, and give your estimate of the amount of
water required for its profitable cultivation.Ans. Yes NE 1/4 NW 1/4 NW 1/4 NE 1/4 Sec 21 T 9 S R 41 E B 4 Sage Brush
But much to the acreQues. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire
amount of water set out in the permit from point of diversion to place of use?Ans. YesQues. 6. Describe the works of diversion as they now exist, and give your estimate of their ca-
pacity.Ans. Reservoir & Ditch. Height of Dam 10 feet Length at top 65 ft at bottom 45 ft
as width of Reservoir at top 150 ft, at bottom 140 ft. Headgate with 50 ft, height as foot
Ditch width at bottom 2 feet, at waterline 2 1/2 feet at grade 13 ft 4 in
Length 1/2 mile One Second foot

(Sign here.)

Thomas P. GummellI 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 19th day of November, A. D. 1907.Kerbert KarsbergNotary Public 3119

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

PERMIT NO. 3119**Proof of Completion of Works.****DEPOSITION OF WITNESS.**

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

Ans. Wilford Scott. 21. Soda Springs, Miner, Soda Springs Bannock
County Idaho.Ques. 2. Are you acquainted with Thomas L. Gurnell, theholder of Permit No. 3119, authorizing the diversion of 1/2 second-foot of the waters of
Shepherd Springs, at Soda Springs,
for irrigation & domestic purposes? How long have you known him, and where does he reside?Ans. Yes. 3 Years. Soda Springs, Bannock County, Idaho.Ques. 3. Have you read or heard read said Permit No. 3119, and are you familiar with its terms and conditions?Ans. Yes

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

Ans. Yes. NE 1/4 NW 1/4, NW 1/4 NE 1/4 Sec 21. T 9 S R 41 E B 24, Sage Brush
one inch to the 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. Reservoir ditch. Head of dam 10 feet. Length at top 65 feet, at bottom 45 feet. Average
width of Reservoir at top 150 feet, at bottom 140 feet. Head gate width 1 foot, height 1 foot. Ditch
width at bottom 2 feet, at water line 2 1/2 feet. One grade, 1/2 mile 13 1/4. Length 1/2 mile.
One 21. 2nd foot.

(Sign here.)

Wilford Scott.

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 19th day of November, A. D. 1907.

Herbert KersleyNotary Public3119

Permit No. 3119

Proof of Application of Water to Beneficial Use.

DEPOSITION OF HOLDER.

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

Ans. Thomas L. Gurnell. 42. Soda Springs Farmer Alexander, Bennecke County 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. _____

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

Ans. No 3119 Sept 11 1904

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

Ans. Shepherd Springs. 500 feet N from SE Corner NW 1/4 NW 1/4 Sec. 21 T. 9. S. R. 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. Reservoir & Ditch. Height of Dam 10 feet Length of top 65 feet, @ bottom 45 feet. Average width of Reservoir at top 150 feet, at bottom 140 feet. Headgate width 1 foot Height 1 foot. Ditch width at bottom 2 feet width at water line 2 1/2 feet at grade 3 feet 13 1/4. Length 1/2 mile, 1 Cubic foot. Gurnell 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. Irrigation & Domestic use. NE 1/4 NW 1/4 & NW 1/4 NE 1/4 Sec. 21 T. 9. S. R. 41 E. B. M. 15 Acres in each Subdivision.

Ques. 7. If for other than irrigation purposes, 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 inch to the acre

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

Ans. _____

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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

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 Barre, Idaho, State of Idaho, on this 19th day of December,
1907 A. D. 1907.

Thomas J. Sumrell (Sign.)

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

Ques. 10. State when, how, in what amount and to what extent the water diverted under above
mentioned permit has been used.
Ans. Since 1904, irrigation, 50 inches, 80 acres.

PERMIT No. 3119

Proof of Application of Water to Beneficial Use.

