

No. 5063.

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

1. Name of applicant: Daniel H. Rowley.

Postoffice address: Soda Springs.

County: Bannock State: Idaho.

2. The quantity of water claimed is three (3) cubic feet per second.

3. Source of water supply: Rowley Springs.

County of Bannock

4. Location of point of diversion: Near NE corner SE4 SE4 Sec. 25. Tp. 9 S.R. 42 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: One hundred ^{21st} acres.

(b) In the following legal subdivisions: SE4 & E2 SW4 Sec. 25. Tp. 9 S.R. 42 E.

6. Estimated cost of works: 200.00

7. Description of works for diversion:

I. Kind of works: Ditch

II. Dimensions of works:

(a) Conduit, ditch, width at bottom three feet, width at water line three & one half feet, depth of water one foot. Average grade per mile is 100 feet. Length of conduit is three fourths miles, and it crosses the following quarter sections: SE4 & E2 SW4 Sec. 25. T. 9. S.R. 42 E. to land described in 5 I (b) above which is the point of intended use.

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

9. Time required for the complete application of the water to the proposed use is two, 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 her in set forth.

Daniel H. Rowley.

Applicant.

Permit No. 3564.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that DANIEL H. ROWLEY, of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No. 3564, issued upon Application No. 5063, bearing date of priority of April 7, 1908, authorizing the diversion of 3 second feet of the waters of Rowley 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 work are adequate for diverting and conveying to the place of intended use 3 second feet of the waters of Rowley Springs, that the point of Diversion of said waters is at a point in the northeast corner of southeast quarter of section 35, township 9 south, range 42 east of the Boise meridian, and that lands proposed to be irrigated by the use of said water are described as follows, to-wit: The southeast quarter and the east half of southwest quarter of section 25, township 9 south, range 42 east of the Boise meridian.

Witness my hand this 30th day of November, A.D. 1908.

Jan. Stephenson, Jr.
State Engineer.

License issued for 3.00 second feet

8/10
8/10 - 8/10



3564

WIRE. Draw Plan in Ink.

Printed and for sale by The Tribune Co., Ltd., Pocatello, Idaho.

Application No. 5065.
Permit No. 3564.
Daniel H. Rowley.
3 sec. ft. Rowley springs.
Bannock County.
Approved April 11, 1908.

Dr. H. H. Johnson

State Engineer.

Rowley Spring

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3564

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, April 14, 1908.

Permit 3564. Daniel E. Rowley.

Bannock A. D. & T. Co.,
Pocatello, 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.

3564

Notice of Proof of Completion of Works

(This blank must be filled out by holder of permit and forwarded by registered mail to the State Engineer at least 60 days before the time set for completion of works.)

(P. O.) Soda Springs, Idaho

(Date) September 11, 1908

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

DEAR SIR: Notice is hereby given that at 10 A. M. on the 9th day of November 1908, at Soda Springs County of Bannock State of Idaho, before Herbert Horsley proof will be submitted of the completion of works for the diversion of three cubic feet per second of the waters of Rowley 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 Daniel H. Rowley

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

County of Bannock State of Idaho.

3. The number of such permit is 5063 3564, and the date set for the completion of such work is

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 three cubic feet per second.

6. The amount of lands for which said water is available is 150 acres, particularly described as follows: SE 1/4 and E 1/2 SW 1/4 of Sec. 25, Tp. 9 S. R. 42 E. B. M.

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

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

Engineer.

I desire that the above notice be published, according to law, in the Soda Springs Chieftain of Soda Springs, Idaho published in the county in which said works are situated; the expense of which publication will be borne by me

(Signature)

3564

Permit No. 5063

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.)

RECEIVED

(P. O.) Soda Springs, Idaho

(Date)

September 11, 1908

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

DEAR SIR: Notice is hereby given that at 10 A. M. on the 9th day of November 1908, at Soda Springs County of Bannock State of Idaho, before Herbert Horsley proof will be submitted of the application to beneficial use of Three cubic feet per second of the waters of Rowley Spring in accordance with the terms and conditions of Permit No. 5063 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 Daniel H. Rowley, Soda Springs, Idaho
2. The use to which said water has been applied is Irrigation and Domestic
3. The amount applied to beneficial use is Three Cubic Feet per second
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) SE. 1/4 and E. 1/2 SW. 1/4 Sec. 25, Tp. 9 S. R. 42 E. B. M.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is
6. The right to take the water from such works is based upon Permit No. 5063
7. The source of supply from which such water is diverted is Rowley Spring
8. The date of the priority which said user is prepared to establish is April 7, 1908

