

No. 9205

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Edward Johnston

Postoffice address: Paris

County: Bear Lake State Idaho

2. The quantity of water claimed is $4/5$ of One cubic foot per second.

3. Source of water supply: Spring N. 64° E 287' from Sec 6 or Sec 17, 18, 19, 20 T 14 S R 43 E B.M.

County of Bear Lake.

4. Location of point of diversion: N. 64° E 287' from Sec 6 or to Secs 17, 18, 19, 20 T 14 S R 43 E. B.M. in SW4 Sec. 17

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 40 acres.

(b) In the following legal subdivisions: NW4 NW4 Sec 20 T 14 S R 43 E. B.M.

6. Estimated cost of works: \$150.00

7. Description of works for diversion:

I. Kind of works: Ditch

II. Dimensions of works:

(a) Height of dam 2 feet, length of dam at top 5 feet, length of dam at bottom 2 feet,

Material used in construction: Earth and stone

(c) Size of headgate: Width 1 foot, height 1 foot.

(d) Conduit Ditch, width at bottom 2 feet, width at water line 3 feet, depth of water $\frac{1}{2}$ feet. Average grade per mile is 4 feet. Length of conduit is $\frac{1}{2}$ mile and it crosses the following quarter sections: SW4 SW4 Sec 17 and NW4 NW4 Sec 20 T. 14 S R 43 E B.M. 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 2 years.

9. Time required for the complete application of the water to the proposed use is 2 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.

Edward Johnston

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 6357

Date of first receipt of application 9.00 a.m. July 5, 1910

Returned to applicant for correction July 5, 1910

Corrected application received July 14, 1910

Recorded in Book 19 Page 6357 Approved July 19, 1910

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 September 17, 1910, 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 July 19, 1911.

The whole of said work to be completed on or before July 19, 1912.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to July 19, 1914.

Witness my hand this nineteenth day of July, 1910.

D. G. Martin

State Engineer.

1st Notice received April 12th, 1912, fixing July 19th, 1912, as date, and Paris, Idaho, as place of proof.

H. H. Broomhead authorized June 10th, 1912, to make the required examination.

Deposition blanks mailed June 20th, 1912, to Smith Hoge.

Publication Notice mailed June 10th, 1912, to the Paris Post.

Report received July 20th, 1912.

Fec, affidavit and depositions received July 22nd, 1912.

Certificate issued August 24th, 1912.

Permit No. 6357

CERTIFICATE OF COMPLETION OF WORKS

To All Whom it May Concern:

This is to certify that EDWARD JOHNSTON, of Paris, County of Bear Lake, and State of Idaho, the holder of Permit No. 6357, issued upon Application No. 9203, bearing date of priority of July 5th, 1910, authorizing the diversion of $4/5$ ths of 1 second foot of the waters of SPRING, County of Bear Lake, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the 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 $4/5$ ths of 1 second foot of the waters of Spring, that the point of diversion of said waters is at a point in the Southwest quarter of the Southwest quarter ($SW\frac{1}{4} SW\frac{1}{4}$), Section 17, Township 14 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: Northwest quarter of the Northwest quarter ($NW\frac{1}{4} NW\frac{1}{4}$), Section 20, Township 14 South, Range 43, East of the Boise Meridian.

Witness my hand this 24th day of August, A.D. 1912.

A. E. Robinson,
State Engineer.

License issued for 0.1 second feet
Aug 1668

P 6357

SEC

SEC

SEC

SEC

SEC

SEC

T 4 S T 43 E.

SEC

SEC

SEC

SEC

SEC

SEC

18

17



464 E. 287' P. of Division Spring.



Land To be irrigated

SEC

SEC

SEC

SEC

19

20

6357

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
STATE ENGINEER

Boise, Idaho, July 29, 1910.

Permit 6357.

Edward Johnston.

Paris, 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.

6357

State of Idaho
ENGINEERING DEPARTMENT
BOISE

D. G. MARTIN
STATE ENGINEER

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Edward Johnston,
Paris, Idaho.

Boise, Idaho, April 1st, 1912.

Dear Sir:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. **6357**

This form should be filled out and mailed to the State Engineer at least 60 days before the date upon which it is to be submitted, which proof **MUST** be on or before **July 19th, 1912.**

Upon receipt of this blank properly filled out, notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a Notary Public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

6357

D. G. MARTIN,

State Engineer.

Notice of Proof of Completion of Works

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

(P. O.)

Paris, Idaho

(Date)

April 10th 1912

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

DEAR SIR: Notice is hereby given that at 10 A. M., on the 19th day of July, 1912, at Paris, County of Bear Lake, State of Idaho, before Smith Hoge, Notary Public, proof will be submitted of the completion of works for the diversion of 4/5 of one cubic foot per second of the waters of Spring N. 64° E. 28.7' from Sec. 17, 18, 19, 20, T. 14 S. R. 43 E. B. M. 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.....

Edward Johnston

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

Paris

County of Bear Lake, State of Idaho.

3. The number of such permit is 6357, and the date set for the completion of

such work is July 3rd 1912.

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

5. Said works of diversion will be fully completed on the day 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 4/5 of 1 cubic foot per second.

6. The amount of lands for which said water is available is 40 acres,

particularly described as follows: NW 1/4 NW 1/4 Sec. 20 T. 14 S. R. 43 E. B. M.

(In case of 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.

desires that the above notice be published according to law, in the

Post

of Paris, Idaho

published in the county in which said works are situated; the expense of which publication will be borne by Edward Johnston.

(Signature)

Edward Johnston

RECEIVED

APR 12 1912

OFFICE OF STATE ENGINEER

6357

April 12, 1912.

Permit 6357

Edward Johnston,
Paris, Idaho.