Deposition of Witness:

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

Answer *Thomas P. Gummell 21 Soda Springs, Farmer, Alexander, Bannock County Idaho.*Ques. 2. Are you acquainted with *Thomas L. Gummell*
the holder of Permit No. *3119*? How long have you known him, and where does he reside?Ans. *Yes. 10 Years. Soda Springs Idaho.*Ques. 3. Have you read or heard read said Permit No. *3119*, and are you familiar with its provisions and conditions?Ans. *Yes.*

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

Ans. *Shepherd Springs, 500 ft. N. from S.E. Corner NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 21 T9. S. R. 41 E B. 4. Reservoir & ditch Height of dam 10 feet. Length at top 65 ft., at bottom 45 ft. at width of Reservoir at top 150 ft., at bottom 140 ft. Headgate width 1 ft. height 1 ft. ditch width at bottom 2 ft. at water line 2 1/2 ft. av. grade 13.4" Length 1/2 mile*

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

Ans. *No second foot about 30 inches*

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 Domestic use, NE $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 21 T9. S. R. 41 E B. 4. 15 acres*

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

Ans.

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

Ans. *Sage Brush, No such to acre*

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

Ans. *No.*

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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. June 1907. irrigated 50 acres, 30 acres.

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, _____
_____ day of _____, A. D. 1907.
Notary Public
Thomas J. Gummel
(Sign)

PERMIT No. 3119

Proof of Application of Water to Beneficial Use.

Deposition of Witness:

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

Answer. Wilford Scott 21 Soda Springs, Miner, Soda Springs, Blaine
County Idaho.Ques. 2. Are you acquainted with Thomas L. Gunnell
the holder of Permit No. 3119? How long have you known him, and where does he reside?

Ans. Yes. 3 Years. Soda Springs Idaho.

Ques. 3. Have you read or heard read said Permit No. 3119, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Shepherd Springs 500 feet N. m. SE Corner NW 1/4 NW 1/4 Sec 21 T9
SR 41 E B M Reservoir built at top of dam 10 feet, Length at top 65 feet at bottom
45 feet, Average width of Reservoir at top 150 feet, at bottom 100 feet, Headgate width 1 foot height 1 foot
at bottom 2 feet, at water line 2 1/2 feet. At grade built 13-4 Length 1/2 Mile.

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

Ans. One Second foot. about 30 inches

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 & Domestic use. NE 1/4 NW 1/4 & NW 1/4 NE 1/4 Sec 21 T9 SR
41 E B M 15 acres.

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

Ans.

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

Ans. Sage Brush. One inch to the acre.

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

Ans. No

3119

Permit No. _____

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

DEPOSITION OF WITNESS.

Received and filed _____

VALLEY PRINTER, BUTTE.

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. *from 1907, irrigation, 30 inches, 30 acres.*

I hereby certify that the foregoing testimony was read to the above subscriber before his 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 Spring*, County of *Bannock*, State of *Idaho*, on this *19* day of *November*, A. D. 1907.

Robert Housley
Notary Public

(Sign) *Wilford Scott*

Affidavit of Publication.

STATE OF IDAHO.

COUNTY OF BANNOCK.

SS.

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... 26th ...day of September 1907; 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. That said paper was published weekly at said Soda Springs, Idaho, for the period of more than one year immediately preceeding the said 26th day of

September 1907 Subscribed and Sworn to before me this... 22nd day of

October A. D. 1907

L. E. Eastman

Notary Public.

Notice of Proof of Completion of Works and Application of Water to Beneficial Use.
 Notice is hereby given that at 10 a. m. on the 18th day of November, 1907, at Soda Springs, County of Bannock, State of Idaho, before Herbert Horsley, Notary Public, proof will be submitted of the completion of works for the diversion of one-half cubic foot per second of the waters of Shepherd Springs and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 3119 heretofore issued by the State Engineer of the State of Idaho.
 1. The name and residence address of the person holding said permit is Thomas L. Gunnell, Alexander, 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-half cubic foot per second.
 3. The use to which said water has been applied is irrigating in said domestic purposes, and the amount applied to beneficial use is one-half cubic foot per second.
 4. The place where said water is used is...
 5. The date of priority of said user is...
 6. The date of establishment of said user is...
 J. W. Gunnerson, Jr., State Engineer.
 Filed and pub. Sept. 26; last Oct. 17

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...

Rec, 20-47

3119

Encl.

Soda Springs

Idaho

Nov 18 1904

Gas Stephens & Co.

State Engineer

Brice

Dear Sir,

Re. Permit, No 3119 Thomas L. Gummell

I herewith enclose Report, concerning
above Permit, with info.

I remain

Yours truly

Chas. B. Wells

[Handwritten signature]

3119

Report re. Permit No 3119, Thomas L. Gummell.