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

(Sign)

3564

THEO. TURNER, PRESIDENT
FRED G. CALDWELL, VICE-PRESIDENT

EZRA J. MERRILL
MANAGER

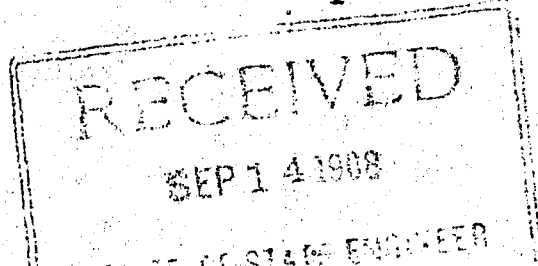
E. L. HOLZHEIMER, SECRETARY
R. R. WILSON, TREASURER

Bannock Abstract, Deposit & Trust Co.

POCATELLO, IDAHO

September 11, 1908.

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



Dear Sir:

Enclosed herewith please find the ~~notice of intention to make proof~~ of completion or works and application of water to beneficial use under Permit No. 3564 of Daniel H. Rowley, the proof to be made before Herbert Horsley, a Notary Public at Soda Springs, Idaho, November 9, 1908.

Kindly name R. A. Birch, of Soda Springs, Idaho, to make the examination, and greatly oblige,

Very truly yours,

Bannock Abstract, Deposit & Trust Co.

BY

Ezra J. Merrill
Manager.

Dic EJM.

3564

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 10.00 a.m.
on the 9th day of November, 1908, at Soda Springs,
County of Pannock, State of Idaho, before Herbert Horsley,
proof will be submitted of the completion of works for the diversion of
3 cubic feet per second of the waters of Rowley Spring
and of the application to beneficial use of said water in accordance
with the terms and conditions of Permit No. 3564, heretofore issued
by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said
permit is Daniel H. Rowley, Soda Springs, 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 3
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 3 cubic ft.
per second.

4. The place where said water is used is SE $\frac{1}{4}$ and E $\frac{1}{2}$ of SW $\frac{1}{4}$ Sec.
25 Tp. 9 S. R. 42 E. B. M.

5. The date of priority which said user is prepared to estab-
lish is April 7, 1908.

JAS. STEPHENSON, Jr.,

State Engineer.

3564

Boise, Idaho, October 6, 1908.R. A. Birch,Soda Springs, Idaho.

DEAR SIR:

The holder of Permit No. 3564, Daniel H. Rowley, residing
 at Soda Springs, Idaho, which permit authorizes the diversion of 3
 second-feet of the waters of Rowley spring
 at _____, desire to make proof of the completion of works of
 diversion, at _____, on November 9, 1908;

Will you therefore please arrange with the holder of said permit for an examination of the work
 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.

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.

3564

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, October 6, 1908.

Daniel H. Rowley,
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. 3564.

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 9, 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 Soda Springs, Idaho before Herbert Horsley.
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.

3564

(Place)

Soda Springs, Ida,

(Date)

Oct 8, 1908

State Engineer, Boise, Idaho.

Dear Sir:

I have your letter of *10/6/08* enclosing Notice of
Completion of Works and Notice of Application of Water to Beneficial
Use under Permit No. *3564* which will be published as you request,
beginning with our issue of *Oct 8, 1908*.

JOE A. DE WITT

3564

Soda Spiga 10/10/908

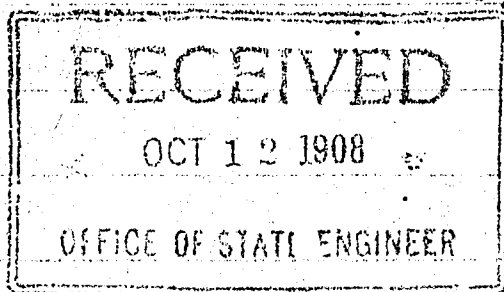
For Stephens
Riverside

Dear

Blank of Water Spigot
Read all OK and will advise
that R. A. Birch
Montpelier

Will
do the surveying for me

Yours Truly
Dan H. Rowley



3564.