Sir:-

Am just in receipt of notice of proof of completion of works under above permit. Same has been checked and is satisfactory. The publication notice will be mailed the Paris Post in time for the required four weeks publication prior to July 19th and deposition blanks will be mailed Smith Hoge, before whom proof is to be taken.

If you will send the name of some one whom you know to be competent to make examination of the works of diversion, instructions and blanks will be furnished him. A licensed surveyor is preferred.

Very truly yours,

State Engineer.

BY...

6357

6357

Paris, Idaho, May 12th 1913.

A. E. Robinson, State Engineer,
Boise, Idaho.

Dear Sir:

Replying to yours of April 12th will say that the land on which the water is to be used lies in the hills south west from the City of Paris and the County Surveyor lives at Montpelier, which is ten miles from Paris, and it would be difficult to get him to come and make the examination consequently I have made arrangements with E. H. Broomhead, who has done considerable engineering work, and who is at present the Auditor and Recorder of Bear Lake County, and is a man whom I think fully competent to examine the works and report on the same.

Trusting that you will see fit to appoint Mr Broomhead to examine the works I am,

yours very respectfully,

Edward Johnston

6357

May 13, 1912.

Permit 6357

Edward Johnston,
Paris, Idaho

Sir:-

In reply to your letter of the 11th inst. would say that Mr. H. H. Broomhead will be authorized to make the examination of works under above permit.

Very truly yours,

State Engineer.

By...

6357

NOTICE OF PUBLICATION

Notice is hereby given that at 10 A.M., on the 19th day of July, 1912, at Paris County of Bear Lake State of Idaho before Smith Hoge, N.P., proof will be submitted of the completion of works for the diversion of 4/5 of 1 cubic feet per second of the waters of a 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 Edward Johnston.
2. The postoffice address of such person or the place of business of such corporation is Paris County of Bear Lake State of Idaho.
3. The number of such permit is 6357, and the date set for the completion of such work is July 19, 1912.
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 45 of 1 cubic feet per second.
6. The amount of lands for which said water is available is 40 acres, particularly described as follows: NW4 of NW4 Sec. 20, T. 14 N., R. 43 E. NW

A.E. Robinson

6357
State Engineer.

Office of the State Engineer

Butte, Idaho, June 10 1912

**H. H. Broomhead,
Paris, Idaho**

DEAR SIR:

Edward Johnston, residing at **Paris**
County of _____, State of **Idaho**, has requested that
you make examination required under Permit No. **6357**. Will you
therefore, arrange with the holder of said Permit to make such examination as will
enable you to answer the questions on the enclosed blank? Also, make a sketch on
the enclosed blank plat showing source of supply, point of diversion, route of ditch
and place of use. You should, also, arrange with the holder of said Permit for the
payment of your fee for your services, and such proper expenses as you will incur in
making this examination and report.

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

Very truly yours,

A. E. ROBINSON,
State Engineer.

6357

State of Idaho

A. E. ROBINSON
STATE ENGINEER

ENGINEERING DEPARTMENT BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Edward Johnston,
c/o Smith Hoge,
Paris, Idaho

Boise, Idaho, June 20, 1912.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under your permit No. 6357.

Deposition 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 July 19th, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Paris,

before Smith Hoge, N.P.

2. 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, where amount claimed does not exceed 10 second feet. Where more than 10 second feet is claimed, the fee required is 30 cents per second foot. When these have been received, together with report of the examining engineer, if everything is properly executed, Certificate of Completion of Works will issue.

Yours truly,

A. E. ROBINSON,
State Engineer.

6357

HOWARD H. BROOMHEAD
CLERK OF THE DISTRICT COURT
EX-OFFICIO AUDITOR AND RECORDER

OFFICE OF
CLERK OF THE DISTRICT COURT
BEAR LAKE COUNTY
PARIS, - - - IDAHO

MINNIE BROOMHEAD
DEPUTY

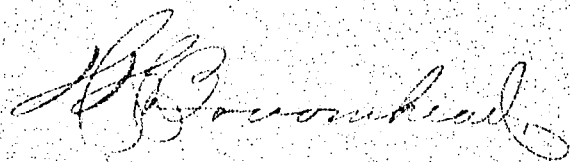
June 18th., 1912.

Hon. A. E. Robinson,
Boise, Idaho.

Dear Sir,

I am in receipt of your communication of the 10th. inst. relative to making an examination as required under Permit 6357 from your office. Answering will say that I shall be pleased to make the examination required and to report the results of such examination to your office in the time required.

Very truly,



RECEIVED
JUN 27 1912
OFFICE OF THE ENGINEER

6357

(Place).....

(Date).....

Paris Editor
June 14, 1912

State Engineer, Boise.

Dear Sir:

I have your letter of *June 10th*..... enclosing Notice
of Completion of Works under Permit No. *6357*..... which will be publish-
ed as you request, beginning with our issue of *June 14th 1912*

W. R. Helmer

Editor

Paris Post

JUL 11 1912

6357

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF BEAR LAKE,

SS

Notice of Publication

Notice is hereby given that at 10 a. m., on the 19th day of July, 1912, at Paris, County of Bear Lake, State of Idaho, before Smith Hoge, N. P., proof will be submitted of the completion of works for the diversion of 4.5 of 1 cubic foot per second of the waters of a 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 holding said permit is Edward Johnston.

2. The postoffice address of such person is Paris, County of Bear Lake, State of Idaho.

3. The number of such permit is 6357, and the date set for the completion of such work is July 19 1912.

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 4.5 of 1 cubic foot per second.

6. The amount of lands for which said water is available is 40 acres particularly described as follows: NW4 of NW4Sec. 20 Twp. 14 S R 43 E B M.