1. Name of Applicant Thomas L. Gummell, Alexander, Blinnock County, State of Idaho.
2. Depth of water on Crest of weir. $2\frac{1}{2}$ inches, width of weir notch 12 inches
3. Source of water supply. Shepherd Springs Blinnock County
4. Location of Point of Diversion. 500 feet N from SE Corner NW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec 21, T 9, S. R. 41 E. B. 9th.
5. I. Irrigated & Domestic use:
 - (a) Number of acres irrigated (Flurry Acres) Fifteen Acres in (a) Subdivision
 - (b) & the following legal subdivisions. NE $\frac{1}{4}$, NW $\frac{1}{4}$, & NW $\frac{1}{4}$, NE $\frac{1}{4}$, Sec 21, T 9, S. R. 41 E. B. 9th.
6. Estimated Cost of Works \$500⁰⁰.
7. Kind of Works for Diversion Reservoir & Ditch
- II. Dimensions of Works:
 - (a) Height of Dam 10 feet, Length of Dam at top 65 feet, Length of Dam at Bottom 45 feet, material used in construction. Wood, earth & Stone.
 - (b) Capacity of Reservoir. Average width, at top, 150 feet, at bottom, 140 feet. average depth, 10 feet, average "Length" (as above) 55 feet.
 - (c) Size of Headgate, width one foot, height one foot.
 - (d) Ditch width at bottom 2 feet, width at waterline $2\frac{1}{2}$ feet, average grade per mile 13' 4". Length of Ditch one half mile, and it crosses the following quarter sections, NW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec 21, T 9, S. R. 41 E. B. 9th to NE $\frac{1}{4}$, NW $\frac{1}{4}$ & NW $\frac{1}{4}$, NE $\frac{1}{4}$, Sec 21, T 9, S. R. 41 E. B. 9th where it is used

Chas B. Wilson.
Surveyor

Shep. Springs Idaho.
November 18 1907.

Township No. 9. South Range No. 14. E. B. M.

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Reservoir
Shepherd Springs
Gunnell Ditch

Thomas L. Gunnell
Permit No. 3119

C. B. Wilson
Surveyor
15 Nov 1904

3119

Nov 19 1907

RECEIVED

from Thor E Lunnell

Seventy ~~50~~ Dollars

Payment in full for water notice

Soda Springs Chieftain
Joe H. D. E. With Pub.



50

3119

Soda Springs,
Idaho
Nov 19 1907.

Gas Stephenson Jr Esq
State Engineer
Boise

Dear Sir re Permit No 3119. -

I herewith enclose Proofs of myself
witnesses, together with receipt & affidavit of
publication, also Cheque, value \$ 9⁰⁰ in Payment
of fees.

Remain

Yours Truly
Thomas L Lunnell

Nov. 20 - 07

3119

Boise, November 26, 1907.

Permit 3119.

Mr. Thomas L. Gunnell,
Alexander, Idaho.

Sir:

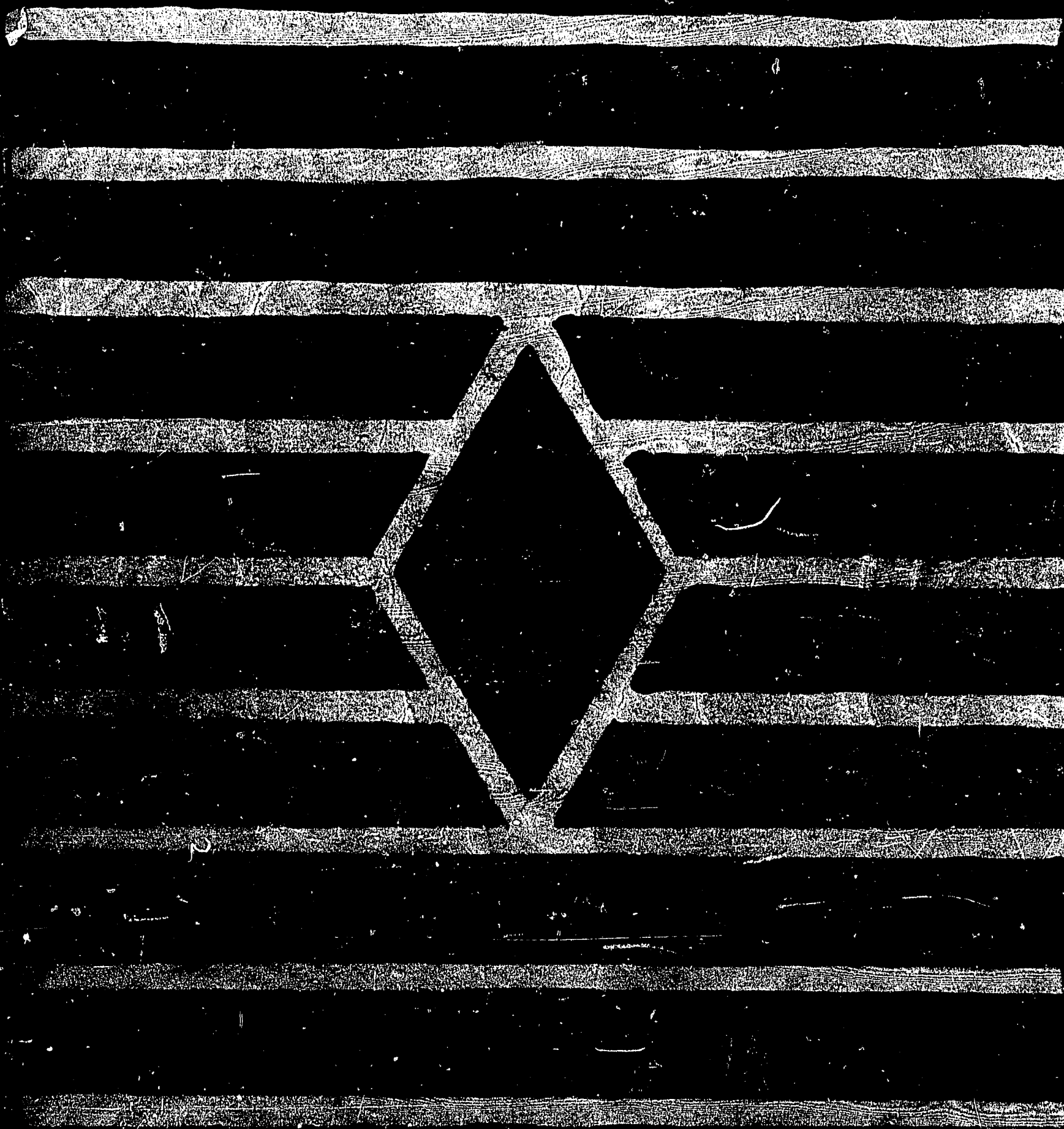
I enclose you herewith certificate and license
under above permit, also, receipts for fees.

Very truly yours,

B/C&L-R962-963

State Engineer.

3119



Bannock County *
Shepherd Springs *
.5 sec.ft. *
Irrigation *
Priority 9-11-07 *

S T A T E O F I D A H O
Water License No. 3119.

WHEREAS, On the 11th day of September, A. D. 1907, THOMAS L. GUNNELL of Alexander, County of Bannock and State of Idaho, duly made application (No. 4380) to me for a permit to use .5 of 1 cubic foot per second of the waters of Shepherd Springs, County of Bannock, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 14th day of September, A. D. 1907, Permit No. 3119 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 14th day of March, A. D. 1908, and for the application to ^{beneficial} use of said water on or before the 14th day of March, A. D. 1908, and,

WHEREAS, On the 19th day of November, A. D. 1907, the holder of said permit duly made proof of the completion of adequate works for the diversion of .5 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 3119, dated November 25, 1907, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use .5 of 1 cubic foot per second of water, with date of priority of September 11, 1907, and,

WHEREAS, On the 19th day of November, A. D. 1907, proof was duly made of the application to beneficial use of .5 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 THOMAS L. GUNNELL of Alexander, Idaho, the holder and owner of said Permit No. 3119, a perpetual right, dating from September 11, 1907, to the use of .5 of 1 cubic foot per second of the waters of Shepherd Springs in the County of Bannock and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point near SW corner of Northeast quarter of Northwest quarter, Sec. 21, Twp. 9 S., R. 41 E. B.M. and conducted to and upon ¹⁵ acres in Northeast quarter of Northwest quarter;
15 acres in Northwest quarter of Northeast quarter;

Section 21, Township 9 South, Range 41 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
25th day of November, A. D. Nineteen hundred and seven.

(SEAL)

Recorded November 25, 1907.

Jas. Stephenson, Jr.
State Engineer

11 2017