Boise, Idaho, ~~October 12, 1908~~~~Mr. R. A. Birch~~~~Montpelier, Idaho~~

DEAR SIR:

The holder of Permit No. ~~3564~~, ~~Daniel H. Rowley~~, residing at ~~Soda Springs, Idaho~~, which permit authorizes the diversion of ~~3~~ second-feet of the waters of ~~Rowley Springs~~ at _____, desire to make proof of the completion of works of diversion, at _____, on ~~November 9, 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.

3564

Prospectors Idaho.

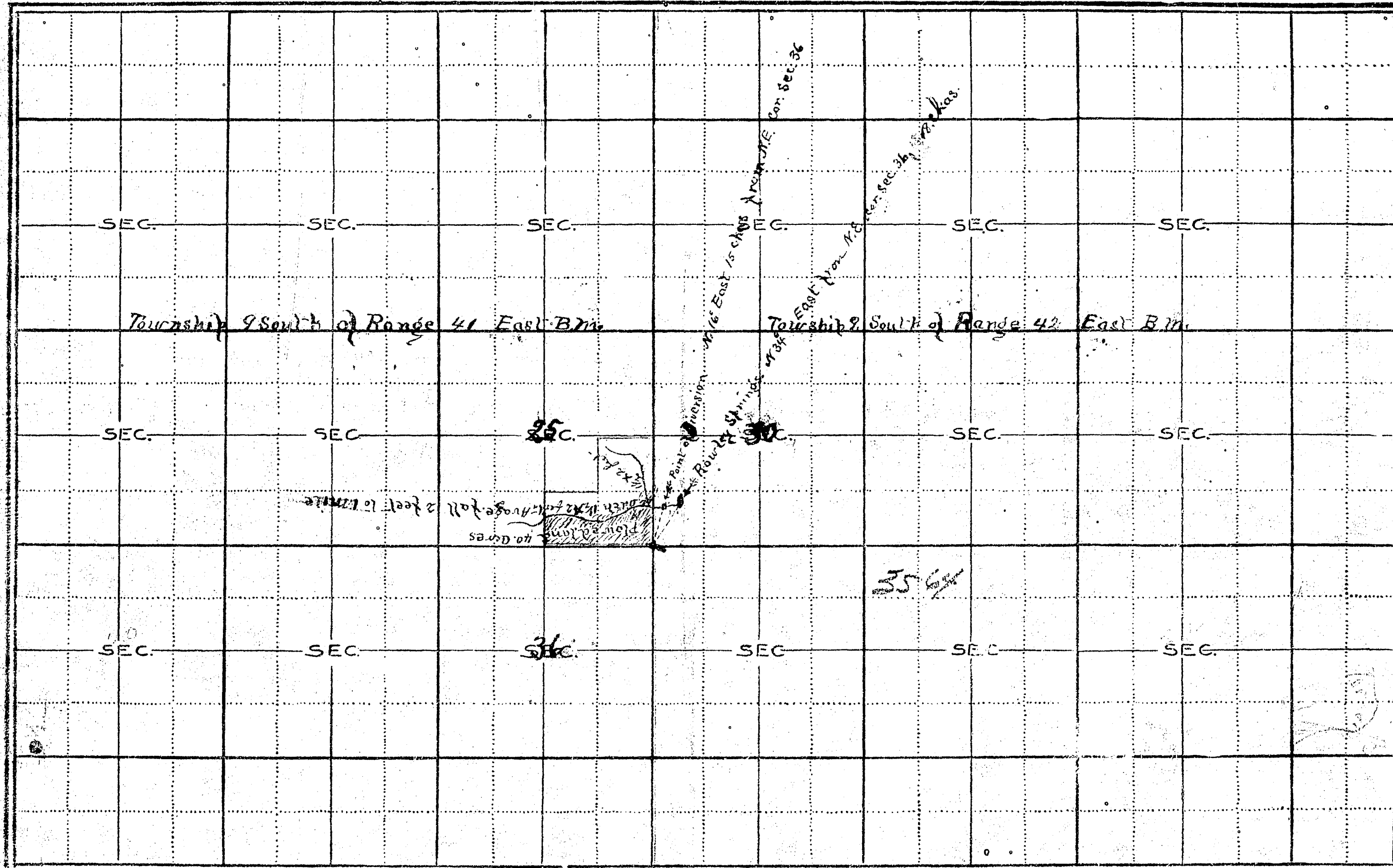
Nov 6 1908

Mr Jas Stephenson, JR.