E. A. Robinson,
State Engineer

W R Helmer being first duly sworn,
deposes and says that he is the Editor of
THE PARIS POST, a weekly newspaper published at
Paris, Bear Lake County, Idaho, and that the said news-
paper has a general circulation in said County and State;
that the attached notice, of publication

_____ , was published in the
said PARIS POST for four successive weeks,

the first publication having been made on the 14
day of June, 1912, and the last on the

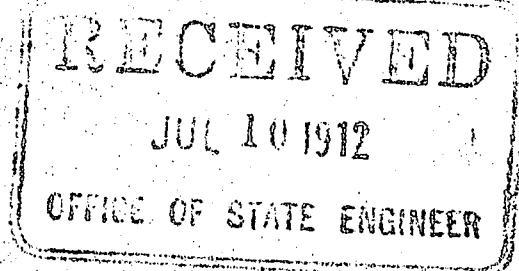
5 4th day of July, 1912;

and that the same was published in the newspaper proper
and not in a supplement.

W R Helmer
Subscribed and sworn to before me this 5th
day of July, 1912.

Notary Public
My commission expires Dec 1st 1915

6357



REPORT OF ENGINEER.

1. State name of applicant and number of permit: Edward Johnston, Permit #6357.
2. State source of water supply: .. Small spring.....
3. Location of point of diversion: ... SW corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, Township 14 South, Range 43 East Boise Meridian... N. 64° E. from Cor. Secs. 17, 18, 19 and 20 Tp. 14S. Range 43 E. B. M.
4. State whether or not the works of diversion are *fully* completed and in accordance with the terms of permit: ... Works are fully completed.....
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: .. (Ditch) 2 feet.....
 - (b) Width at water line: 3 feet.....
 - (c) Depth of water: $\frac{1}{2}$ foot.....
 - (d) Grade per mile: 5.5 feet.....
 - (e) Capacity of ditch: ... one second foot..... second feet.
6. State whether or not water has been turned into works of diversion, and if so, to what extent: Entire flow of water is now turned into works of diversion.....
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, Tp. 14S. Range 43 E. B. M. There are now under cultivation in this forty acre tract upon which the water is to be used five acres.....
8. Submit map on enclosed plat, showing source of supply, point of diversion, route of ditch or ditches and cross-hatch lands to be irrigated.

Remarks: .. The source of supply for the works is but a very small spring and is mainly usefull for culinary purposes and for watering stock, but will also be used for irrigating crops on the land indicated on plat, or as much thereof as is possible. The reservoir for impounding all of the flow is now completed. The water is now conveyed by a conduit and is actually being used upon the land indicated.....

STATE OF IDAHO,

County of Bear Lake.....

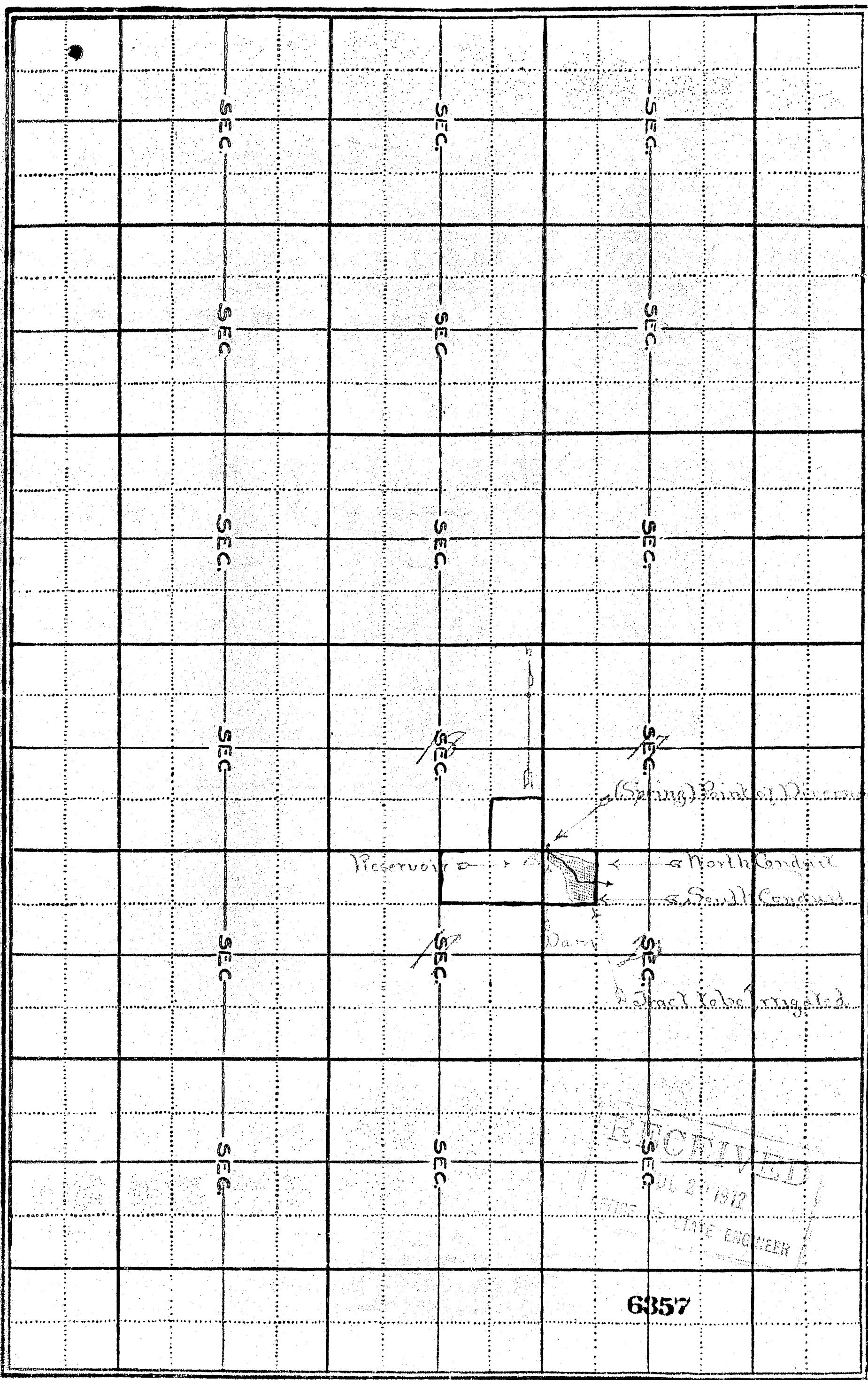
H. H. Brownhead, ..., being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 19th day of JULY 1912

My Commission Expires Dec 1st 1915

Notary Public.

Name of Applicant.....Edward Johnston, Paris, Bear Lake County, Idaho.



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

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Edward Johnston, Age 51 years, occupation farmer, P. O. Address
Paris, Bear Lake 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. 6357, Date July 19th 1910, 4/5 of one cubic foot, Source, and point of Diversion
Spring N 64° E. 237' From Sec. cor. 17, 18, 19, and 20, Tp. 14 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. Chiefly for culinary and domestic purposes and some irrigating on
NW 1/4 Sec. 20, Tp. 14 S. R. 43 E. B. M., will irrigate a probable
five or six acres.

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

Ans. Water has been turned into the works and is now in them and running upon the land. Was turned into the works on July 15th 1912.

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. The works are fully completed and comply fully with the 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. The ditches are not quite the size required as there is insufficient water to fill the ditches I have.

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

Ans. Earth and stone dam 100 feet on top and 10 feet bottom long at xxx, and 5 ft deep. A wood box twelve ft long conveys the water through the dam and into the ditch which is 60 rods long. Total cost of construction \$150.00.

(Sign here.) Edward Johnston

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, in Paris, Bear Lake County of

State of Idaho, on this 19th day of July A. D. 1912.

My Commission expires Dec. 1st 1915.

Notary Public.

6357

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. Joseph F. Bunn, age 27 years, Occupation, laborer, and P.O. Address, Paris, Bear Lake County, Idaho.

Ques. 2 Are you acquainted with Edward Johnston, the holder of Permit No. 6357, authorizing the diversion of $\frac{4}{5}$ of 1 second-foot of the waters of a small spring, at Sec. 20, 14 - 43 E.B. M., for Culinary and domestic purposes? How long have you known him, and where does he reside?

Ans. All my life, he resides at Paris, Idaho.

Ques. 3. Have you read or heard read said Permit No. 6357, and are you familiar with its terms and conditions?

Ans. Yes sir.

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 are only about five acres to be cultivated if there is sufficient water, the character of the soil is black loam.

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 earth and stone dam 100 feet, feet long and five feet deep with a wooden box twelve feet long running through the dam into the ditch which takes it to the land to be used on.

(Sign here.)

Joseph F. Bunn

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 19th day of July, A. D. 1912.

[Signature]
Notary Public

6357

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. Alfred S. Johnston, age 21 years, farmer and laborer.

Paris, Bear Lake County, Idaho.

Ques. 2. Are you acquainted with Edward Johnston, the holder of Permit No. 6357, authorizing the diversion of 4/5 of 1 second-foot of the waters of a small spring, at Sec. 20 Tp. 14 S.R. 43 E for culinary and domestic purposes? How long have you known him, and where does he reside?

Ans. Yes sir.

Ques. 3. Have you read or heard read said Permit No. 6357, and are you familiar with its terms and conditions?

Ans. Yes sir.

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 sir, the works consist of a dam one hundred feet long and five feet deep with a wooden box through which the water passes into the ditch which conveys it to the land where he will irrigate as much of a five or six acre tract as the water will permit.

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 sir.

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

Ans. The works are as I described them above.

(Sign here.)

Alfred S. Johnston

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 19th day of July, A. D. 1912.

6357

Affidavit of Publication

Notice of Publication

Notice is hereby given that at 10 a. m., on the 19th day of July, 1912, at Paris, County of Bear Lake, State of Idaho, before Smith Hoge, N. P., proof will be submitted of the completion of works for the diversion of 1.5 of 1 cubic foot per second of the waters of a 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 holding said permit is Edward Johnston.

2. The postoffice address of such person is Paris, County of Bear Lake, State of Idaho.

3. The number of such permit is 6357, and the date set for the completion of such work is July 19 1912.

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 1.5 of 1 cubic foot per second.

6. The amount of lands for which said water is available is 40 acres particularly described as follows: NW 1 of NW 4 Sec. 20 Twp. 14 S R 43 E B M.

E. A. Robinson,
State Engineer

STATE OF IDAHO,

COUNTY OF BEAR LAKE,

} SS

W. R. Helmer being first duly sworn,

deposes and says that he is the Editor of

THE PARIS POST, a weekly newspaper published at

Paris, Bear Lake County, Idaho, and that the said news-

paper has a general circulation in said County and State;

that the attached notice, Notice of

Publication, was published in the

said PARIS POST for four successive weeks,

the first publication having been made on the 21st

day of June, 1912, and the last on the

12 day of July, 1912;

and that the same was published in the newspaper proper

and not in a supplement.

W. R. Helmer
Subscribed and sworn to before me this 18

day of July, 1912.

Notary Public

My commission expires Dec. 1st 1915

6357

RECEIVED

JUL 22 1912

OFFICE OF STATE ENGINEER

6357

WALTER HOGE

SMITH HOGE

Bear Lake County Abstract Co.

BONDED ABSTRACTORS

PARIS, IDAHO

July 19th 1912

A. E. Robinson, State Engineer,

Boise City, Idaho.