State Engineer

3564

Dear Sir please find plat of
ditch and land & location
of same. Also Spring & point
of diversion of waters of said
Borley Spring. According to
permit # 3564, the ditch from
point of diversion to land has
average fall of 2 feet to one mile
1 1/2 feet deep by 25 feet wide.
at bottom of same the water
has been used on the S 1/2 of the
SE 1/4 of sec 26. T49 S of R 41 E Rm
of which better than 40 acres has
been cultivated this year. Hoping
this will meet your approval.
I am Respc. Yours W Birch.



SODA SPRINGS, IDAHO,

Nov. 9th

1908

Hon. J. S. Stephenson Jr

Dear Sir, I enclose the
proof on water as required, As Mr.
Horsley is in Salt Lake City and
it is uncertain when he will return
I have been compelled to take the
proof before another notary here,
hope it will be all right.

R. A. Birch Engineer of Montpelier, Ida
surveyed it some days ago, I presume
he has sent his report to you direct
as he has not given it to me,

I enclose \$5.00 of publication, and
two dollars fee.

Hoping all will pass over to you
Yours Truly, 3564

RECEIVED

NOV 13 1908

OFFICE OF STATE ENGINEER

PERMIT NO.

Proof of Completion of Works.

DEPOSITION OF HOLDER.

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

Ans.

Daniel H. Rowley 44 years Soda Springs Hotel Keeper & Veterinary Soda Springs Idaho

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

Ans.

Acting only for myself

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

Ans.

No 3564 Sept 10th 1908

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, on 6th SE⁴ SW⁴ SE⁴ & SE⁴ of SW⁴ of Sect 25, T⁹ R. 42 E, B.M. & for domestic purposes

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, in full, nearly 2 years ago.

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, and comply 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.

Do comply

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

Ans.

Ditch 2 ft Bottom, 4 to 6 ft at top & 1 1/2 ft deep. Cost about \$150. Ditch about 1/2 mile long.

(Sign here.)

Daniel H. Rowley

3564

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

of Blaine Co., State of Idaho, on this 11th day, of

November

A. D. 1908

J. S. Whitten

Notary Public

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

PERMIT NO. 3564

Proof of Completion of Works.

DEPOSITION OF WITNESS.

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

Ans.

Adolph Thorman, 28 yrs Soda Springs Ranch
Soda Springs IdahoQues. 2. Are you acquainted with Daniel H Rowley, theholder of Permit No 3564, authorizing the diversion of 3 second-feet of the waters ofRowley Springs, at Soda Springs
for Irrigation & domestic purposes? How long have you known him, and where does he reside?

Ans.

About 7 years Soda Springs Idaho

Ques. 3. Have you read or heard read said Permit No 3564, and are you familiar with its terms and conditions?

Ans.

I know the water it covers, made most
of the ditch myself

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, 3 second feet

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.

a ditch 2 ft at bottom 1 1/2 ft deep & half a mil
long

(Sign here.)

Adolph Thorman

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 ninth day of November, A. D. 1908

State of Idaho, on this

day of

A. D. 1908

J. S. Whitteer
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. Ed. Loring, 42 yrs, Soda Springs Laborer Soda Springs Ida

Ques. 2. Are you acquainted with Daniel H Rowley, theholder of Permit No. 3564, authorizing the diversion of 3 second-feet of the waters ofSoda Springs, at Soda Springs for irrigation domestic purposes? How long have you known him, and where does he reside?Ans. about 8 years Soda Springs IdahoQues. 3. Have you read or heard read said Permit No. 3564, and are you familiar with its terms and conditions?Ans. I know it is to carry the water of Rowley

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 - 3 Second ft

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, They are of capacity to carry the water.

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

Ans. a ditch 1/2 mile long 2 ft deep at bottom 1 1/2 ft deep.

(Sign here.)

Ed. Loring

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 4th day of November A. D. 1908

J. S. Williams

3564

Notary Public

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. Daniel H Rowley 44 years Soda Springs
Hotel Keeper & Veterinary, Soda Springs Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Acting only for myself

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

Ans. No 3564 - Sept 10th / 08 - June 15th / 06

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

Ans. Rowley spring, 67 rods North - 36 rods East of
the NE corner Sect 28 - on Sect 30, or about that

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 Ditch about 1/2 mile long - 2 ft wide at Bottom &
4 to 6 ft at Top 1 1/2 ft deep and capable of conveying
all the water of Rowley Spring. Estimated at 200 cusecs.

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, on SE⁴ of SE⁴ - 15 acres
on SE⁴ of SE⁴ making about 35 acres or a little more

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

Ans. None used for power purposes

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

Ans. All the water in said spring

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. By taking out the water right

3564

3564

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 Boise, State of Idaho, on this 10th day of December, A. D. 1908.
W. S. Johnson
Notary Public

(Sign.) David H. Pringle

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. No other water used from

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. See answer to question 11.

PERMIT NO. 3564

Proof of Application of Water to Beneficial Use.

DEPOSITION OF WITNESS:

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

Answer. Adolph Thoman 28 years Soda Springs Ranch
Soda Springs IdahoQues. 2. Are you acquainted with Daniel H Rowley
the holder of Permit No 3564? How long have you known him, and where does he reside?

Ans. About 7 years Soda Springs Idaho

Ques. 3. Have you read or heard read said Permit No 3564, and are you familiar with its provisions and conditions?

Ans. I know the water it covers, made most of
the ditch myself

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. Rowley Springs, Right at the springs ditch about
1 1/2 mile long - 2 ft wide at bottom - 1 1/2 ft deep

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

Ans. 3 Second feet, all of the water of the springs

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 on SE 4 SE 4 & SW 4 SE 4 2/8
SE 25 R 42 E, BM, about 36 acres now under cultivation

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

Ans. Not for power

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

Ans. Sage Brush land

3564

3564

Permit No.

Proof of Application of Water
to Beneficial Use.

DEPOSITION OF WITNESS.

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 Bozeman, County of Beaverhead, State of Idaho, on this 11th day of December, A. D. 1908.
Bozeman
Bozeman
Bozeman
(Sign) Adolph J. Norman

to beneficial use of the water diverted under said permit.
Ans. I have given no answer to the question

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

Ans. No

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

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. Ed Soring 42 years Soda Springs Latimer Soda Springs Add.

Ques. 2. Are you acquainted with Donnie H Rowley the holder of Permit No 3664? How long have you known him, and where does he reside?

Ans. About 8 years resides at Soda Springs Idaho

Ques. 3. Have you read or heard read said Permit No 3664, and are you familiar with its provisions and conditions?

Ans. I know it is intended to carry the water of Rowley Springs

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. Rowley Springs right at spring ditch 1/2 mile long 2 feet wide at bottom 1 1/2 ft. deep

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

Ans. 3 second ft. About the same

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, on SE⁴ SE⁴ about 15 acres and on SW⁴ SE⁴ about 20 acres or 35 acres now in use

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

Ans. Not for power

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

Ans. Sage Brush Land,

3564

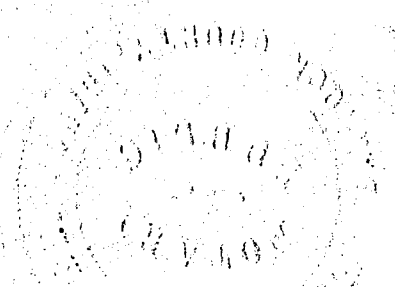
3564

Permit No.

Proof of Application of Water
to Beneficial Use.

DEPOSITION OF WITNESS.

Received and filed



Harry Perkins
E. J. Phillips

I hereby certify that the foregoing testimony was read to the above subscriber before its signing.
that I believe him to be the person he represents himself to be, and that said testimony was subscribed
and sworn to before me, at my office in *Boise Springs*, County of *Blaine*,
State of Idaho, on this *fourth* day of *November*, A. D. 190*5*

Ed. J. Young (Sign)

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 it on 35 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. *No*

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 8th day of October 1908; 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 pre-
ceeding the said 8th day of
October 1908 Joe H. De Witt

Subscribed and Sworn to before me this 30th day of

October

A. D. 1908

L. C. Eastman

Notary Public.

I, Eastman, 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 30th day of October A. D. 1908.

3564

Proof of Completion of Works and Application of Water to Beneficial Use.
Notice is hereby given that at 10 a. m. on the 30th day of November, 1908, at Soda Springs, County of Bannock, State of Idaho, before Herbert Horsley, proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of the waters of Rowley Spring and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 3351 heretofore issued by the State Engineer of the State of Idaho.
1. The name and post-office address of the person holding said permit is Daniel H. Rowley, Soda Springs, 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 3 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 3 cubic feet per second.
4. The place where said water is used is sec 14 and 15 of SW 1/4 sec 25, T 6 S, R 42 E B M.
5. The date of priority which said user is prepared to establish is April 7, 1903.