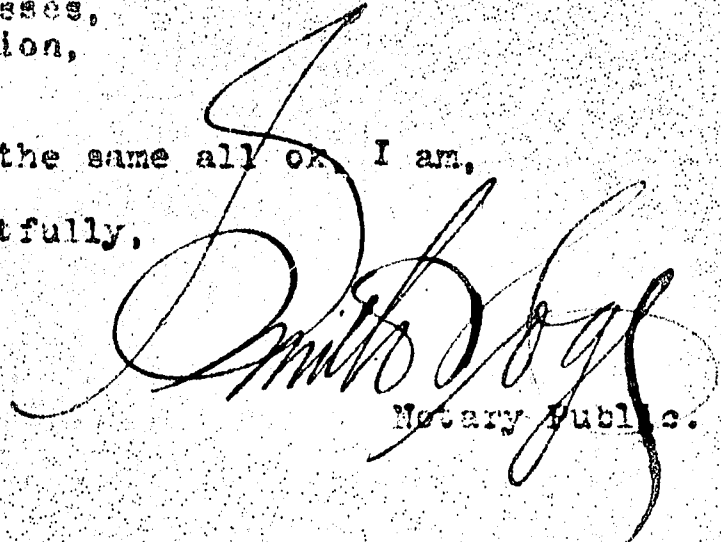
Dear Sir:

Inclosed herewith please find the following
papers in connexion with the Final Proof of Edward Johnston:

Deposition of Holder,
" " 2 Witnesses,
Affidavit of Publication,
Check for \$5.00,

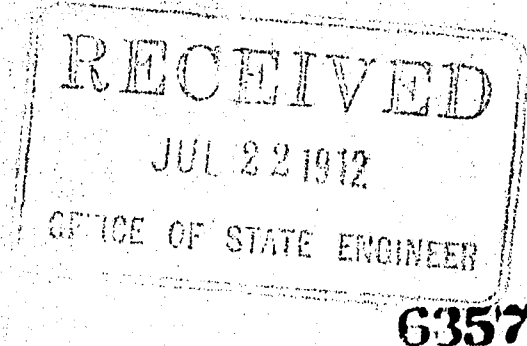
Trusting that you will find the same all ok. I am,

Very respectfully,


Notary Public.

P. S. Mr Johnston desires to know what right he has on his neighbors land in the way of fencing or protecting this spring?

S.H.



6357

Copy up

July 22, 1912.

Permit 6357-Edw. Johnston

Smith Hoge,
Paris, Idaho.

Sir:-

I am today in receipt of your letter of the 19th inst. enclosing depositions, affidavit of publication and fee for proof of completion of works under above permit. Am inclosing you herewith receipt for fee. The report of W.H. Broomhead has been received and is satisfactory. The Certificate will, therefore, be issued and mailed to you soon.

In regard to fencing the spring would say that this is a matter with which we have nothing to do. It rests entirely with Mr. Johnston and his neighbor owning the land upon which the spring is located.

Very truly yours,

State Engineer.

R4709

By...

6357

September 13, 1912

Permit 6357

Edward Johnston,
Paris, Idaho

Sir:-

Am inclosing you herewith certificate of
completion of work.

Very truly yours,

State Engineer.

CQW

By...

6357

State of Idaho

ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

April 1, 1914.

Mr. Edward Johnston,
Pirie, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. 6357 which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

F. P. KING,
State Engineer

6357

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 15, 1914.

(P. O.) Paris, Idaho.

To the State Engineer,
Boise, Idaho.

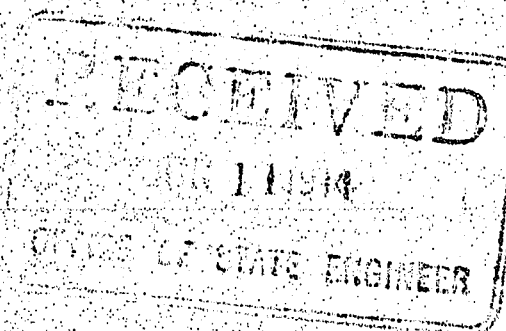
Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Paris Post, of Paris, Idaho, published in the
county in which the works are situated.

Edward Johnston

(In case of 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 attached notice are true.

Engineer.



NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 18 day of July, 1914,
 at Paris, County of Bear Lake, State of Idaho,
 before Smith Hoge, a Notary Public, proof will be submitted
 of the application to beneficial use of 4581 cubic feet per second of the waters of
Spring, in accordance with the terms and conditions of Permit No. 6357
 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

Edward Johnston, Paris - Idaho

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

3. The amount applied to beneficial use is

4581 cu. ft. per sec.

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

NW 4 NW 4 Sec 20, T. 14 S. R. 4 E. B. 10

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. 6357

6. The source of supply from which such water is diverted is a spring

7. The date of the priority which said user is prepared to establish is July 5 - 1910

June 11, 1914.

Permit 6357

Edward Johnson,
Paris, Idaho.

Sir:

Am just in receipt of your notices, partially filled out, for proof of beneficial use of water under above permit. I have set July 19th as the date for making the proof and the notice for publication has today been mailed to the Paris Post. Deposition blanks will be mailed to Smith Hoge later.

Very truly yours,

F. P. KING,

State Engineer.

By _____

6357

(P. O.)

(Date)

Paris, Idh.
6/12-14

State Engineer, Boise.

Dear Sir:

I have your letter of 6/11 enclosing Notice of Proof
of Beneficial Use of Water under Permit No. 6357 which will be published
as you request, beginning with our issue of June 19-14

Paris post

6357

STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Edward Johnston,
c/o Smith Hoge,
Paris, Idaho.

BOISE, IDAHO, June 20, 1914.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. **6357.**

DEPOSITION 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 ~~July 18th~~ **July 18th**, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Paris, before Smith Hoge, N.P.**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice 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, License will issue.

Yours truly,

F. P. KING,

State Engineer.

6357

PERMIT No. 6357

RECEIVED

JUL 20 1914

OFFICE OF THE ENGINEER

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Edward Johnston, age 54 years, farmer, Paris, 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. 6357, July 5, th 1910, July 5, 1910.

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

T. 14 S. R. 43 E.

Ans. Spring. N. 64° E. 257' from Sec. Corner Sec's. 17, 18, 19, 20.

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. Ditch, and Dam, 4/5 of one cubic foot, an unnamed 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.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation on NW 1/4 NW 1/4 Sec. 20 T. 14 S. R. 43 E. B. M., from two to ten acres, cultivated land, Dam, Ditch, garden spot and potatoe patch.

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. 4/5 of one cubic 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. #

6357

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

Ans. 1910 to 1914 inclusive, irrigation and domestic purposes.

every drop that has come from the spring, to the fullest extent.

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 rights claimed thereunder.

Ans. There has been no other water used, I am wholly dependant

upon this spring for the water used on the place.

(Sign) *Edward Johnston*

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 the City of Paris,

Benaf Lake, State of Idaho, on this 18th day of July

A. D. 1914.

My Commission expires Dec. 1, 1915.

Wm. H. Page
Notary Public.

Permit No. 6357

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

OFFICE OF STATE ENGINEER

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

Ans. Frank Polton, age 46 years, Paris, Idaho, farmer, Paris, Idaho.

Ques. 2. Are you acquainted with Edward Johnston, the holder of Permit No. 6357? How long have you known him and where does he reside?

Ans. Yes sir. He resides at Paris, Idaho.

Ques. 3. Have you read or heard read said Permit No. 6357, and are you familiar with its provisions and conditions?

Ans. Yes sir.

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 spring which is N. 64° E 287' from the Sec. corner of Sections 17, 18, 19, and 20, T. 14 S. R. 43 E. B. M.

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. 4/5 of one cubic foot.

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.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic. NW 1/4 NW 1/4 Sec. 20, T. 14 S. R. 43 E.

B. M. and he can irrigate from two to ten acres. It is cultivated

land and the improvements are the dam, the ditch, and the ground

that he uses the water on.

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. Black loam and gravelly. 4/5 of one cubic foot.

6357

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 sir.

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

Ans. Practically every year, the full amount of water that flows from the spring.

(Sign) Frank Bolton

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, in the city of Paris, County of Bear Lake, State of Idaho, on this 18th day of July, A. D. 1914.

William H. Hoge
Notary Public.

My Commission Expires Dec. 1, 1915.

Permit No. 6357

RECEIVED

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS OFFICE OF STATE ENGINEER

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

Ans. John Scheidegger, age 49 years, Paris, Idaho, Farmer, Paris, Idaho.

Ques. 2. Are you acquainted with Edward Johnston, the

holder of Permit No. 6357? How long have you known him and where does he reside?

Ans. Yes sir. Twenty-five years. Paris, Idaho.

Ques. 3. Have you read or heard read said Permit No. 6357, and are you familiar with its provisions and conditions?

Ans. Yes sir.

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 spring, N. 64° E. 287' from Sec. Corner Sec's. 17, 18, 19, 20, T. 14 S. R. 43 E. B. K.,

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. 4/5 of one cubic foot.

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.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and Domestic. NW 1/4 NW 1/4 Sec. 20, T. 14 S. R. 43 E.

B. K. and he irrigates from 2 to 10 acres. It is cultivated land

the improvements consist of the reservoir or dam and ditch and the

lands he has put into cultivation.

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. Black loam and gravelly soil. 4/5 of one cubic foot.

6357

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 sir none whatever.

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

Ans. Every year since he claimed it, he has used all of the water that comes from the spring, on his land.

(Sign)

John Scheidegger

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, in the City of Paris, County of Bear Lake, State of Idaho, on this 18th day of July, A. D. 1914.

Notary Public.

My Commission Expires Dec. 1, 1915.

Affidavit of Publication

Notice for Publication

NOTICE OF PROOF OF WATER TO BE- NEFICIAL USE

Notice is hereby given that at 10 a. m. on the 18th day of July, 1914, at Paris, County of Bear Lake, State of Idaho, before Smith Hoge, a Notary Public, proof will be submitted of the application to beneficial use of Four Fifths of one cubic foot per second of the waters of a spring, in accordance with the terms and conditions of Permit No. 6357, heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said permit is Edward Johnson, Paris, Idaho.
2. The use to which said water has been applied is irrigation and domestic use.
3. The amount applied to beneficial use is Four Fifths of one cubic foot per second.
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 20, T. 14 S., R. 43 E. B. M.
5. The right to take the water from such works is based upon Permit No. 6357.
6. The source of supply from which such water is diverted is a spring.
7. The date of the priority which said user is prepared to establish is July 5, 1910.

F. P. KING.
State Engineer.

STATE OF IDAHO,

COUNTY OF BEAR LAKE,

} SS

W R Delmer being first duly sworn,
deposes and says that he is the Editor of
THE PARIS POST, a weekly newspaper published at
Paris, Bear Lake County, Idaho, and that the said news-
paper has a general circulation in said County and State;
that the attached notice, _____

_____, was published in the
said PARIS POST for 5 successive weeks,
the first publication having been made on the 19th
day of June, 1914, and the last on the
17 day of July, 1914;
and that the same was published in the newspaper proper
and not in a supplement.

W R Delmer
Subscribed and sworn to before me this 18th
day of July, 1914.