JAS. STEPHENSON, JR.
State Engineer.

108:1029

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 8th day of October 1908; 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 pre-
ceeding the said 8th day of October 1908 Joe H. De Witt

Subscribed and Sworn to before me this 8th day of

October

A. D. 1908

L. C. 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 10th day of November, 1908, at Soda Springs, County of Bannock, State of Idaho, before Herbert Rowley, proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of the waters of Rowley Spring and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 3564 heretofore issued by the State Engineer of the State of Idaho.
1. The name and postoffice address of the person holding said permit is Daniel H. Rowley, Soda Springs, 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 3 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 3 cubic feet per second.
4. The place where said water is used is sec 25, tp 6 s. range 42 E. N. M.
5. The date of priority which said user is prepared to establish is April 7, 1903.
JAS. STEPHENSON, JR.
State Engineer.
108:1029

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 8th day of October A. D., 1908.

3564

STATE OF IDAHO.
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.
STATE ENGINEER

Boise, November 13, 1908.

Permit 3564.

Daniel H. Rowley,
Soda Springs, Idaho.

Sir:

Yours of the 9th inst., inclosing depositions, affidavit and fees under above permit, duly received. I return check for \$10.00 herewith as in excess of the amount required. Fee for proof of completion is \$5.00 and for beneficial use \$2.00 for each forty acre tract to which water has been beneficially applied. As the report and depositions show parts of two forties to have been put under cultivation, the fees would amount to only \$4.00, making a total of \$9.00. As soon as the correct amount of fees is received, the matter of issuing certificate and license will be taken up.

Very truly yours,

Jas. Stephenson, Jr.
State Engineer.

Ch. \$10

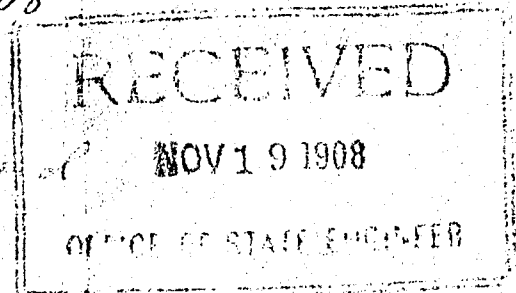
By *RB.*

Order \$9.00 11/16/08

J. Stephenson

Please find inclosed

Check P.O. Money Order \$9.00



Thanking you

yours truly

3564

D. H. Rowley

Boise, Idaho, December 12, 1908.

Certificate No/ 3564/
Water License No. 3564.

Daniel H. Rowley,
Soda Springs, Idaho.

Sir:--

Inclosed herewith find Certificate of Completion
of Works and Water License No. 3564. also receipt for
fees.

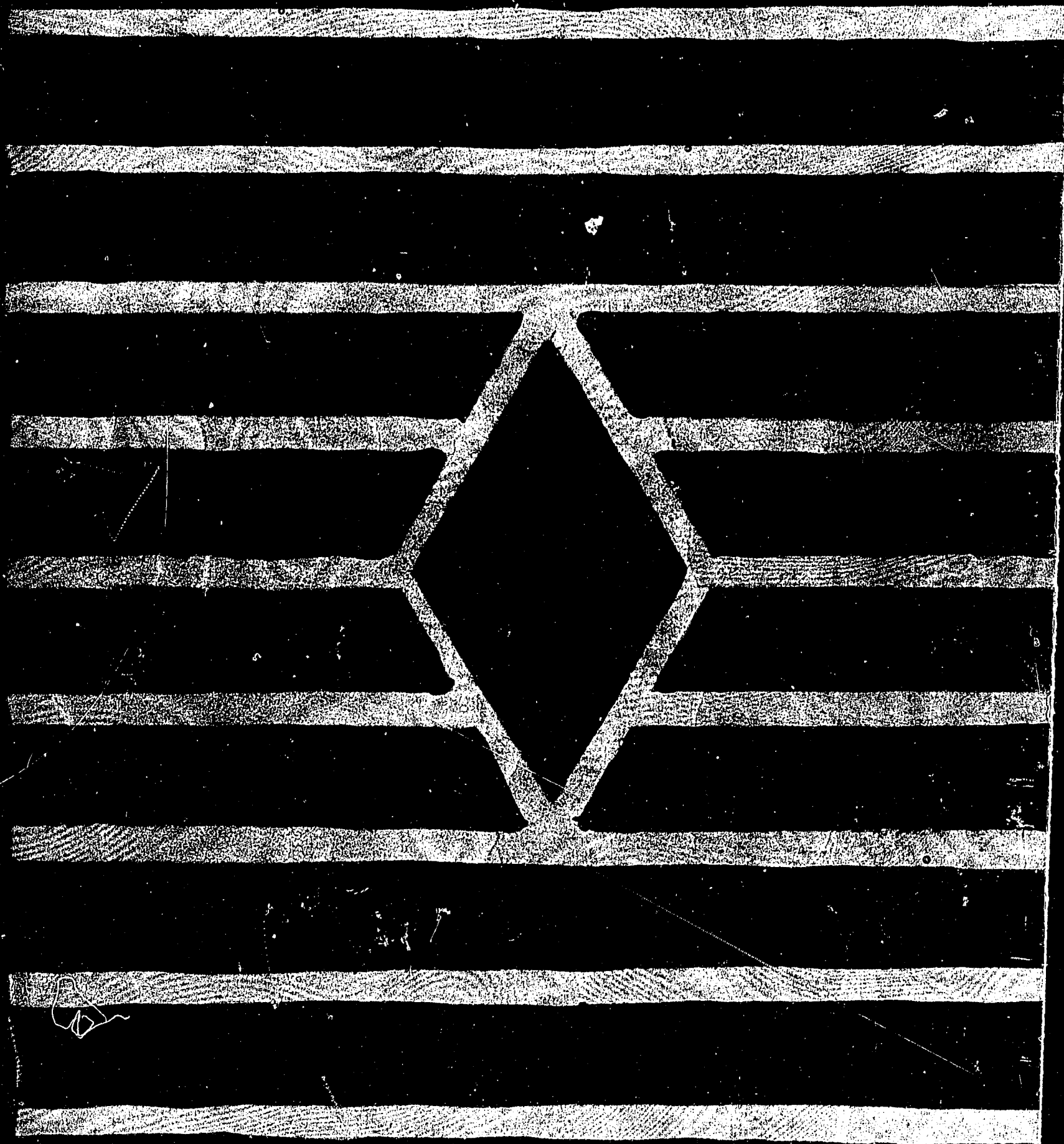
Very truly yours,

State Engineer.

By _____

Enc. C. WL. G.F.R. 1585-56.

3564



 Bannock County *
 Rowley Springs *
 .8 of 1 cubic foot per second. *
 Irrigation *
 Priority 4-7-1908 *

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

Water License No. 3564.

----O----

WHEREAS, On the 7th day of April A.D. 1908, DANIEL H. ROWLEY, of Soda Springs, County of Bannock, and State of Idaho, duly made application (No. 5063) to me for a permit to use 3 cubic feet per second of the waters of Rowley Springs, County of Bannock, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 11th day of April A.D. 1908, Permit No. 3564, 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 11th day of April A.D. 1909, and for the application to beneficial use of said water on or before the 11th day of April A.D. 1911; and,

WHEREAS, On the 9th day of November A.D. 1908, the holder of said permit duly made proof of the completion of adequate works for the diversion of 3 cubic feet per second of said water, as evidenced by my Certificate No. 3564, dated November 30, 1908, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3 cubic feet per second of water, with date of priority of April 7, 1908; and,

WHEREAS, On the 9th day of November A.D. 1908, proof was duly made of the application to beneficial use of .8 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 DANIEL H. ROWLEY, of Soda Springs, Idaho, the holder and owner of said Permit No. 3564, a perpetual right dating from April 7, 1908, to the use of .8 of 1 cubic foot per second of the waters of Rowley 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 in the northeast corner of southeast quarter of southeast quarter of section 25, township 9 south, range 42 east of the Boise meridian, and conducted to and upon 20 acres in the southeast quarter of southeast quarter and 20 acres in the southwest quarter of southeast quarter of section 25, township 9 south, range 42 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 of Idaho, 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 30th day of November, A.D.

Nineteen Hundred and eight.

Jan. Stephenson, Jr.

State Engineer.

(SEAL)

Recorded November 30, 1908.