Smith Hoge
Notary Public

My commission expires Dec. 1, 1915

RECEIVED

JUL 20 1914

OFFICE OF STATE ENGINEER

6357

July 20, 1914.

Permit 6357.

Edward Johnston,
Paris, Idaho.

Sir:

Am today in receipt of depositions, affidavit of publication and fees for proof of use of water under above permit. As soon as the report of our engineer is made, the license will be issued. Am enclosing herewith receipt.

It will probably be several weeks before the examination can be made.

Very truly yours,

P. P. ZIES,

State Engineer.

R6636

28 _____

6357

REPORT OF ENGINEER

1. State name of applicant and number of permit: *Edward Johnston Per. No 6357*
2. State source of water supply: *Un-named Spring*
3. Location of point of diversion: *SW 1/4 NW 1/4 Sec. 20 T19S R43E B.M.*

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:

They are

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: *1' ft.*
- (b) Width at water line: *1 1/2 "*
- (c) Depth of water: *1/2 "*
- (d) Grade per mile: *16' "*
- (e) Capacity of ditch: *About 2 Sec ft.* second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent:

It has - about 6 inches which is maximum flow of the spring

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *2 Acres NW 1/4 NW 1/4 Sec 20 T19S R43E B.M.*

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

RECEIVED

OCT 5 1914

STATE OF IDAHO ENGINEER

Examined Sept. 25 1914

J. G. Buntz

STATE OF IDAHO,

County of _____

ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 191_____

6357

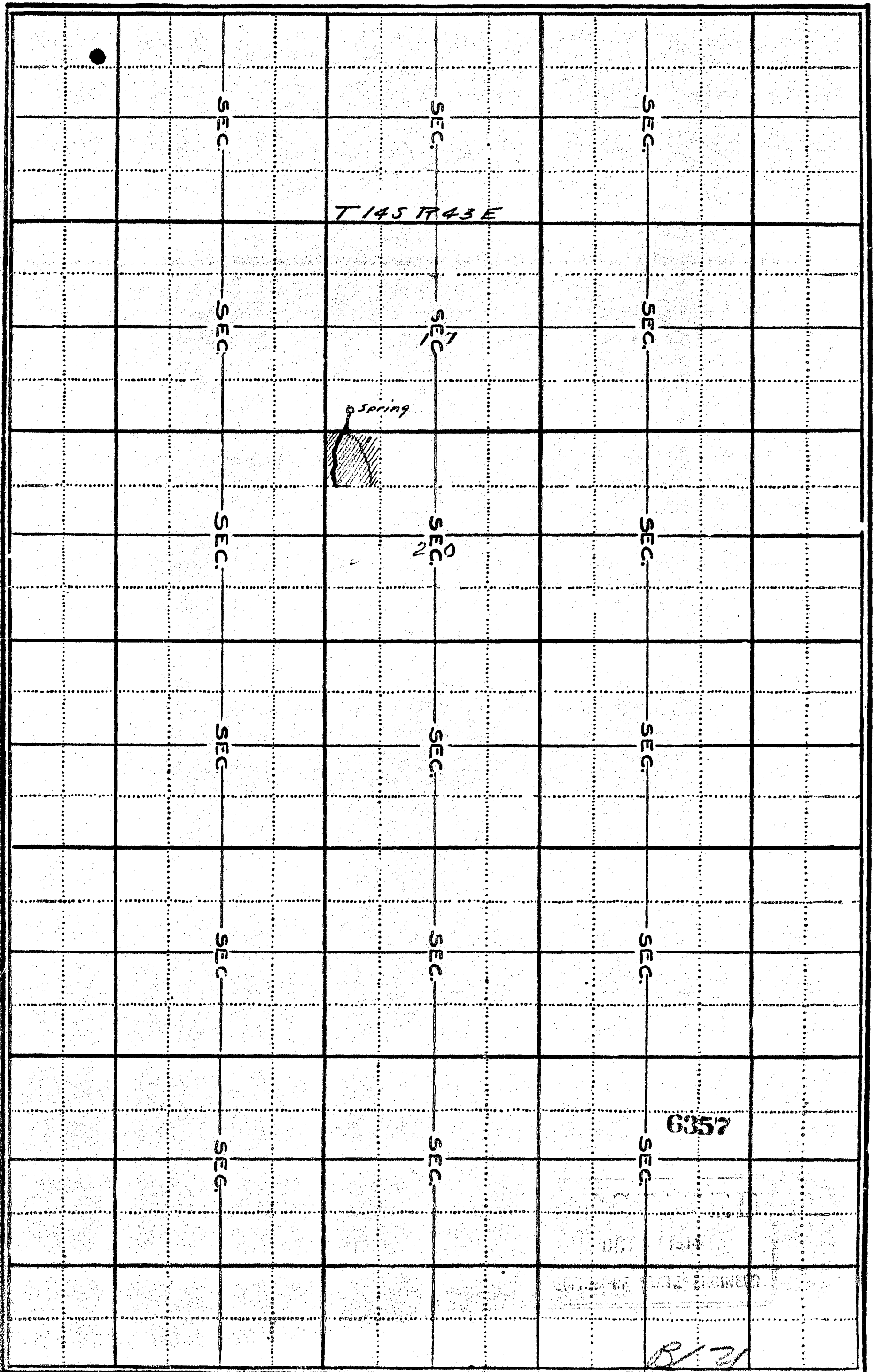
My Commission Expires _____

Notary Public.

B. J.

Name of Applicant *Edward Johnston*

Per 112 6357



October 28, 1914.

Permit 6357Kawad

Edward Johnston,
Paris, Idaho.

Sir:

Am enclosing herewith water license issued
under above permit.

Very truly yours,

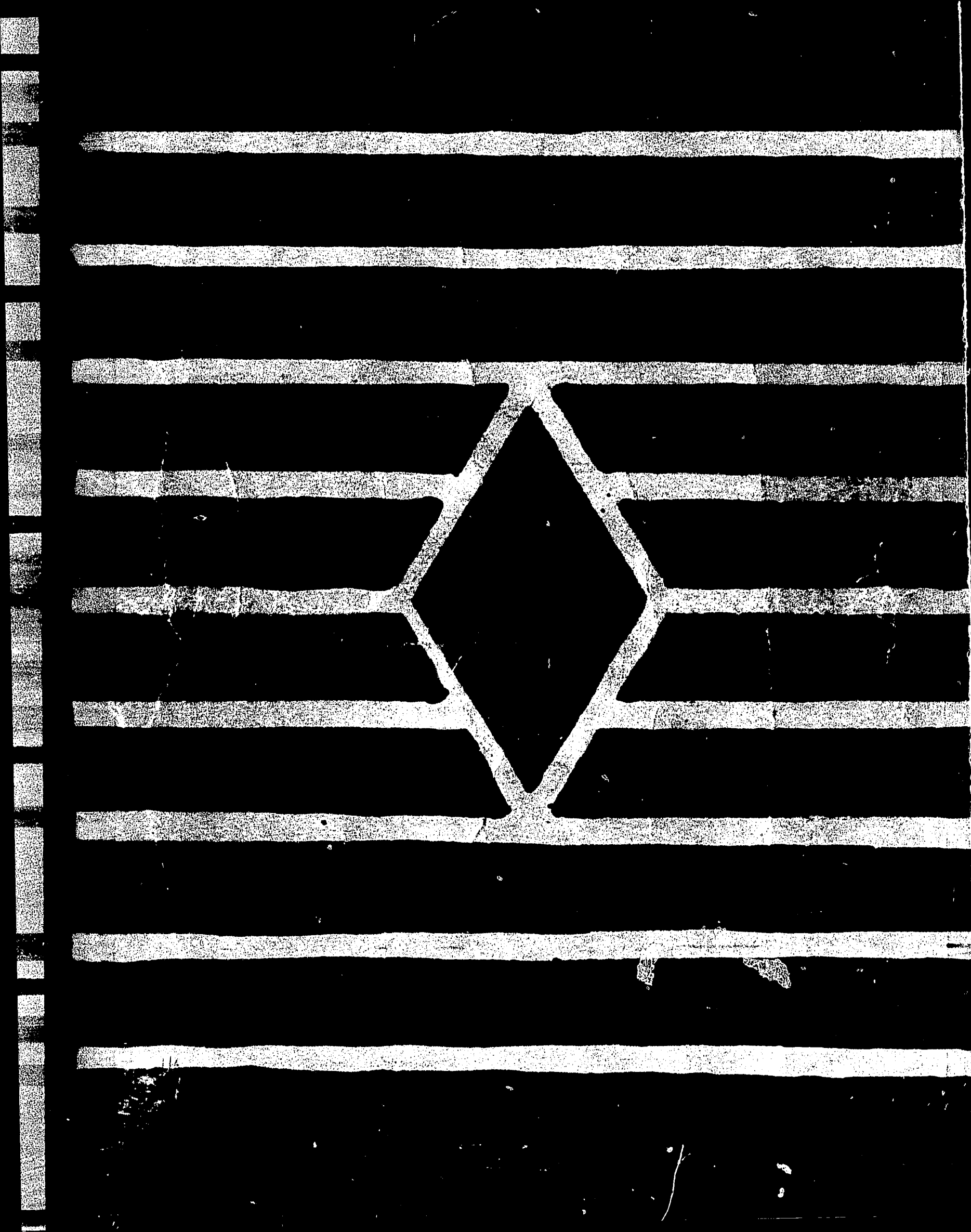
Herbert Wing,

Acting State Engineer.

L

By _____

6357



County: Bear Lake
 Stream: a Spring
 Amount: 2/50 of 1 cu.ft.
 Use: irrigation
 Priority: July 5, 1910.

STATE OF IDAHO

Water License No. 6357

WHEREAS, On the 5th day of July, A. D. 1910
 Edward Johnston

of Paris, County of Bear Lake, State of Idaho, duly made application
 (No. 9203) to me for a permit to use 4/5 of 1 cubic foot per second of the waters
 of a spring,

County of Bear Lake, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 19th day of July, A. D. 1910, Permit No. 6357 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 19th day of July, A. D. 1912, and for the application to ben-
 efitial use of said water on or before the 19th day of July, A. D. 1914, and,

WHEREAS, On the 19th day of July, A. D. 1912,
 Edward Johnston

the holder of said permit, duly made proof of the completion of adequate works for the diversion of
 4/5 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 6357
 dated August 24, 1912, confirming the completion of works of sufficient capacity for diverting and
 conveying to the place of intended use 4/5 of 1 cubic foot per second of said water,
 with date of priority of July 5, 1910, and

WHEREAS, On the 18th day of July, A. D. 1914,
 Edward Johnston

the holder of said permit, duly made proof of the application to beneficial use of 2/50 of 1 cubic
 foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I
 hereby grant and confirm to Edward Johnston

of Paris, County of Bear Lake, State of Idaho, the holder and owner
 of said Permit No. 6357, a perpetual right, dating from July 5, 1910
 to the use of 2/50 of 1 cubic foot per second of the waters of a 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 N. 64° E. 28.1' from Sec. Cor.
 common to Secs. 17-18-19-20, T. 14 S., R. 43 E.B.M.

and conducted to and upon 2 acres in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 20, T. 14 S., R. 43 E.B.M.,

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 20th day of October,
 A. D. nineteen hundred and fourteen.

Herbert Wing,

(Seal)

Acting State Engineer:

