

No. 14457.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Charles F. Gall.

Postoffice address: Soda Springs,

- I. If applicant is a corporation, give
 (a) Date and place of incorporation,
 (b) The amount of capital stock,
 (c) The amount paid in,
 (d) Names and addresses of directors.

County: Bannock State: Idaho.

- II. The financial resources of the applicant are: (a) Cash on hand,
 (b) Treasury stock,
 (c) Bonds to be issued,
 (d) Other resources.

2. The quantity of water claimed is Three and one fifth cubic feet per second.

3. Source of water supply: Unnamed Creek from South Fork of Sulphur Canyon.

4. Location of point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Twp. 9 South, Range 43 East Boise Meridian.

5. To be used for: Irrigation and domestic purposes.

County of Bannock.

- I. Irrigation and domestic use: (a) Amount of land to be irrigated: One hundred sixty acres.
 (b) In the following legal subdivisions: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, Twp. 9, South, Range 42 East Boise Meridian.

II. Mining, milling, power, manufacturing, transportation or other purposes.

[a] At what point:

[b] Amount of power to be generated.

[c] Is water to be returned to any stream?
 H. P. under ft. head
 (d) If so, name stream and locate point of return.

6. Estimated cost of works: \$2,000.00

7. Description of works for diversion:

I. Kind of works: Reservoir, dam and ditch.

II. Dimensions of works:

[a] Height of dam See remarks

feet, length of dam at top 195

feet,

length of dam at bottom 175 feet. Material used in construction: Earth and stone with concrete outlet for the water.

[b] Capacity of reservoir See remarks acre feet. [c] Size of headgate, width $\frac{1}{2}$ feet,Height $\frac{1}{2}$ feet. (d) Conduit ditch width at bottom 3 feet,

width at water line 3 feet, depth of water 1 feet, diameter of pipe

6 inches; average grade per mile is 27 feet. Length of conduit is $1\frac{1}{2}$ miles,
 and it crosses the following quarter sections: N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 18, Twp. 9 South,
 Range 43 E.B.M. and E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 13, Twp. 9 S., R. 42 E. B. M.

8. The time required for the completion of the construction of such work is two years.

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

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

Charles F. Gall

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9.00 A.M. September 12, 1915.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER.

The number of this permit is 9651 Page 9651 Approved September 27, 1915.
Recorded in Book 32 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 approve the same, subject to the following limitations and conditions.

Bond in the sum of November 26, 1915, to be filed on or before and to continue diligently and uninterruptedly

Work to begin on or before November 26, 1915, 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 September 27, 1915.

The whole of said work to be completed on or before September 27, 1915.

Beneficial use of water appropriated in accordance herewith, to be made on or before September 27, 1915.

Witness my hand this 27th day of September, 1915. F.P. King,
State Engineer.

Remarks:

The dam for my reservoir will be between nine and ten feet in height at the highest point, but not more than ten feet at any place. The reservoir will be higher up than the point of diversion, and is located within the Caribou Forest Reserve. I have made all necessary arrangements with the Forest Service for such reservoir. The point of diversion is located on Government land. The water will be run down a natural channel from the reservoir to the point of diversion.

Upon proper request of the holder of the above number Permit I have this 4th day of August, 1915, extended the time for completion of works under said Permit to the 27th day of September, 1916.

J. H. SMITH,
State Engineer.

Proof of Completion of Works made Aug. 14, 1916.

Certificate of Completion issued Aug. 28, 1916.

Permit No. 9651.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Charles F. Call of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No. 9651, issued upon Application No. 14457, bearing date of priority of September 12, 1913, authorizing the diversion of 3.2 second feet of the waters of an unnamed creek from the South Fork of Sulphur Canyon, 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 3.2 second feet of the waters of an unnamed creek from the South Fork of Sulphur Canyon; that the point of diversion of said waters is in the NE $\frac{1}{4}$ of SD $\frac{1}{4}$, Sec. 18, T. 9 S., R. 43 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 12, W $\frac{1}{2}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of EW $\frac{1}{2}$, Sec. 13, T. 9 S., R. 42 E., B.M., containing 160 acres.

Witness my hand this 28th day of August, A. D. 1916.

Recorded by J. H. SMITH, State Engineer of the State of Idaho.
Checked by

License issued for 1.8 second feet
Exp 2018

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1936

1936

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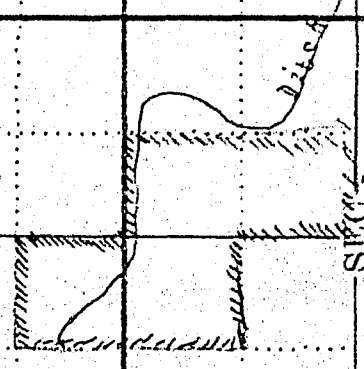
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Handwritten notes and signatures in the top right corner, including a signature that appears to be 'Charles F. ...' and some illegible text.

Handwritten signature 'Charles F. ...' and other illegible text in the bottom right corner.

PERMIT MAP NO. 9651

AS APPROVED

27 1913

R. P. King

REGISTERED ENGINEER

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON,
STATE ENGINEER

Permit No. 9651, Cell.
Jackson Real Estate Co.,
Poocatello, 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.

BOISE, IDAHO, Oct. 8, 1913.

~~A. E. ROBINSON,~~
F. P. KING, State Engineer.

9651

State of Idaho

ENGINEERING DEPARTMENT

BOISE

A. E. ROBINSON
STATE ENGINEER

Dear Sir:

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

Yours truly,
A. E. ROBINSON,
State Engineer.

9651

Chas. F. Cell,
Sode Springs, Idaho.

June 14, 1915.

9661

9651

J. H. Smith

State of Idaho
ENGINEERING DEPARTMENT
BOISE

STATE ENGINEER

INSTRUCTIONS
—
PROOF OF COMPLETION OF WORKS

Chas. F. Call,
Soda Springs, Idaho.

Boise, Idaho,

June 14, 1915.

Dear Sir:

Under the terms of your permit No. 9651, you are required to complete your diversion works on or before Sept. 27, 1915. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give 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,

J. H. Smith

State Engineer.

9651

Soda Springs, Idaho,
July 10, 1915.

Mr. J. H. Smith, State Engineer,
Boise, Idaho.

Dear Sir:

I would like to call your attention to permit
No. 9651 which requires me to complete the diversion
works on or before Sept. 27, 1915.

I find that it is a little bigger undertaking
than I thought it would be, and for that reason
I will ask you to grant me another years time.

Hoping you can allow my request so I can put
it in good shape by another year, I am,

Yours truly,
Chas. F. Call.

274

JUL 13 1915

9651

July 13, 1915.

Permit 9651-

Chas. F. Call,
Soda Springs, Idaho.

Sir:--

Replying to your letter of the 10th would say
that you should make application for extension of time,
in duplicate, upon the enclosed blanks.

Very truly yours,

J. H. SMITH,

State Engineer.

2F4

By _____

9651

July 27, 1915.

Permit 9651

Mr. Chas. F. Call,
Soda Springs, Idaho.

Sir:--

Your application for extension of time
should be filed in duplicate. Am herewith
returning the copy received today, with additional
blank.

Very truly yours,

J. H. SMITH,

State Engineer.

ET-F4

By _____

9651

Application for Extension of Time.

Chas. F. Call, of Soda Springs,
State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 9651.

Under the terms and conditions of said permit, construction work thereunder was required to be completed by Sep. 27th, 1915.

That he has heretofore performed the following work described under said permit; 9651
The Reservoir is about two thirds completed and the Ditch to carry the water is more than half completed.

costing \$800.00

THAT he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

on account of a severe sickness having been under the Doctors care for about a month.

WHEREFORE, He asks that the State Engineer extend the time for the completion of construction work under said permit, to September 27th, 1916.

And further, deponent saith not

Chas. F. Call

Subscribed and sworn to before me this 26th day of July, 1915.

Herbert Horsley

Notary Public.

My commission expires Jan. 21st 1918

Date of receipt at office of State Engineer July 27, 1915.

J. H. Smith, APPROVAL OF STATE ENGINEER.

I, A. B. ROBERTS, State Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 9651, to September 27th, 1916.

Witness my hand this 4th day of August, 1915.

(over) State Engineer.

9651

Boise, Idaho,
August 7, 1915.

Permit No. 9651.

Mr. Chas. F. Call,
Soda Springs, Idaho.

Dear Sir:

Your application for extension of
time has been approved and one copy is
returned herewith to you.

Yours truly,

J. H. SMITH,

State Engineer.

E.T.

By _____

9651

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

June 9 1916

Chas. F. Call,

Soda Springs, Idaho

Boise, Idaho,

Dear Sir:

Under the terms of your Permit No. 9651, you are required to complete your diversion works on or before Sept 27 1916. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give 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,

J. H. SMITH

State Engineer.

9651

State of Idaho

ENGINEERING DEPARTMENT

BOISE

Chas. F. Call,

Dear Sir: Soda Springs, Idaho.

June 9 1916

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. ~~9851~~ 9851, 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,

J. H. SMITH

State Engineer

9851

Soda Springs, Ida

July 24th. 16.

Mr. J. H. Smith, State Eng.

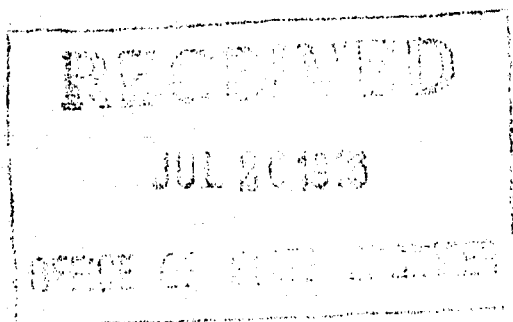
I am ready to
make proof on water permit
no 9651. If it is necessary
for me to fill out any
blanks, please mail me some.

Yours' Respectfully

Chas. F. Hall.

Box 132.

5-6-240



9651

July 26, 1916.

Re Permit 9651.

Chas. F. Call,
Box 132,
Soda Springs, Idaho.

Sir:--

Enclosing herewith affidavit form for proof of completion of works, with instructions, also, blank notices for final proof under above permit.

The notices for final proof should be returned to us in time for the notice to be advertised four full weeks prior to the date of making proof.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

F5-6-3NU

9651

Soda Springs, Ida. Aug. 9, 1916..

State Engineer,
Boise, Ida.

Dear Sir,--

In accordance with your letter of July 26th, I herewith
enclose letter and notice for publication, in duplicate., setting date
of proof Sept. 22, 1916..

Yours truly,

Chas. F. Call.

1664 U. I. 73

OFFICE OF STATE ENGINEER

9651

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Aug. 9, 1916

(P. O.) Soda Springs, Idaho

To the State Engineer,
Boise, Idaho.

Dear Sir:

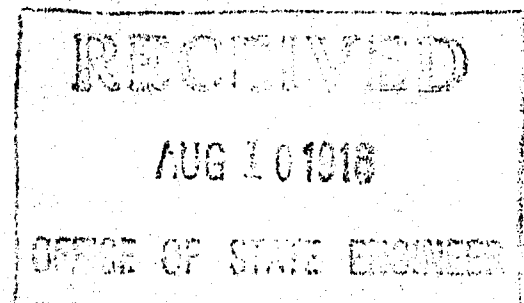
You are hereby authorized to have the attached notice published at my expense in the
"Chieftain", of Soda Springs, Ida, published in the
county in which the works are situated.

Chas. F. Call.

(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 com-
petent 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 22nd day of Sept., 1916,
 at Soda Springs, County of Bannock, State of Idaho,
 before John Perrebeuer, a Notary Public, proof will be submitted
 of the application to beneficial use of 3 and 1/5 cubic feet per second of the waters of
Co. Fork of Salmon Canyon, in accordance with the terms and conditions of Permit No. 9651
 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 Chas. F. Call,

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 150 inches or 3-1/5 feet

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

NE 1/4 OF SW 1/4 Sec. 12, NW 1/4 OF THE NW 1/4, W 1/2 OF THE NE 1/4 OF Sec. 13

Twp. 9 So., Range 42 East of Boise Meridian

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

CALL ROBERTSON DITCH CANAL

6. The right to take the water from such works is based upon Permit No. 9651

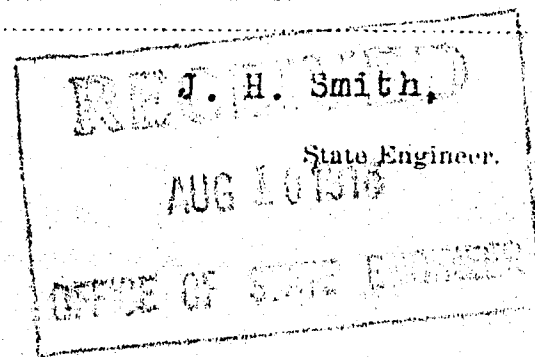
7. The source of supply from which such water is diverted is Co. Fork Salmon Canyon

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

September 12, 1913.

XXXXXXXXXXXXXXXX

9651



August 10, 1916.

Re Permit 9651.

Chas. F. Call,
Soda Springs, Idaho.

Sir:--

We are in receipt of yours of the 9th, enclosing notices for proof of beneficial use of water, with check for \$5.00. The affidavit of holder for proof of completion of works, however, was not enclosed. The fee of \$5.00 should accompany the said affidavit and I accordingly return same herewith.

Notice of final proof will be mailed to the Soda Springs Chieftain in time for the required publication prior to September 22nd, and deposition blanks will be mailed to the notary public, John Ferebauer.

Very truly yours,

J. H. SMITH,

State Engineer.

Ch76.

By _____

9651

OFFICERS:
JOSEPH E. LAU, PRESIDENT
FRANK E. SMITH, VICE PRESIDENT
JOHN FEREBAUER, CASHIER

BANK OF SODA SPRINGS
SODA SPRINGS, IDAHO

DIRECTORS:
JOSEPH E. LAU
FRANK E. SMITH
JOHN FEREBAUER
E. D. WHITMAN
J. GEORGE SCHMIDT

Aug. 14, 1916.

Mr. J. H. Smith, State Engineer,

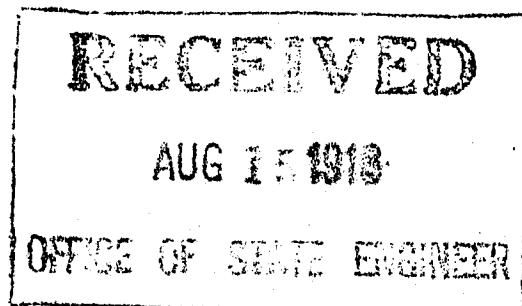
Boise, Ida.

Dear Sir,--

In accordance with your letter of Aug. 10th, I herewith
enclose affidavit of proof of completion of works.

Yours truly,

Chas. F. Call



Permit No. _____

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Barnock

ss.

AUG 11 1910

OFFICE OF STATE ENGINEER

Charles F. Call being first duly sworn upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 9651 and that his postoffice address is Soda Springs State of Idaho

Second: That the name of the stream from which said water is to be diverted is _____

South Fork of Sulphur Canyon

Third: That the point of diversion of said water is NE 1/4 SE 1/4 Sec. 18 Twp. 9 South

Range 43 East of Boise Meridian

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Sept. 27, 1910

Fifth: That the use for which said water is intended is irrigation and domestic

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Reservoir, dam and ditch
(Reservoir, dam, ditch, flume, pipe or other-wise)

II. Dimensions of work: _____

(a) Height of dam 10 ft. feet, length of dam at top 195 feet, length of dam at bottom 175 feet. Material used in construction Earth, and stone with concrete outlet for water
(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 150 acre feet.

(c) Size of headgate: Width 1/2 feet, height 1/2 feet.

(d) Conduit ditch width at bottom 3 feet, width at water line 3 feet, depth of water 1 feet; diameter of pipe 6 inches; average grade per mile is 27 feet. Length of conduit is 1 1/2 miles.

Seventh: That said works are capable of conducting to the place of intended use 3 1/5 second feet of water.

Eighth: That water appropriated under said permit is available for 150 acres of land described as follows: SE 1/4 SW 1/4 Sec. 12; W 1/4 NE 1/4, NE 1/4 NW 1/4 Sec. 13, Twp. 9 So. Range 42 E.B.M.

Ninth. Remarks: That _____

Charles F. Call

(Sign here.)

Subscribed and sworn to before me this 14 day of AUG., 1910.

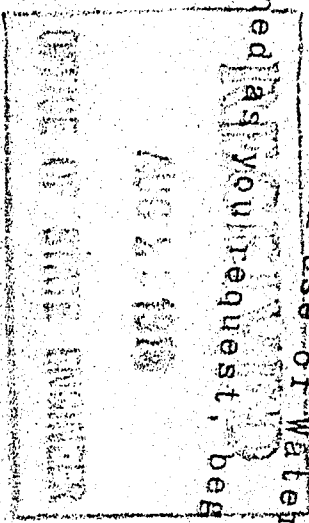
My commission expires Apr. 25, 1920

Notary Public.

State Engineer, Boise.
Dear Sir:

(P. O.) Soda Springs, Idaho.
(Date) Aug. 21, 1916

I have your letter of August 19 enclosing Notice of Proof
of Beneficial Use of Water under Permit No. 9651 which will be pub-
lished at your request, beginning with our issue of Aug. 24, 1916



The Soda Springs Co. has taken
by H. H. McArthur, Pres.

September 7, 1916.

Re Permit 9651.

Charles F. Call,
Sola Springs, Idaho.

Sir:--

Enclosing herewith certificate of completion of works
issued under above permit, with receipt for fees.

Very truly yours,

J. H. SMITH,

State Engineer.

CCW-R8513

By _____

9651

STATE OF IDAHO
ENGINEERING DEPARTMENT

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Chas. F. Call,
c/o John Ferebauer,

Soda Springs, Idaho.
DEAR SIR:

BOISE, IDAHO, Sept. 11, 1916.

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. 9651.

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 ~~Sept. 22nd~~, 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 Soda Springs, before John Ferebauer, 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,

J. H. Smith,

State Engineer.

9651

OFFICERS:

JOSEPH E. LAU, President
FRANK E. SMITH, Vice President
JOHN FERREBAUER, Cashier

BANK OF SODA SPRINGS
SODA SPRINGS, IDAHO

DIRECTORS:

JOSEPH E. LAU
FRANK E. SMITH
JOHN FERREBAUER
E. D. WHITMAN
J. GEORGE SCHMIDT

September 23, 1916.

Mr. J. H. Smith,
State Engineer,
Boise, Idaho.

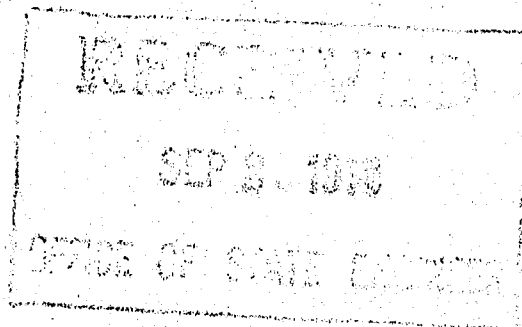
Dear Sir:

We herewith enclose final proof of
Charles F. Call and witnesses in accordance
with your instructions of Sept. 11 together
with check for \$8.00 being \$2.00 on the four
sub-divisions of 40 acres each. We also en-
close affidavit of publication.

Yours truly,

John Ferrebaue
Cash'r

JF:G



Notice of Proof of Application of Water to Beneficial Use.

NOTICE is hereby given that at 10 a. m. on the 22d day of September, 1976 at Soda Springs, County of Bannock, State of Idaho, before John Ferebaner, N. P., proof will be submitted of the application to beneficial use of 3 and 1-5 cubic feet per second of the waters of South Fork of Sulphur Canyon, in accordance with the terms and conditions of Permit No 9651, 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 Charles F. Call, of 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 100 inches, or 3 and 1-5 cubic feet.

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

se $\frac{1}{4}$ of sw $\frac{1}{4}$ Sec. 12; ne $\frac{1}{4}$ of the nw $\frac{1}{4}$ of the ne $\frac{1}{4}$ of Sec. 13, Township 9 South, Range 43 East, Boise Meridian.

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

6. The right to take the water from such works is based upon Permit No. 9651.

7. The source of supply from which such water is diverted is South Fork of Sulphur Canyon.

S. The date of the priority which said user is prepared to establish is September 12, 1913. J. H. SMITH.

temper 12, 1913. J. H. SMITH,
A2314 State Engineer.

STATE OF IDAHO.)
COUNTY OF BANNOCK.) SS

I. W. H. HILDRETH, being first duly sworn, deposes and says that he is the publisher of 'THE SODA SPRINGS CHIEFTAIN, a newspaper published every week in Soda Springs, County of Bannock.

State of Idaho; that the annexed advertisement was published once each week for *Four* successive issues in said newspaper proper and not in a supplement; that the date of the first publica-

tion of said advertisement was on the.... 24th..... day of

... August, 1916, and the date of the last publication was on the Fourteenth ... day of

September 1916.

H. H. Hilbert

Subscribed and sworn to before me this 21st day of September 1916.

John F. ...
Notary Public

My Commission Expires April 25, 1920

9551

REC-1150

02/20/2006

PERMIT No. 9651

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Charles E. Call, age 32 years, occupation rancher, P.O. address 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 refrence to same, and your authority for appearing in its behalf.

Ans. not acting in behalf of a corporation

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

Ans. Permit No. 9651, date September 27, 1913, priority date September 12, 1913

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

Ans. unnamed creek from South Fork of Sulphur Canyon; point of diversion is in the NW Quarter of SW Quarter Sec. 13, T. 9S. R. 43 E

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Works of diversion consist of reservoir, dam and ditch, capable of conveying 160 inches from point of diversion to place of use. Name of canal is Gall canal

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. Water is used for irrigation on SE 1/4 SW 1/4 Sec. 12, NE 1/4 NW 1/4 Sec. 13, W 1/2 NE 1/4 Sec. 13, Twp. 9 So. R. 43 E. B. M. 35 acres in the SE4, SW4 Sec. 12, 40 acres in NE4 NW4 Sec 13, and 70 acres in W2 NE4 Sec. 13, have been irrigated. 30 acres of this irrigated are natural meadow, balance of 115 acres, cultivated land. As a result of the irrigation, the land has been changed from sage brush to orchard, alfalfa and grain land

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

Ans. Some water used for domestic purposes

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

Ans. one hundred and sixty inches

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.

9651

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

Ans. in 1914 and in 1915 I irrigated 120 acres, in 1916 I irrigated 145 acres.

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.

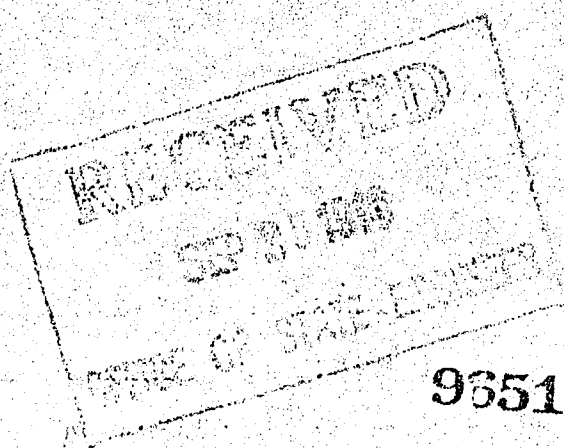
Ans. No other waters than those diverted have been used upon the lands herein described.

(Sign) Charles F. Call

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 22nd day of September A. D. 1916.

John Ferebanis
Notary Public

My Commission Expires April 25, 1920



Permit No. 9651

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. H. Brady Rowley, age 23 years, residence Soda Springs, occupation farmer, P.O. address Soda Springs, Idaho

Ques. 2. Are you acquainted with Charles F. Call, the holder of Permit No. 9651? How long have you known him and where does he reside?

Ans. Yes, have known him ten years, he resides on his ranch near Soda Springs, Idaho

Ques. 3. Have you read or heard read said Permit No. 9651, 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. Source of supply is South Fork of Sulphur Canyon, place of diversion is in the NW Quarter of SW Quarter Sec. 18, Twp. 9 So. Range 43 E.B.M. The works consist of reservoir, dam and ditch.

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

Ans. Works will conduct 3 and 1/5 second feet; have seen two second feet and more conveyed

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

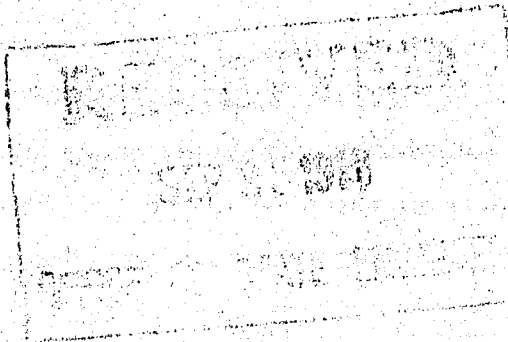
Ans. For irrigation - 35 acres in SE4 SW 4 Sec. 12, 40 acres in NE4 NW4 Sec. 13, and 70 acres in W2 NE 4 Sec. 13, Twp. 9 So. R. 42 E. 30 acres of this is meadow, balance cultivated land in alfalfa, orchard and grain - formerly sage brush land

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

Ans. some used for domestic purposes

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

Ans. land reclaimed was formerly brush land, mostly sage brush - it requires an 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.

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. In 1914 I saw him irrigate 120 acres; in 1916 I saw him irrigate about 145 acres.

(Sign) *J. Brady McQuay*

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 Soda Springs, County of Bannock, State of Idaho, on this 22nd day of September A. D. 1920.

John H. Henshaw
Notary Public

My Commission Expires April 25, 1920

My commission expires

Permit No. 9651-----

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Fred J. Call, age 23 years, Soda Springs, Idaho, occupation farmer, P.O. Soda Springs.

Ques. 2. Are you acquainted with Charles F. Call, the holder of Permit No. 9651? How long have you known him and where does he reside?

Ans. Yes sir, have known him all my life, he lives on his ranch near Soda Springs, Idaho

Ques. 3. Have you read or heard read said Permit No. 9651, 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. Source of supply is South Fork of Sulphur Canyon; place of diversion is in the NW Quarter of SW Quarter Sec. 13, Twp. 9 So. Range 43 E.B.M. The works consist of reservoir, dam and ditch.

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

Ans. Works will conduct 3 and 1/5 second feet; have seen about two second feet and more conveyed

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) 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. For irrigation - 35 acres in SE4 SW4 Sec. 12, 40 acres in NE4 NW4 Sec. 13, and 70 acres in W2 NE4 Sec. 13, Twp. 9 So. R. 42 E. 30 acres of this is meadow, balance cultivated land in alfalfa orchard and grain - formerly brush land

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

Ans. some of the water is used for domestic

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

Ans. land reclaimed was formerly brush land, mostly sage brush. An inch to the acre is required

9651

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

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. I have seen it used in 1914, 1915 and 1916. First two years

he irrigated 120 acres each year, the last year 145 acres.

(Sign)

Fred J. Call

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 sub-

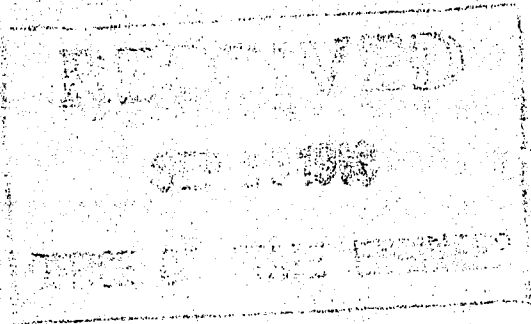
scribed and sworn to before me in Soda Springs, County of Bannock,

State of Idaho, on this 22nd day of September A. D. 1916.

Notary Public.

My Commission Expires April 25, 1920

My commission expires



9851

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Chas. F. Call,
c/o John Ferebauer,

Soda Springs, Idaho.

BOISE, IDAHO, Sept. 11, 1916.

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. 9651.

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 Sept. 22nd, 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 Soda Springs, before John Ferebauer, N.P.

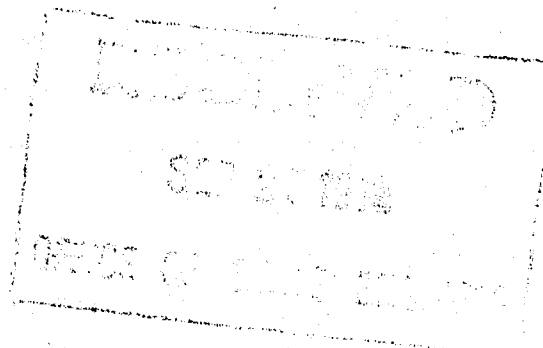
2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything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

Yours truly,

J. E. Smith,

State Engineer.

4-30-18.00



9651

September 26, 1916.

Re Permit 9651.

Charles F. Call,
Soda Springs, Idaho.

Sir:--

Am in receipt of letter from John Ferebauer, enclosing depositions, affidavit of publication and check for fees in the sum of \$8.00, for proof of use of water under above permit. As soon as the report of our engineer can be made, the matter of issuing the license will be taken up.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

9651

January 6th, 1917.

Re Permit No. 9651.

Mr. Chas. F. Call,
Soda Springs, Idaho.

Dear Sir:--

In view of the fact that it will be some time yet before our engineer will be able to make the required examination for proof of use of water under above permit, the check sent for fees, in the sum of \$8.00, is herewith returned to you. As soon as the report is made, you will be further advised in the matter.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

Ch#179

9651

REPORT OF ENGINEER

1. State name of applicant and number of permit: Chas. F. Call-Permit 9651
2. State source of water supply: South Fork Sulphur Canyon
3. Location of point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18, T.9 S., R. 43 E.B.M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes
5. Describe works as they exist, giving dimensions and capacities of same:
Ditch 2 ft. wide, 6 inches deep, capacity
exceeds 37 cfs.
6. State whether or not water has been turned into works of diversion: Yes
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
T. 9 S., R. 42 E., B.M.:-
Sec. 13 - NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 20 acres.
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 30 "
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 "
8. Submit map on enclosed plat, showing location and details of above description.

Remarks:

This examination was made on the 14th day of June 1917.

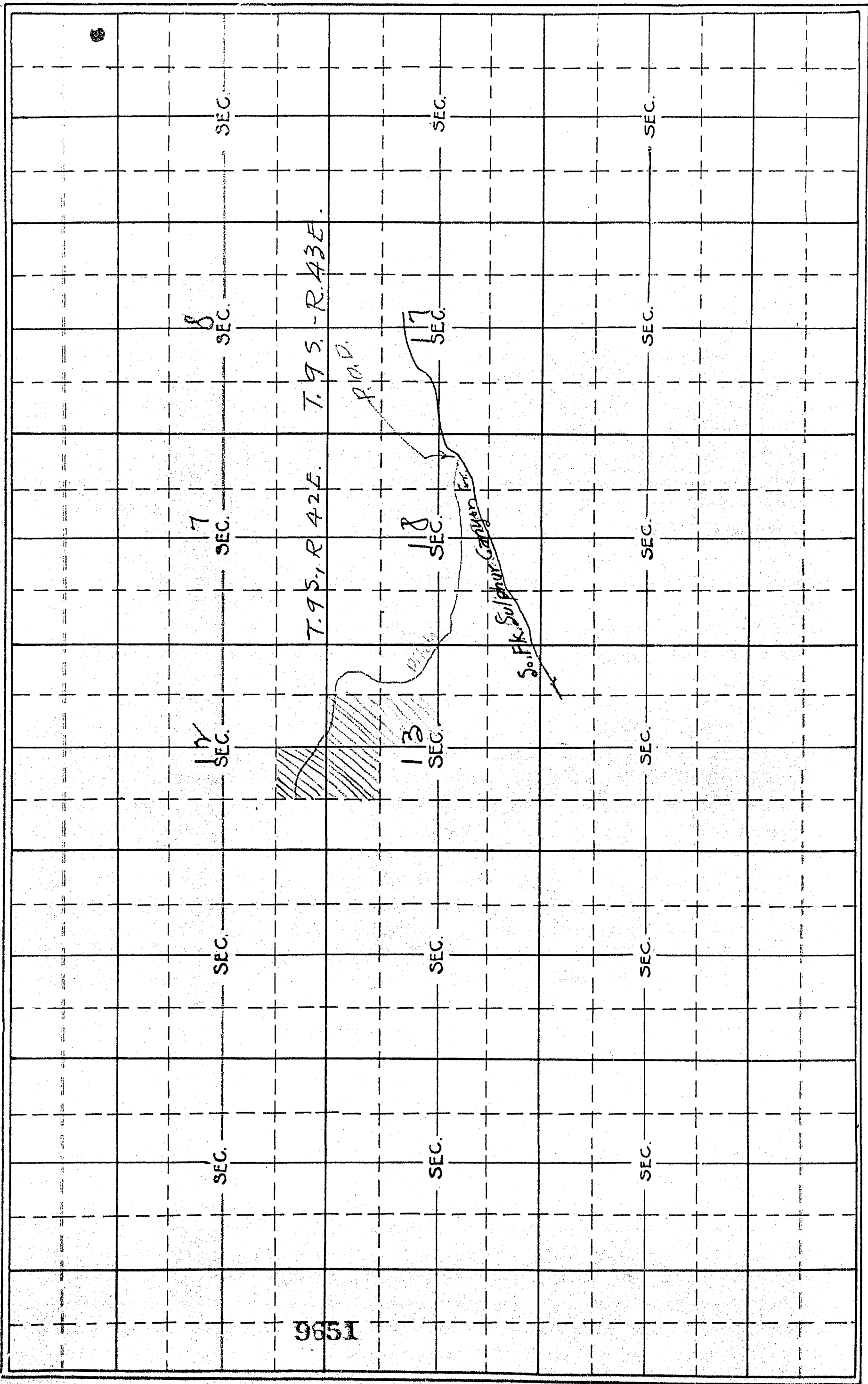
(Signed)

R. J. Hamilton

Examiner.

Name of Applicant

Chas. Hall *71p No. 9651*



9651

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

June 27th, 1917.

o Permit 9651.

Mr. Chas. F. Call,
Soda Springs, Idaho.

Dear Sir:—

The report of our examining engineer has just been filed.
Upon receipt of fees in the sum of \$5.00, you will receive your license.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

9651

OK
Too

Soda, Springs Idaho

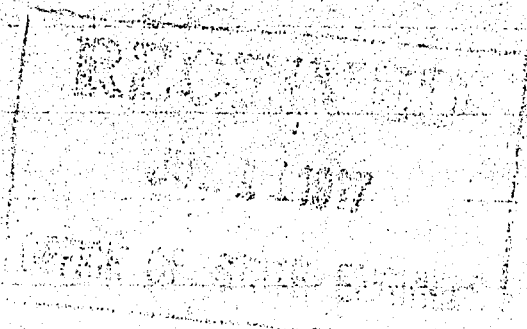
July, 9th 1917.

J. H. Smith, State, Eng.

Enclosed find
check for \$6.00 for licence on
on permit no. 9651.

Yours Truly,

Chas. F. Call.



9651

July 20, 1917.

Re: Permit 9651.

Mr. Chas. E. Call,
Boda Springs, Idaho.

Dear Sir:

Enclosing herewith Water License issued
under above permit, with receipt for fee.

Yours very truly,

J. H. SMITH,

State Engineer.

By

Enc: License.

- 696

9651

BONDS
LEASES
INSURANCE

MATTHEWS & KERR

FINANCIAL AGENTS

SODA SPRINGS, IDAHO

Operate Also
CARIBOU COUNTY
ABSTRACT CO.
Bonded Abstracters

July 21st, 1930.

State Engineer's Office,
Department of Reclamation,
Boise, Idaho.

Gentlemen:-

Re: Water License No.9651, Water District No.5 E - Issued
Under Permit No.9651. 1.8 c.f.s. from South Fork of
Sulphur Canyon. Dated of Priority: Sept.12,1913.
90 acres to be irrigated, divided as follows:
20 acres in NE $\frac{1}{4}$ -NW $\frac{1}{4}$,)
30 acres in NW $\frac{1}{4}$ -NE $\frac{1}{4}$,: Sec. 13, T. 9 S.,R. 42 E.,B.M.
40 acres in SW $\frac{1}{4}$ -NE $\frac{1}{4}$,)
RECORDED: July 14, 1917 in Book 4 of Water Locations,
State Engineer's Records. CHAS. F. CALL, Claimant.

The above water right was foreclosed under a real estate mortgage.
Mr. Chas. F. Call, the deposed Mortgagor, is reluctant to let the water go
and claims to have had same transferred to other lands. Foreclosure pro-
ceedings were started in May 1926.

We took the matter up with Mr. E. J. Baird, District Deputy
Water Master and were advised that so far as he could say at this point
that it appeared to him that Mr. Call had no rights in the matter.

Please advise us if we have misconstrued the Water License and
whether or not Mr. Call at any time prior to the instituting of fore-
closure attempted to have the water transferred. (The water was mortgaged
by him Feb. 7th, 1920.)

Your early attention will be appreciated.

Yours very truly,

MATTHEWS & KERR,

By: 

July 23, 1930

Re: Permit No. 9651

MESSRS. MATTHEWS & KERR
Soda Springs, Idaho

Gentlemen:

Reference is had to your inquiry of July 21, regarding the water right evidenced by State Water License No. 9651, issued to C. F. Call for 1.8 cubic feet per second of the waters of the South Fork of Sulphur Canyon, for the irrigation of 90 acres of land in Section 13, Township 9 South, Range 42 East, B. M.

By terms of the license the water right in question is made appurtenant to the land described in such license. The records in this office do not disclose any transfer of this water away from the land to which it was originally made appurtenant. I am, therefore, unable to understand just how Mr. Call thinks he has transferred this water to other land. It may be that he has merely conveyed the water to other parties, but, if I understand the law correctly, such assignment or conveyance does not constitute a legal transfer of water. When once a water right is made appurtenant to definitely described land, either by decree or license, the only manner in which it can be taken from said land and made legally appurtenant to other land, is through compliance with Section 5582, Idaho Compiled Statutes; and, as stated in the foregoing, the records in this office do not disclose such transfer in this particular case.

I suggest that Mr. Call be requested to show what, if any, document he has in his possession purporting to transfer the water off of the lands described in the license. If he has such an instrument, it might be well to forward it to this department so that we may further check our records. It is, of course, possible, but quite improbable, that some sort of a transfer might have been attempted.

Yours very truly,

Commissioner of Reclamation.

CNC/eq

9651

RECEIVED

APR 12 1938

Department of Reclamation

Soda Springs Ida

4-10-38

Commissioner of Reclamation:

Boise Idaho

Dear Sir. I purchased a farm east of Soda Springs with a water right of either $1\frac{5}{8}$ or $1\frac{8}{10}$ cubic feet of water from an unnamed creek in Sulphur Canyon. Water was filed for Sept 12th 1913 and decreed the Aug. 14th 1916. water license no 9657. I have a neighbor who claims part of this water altho. he mortgaged the farm with all water rights and lost the same and I bought it from the people who foreclosed the mortgage. What I want to know is this has any of this water been transferred or has he any claim on it any other way. I desire this information as I want to avoid any misunderstandings ~~what~~ with him.

Thanking you in advance I remain

Yours Truly

J. E. Kelsheimer

Soda Springs

Box 1324 Idaho.

9351

April 12, 1938

Re: License No. 9651

J. E. KRISHNER
Box 1324
Soda Springs, Idaho

Dear Sir:

I have your letter of April 10 in which you set forth the question which has arisen between yourself and your neighbor. You state that your neighbor claims a portion of the water under the above-numbered license.

I have checked our records and can not find any conveyance. However, if your neighbor has made a transfer, it would not show on the record in connection with the license. If you will send me the name of the person claiming an interest in the water claimed under this license, I will endeavor to determine whether or not there has been a transfer.

If a transfer has been granted your neighbor should be able to produce a certificate authorizing such transfer.

I trust that this information will be of some help to you.

Yours very truly,

PAUL H. BERG,
Deputy Commissioner

PHB/c1

9651

RECEIVED
JUL 27 1942
Department of Reclamation

Soda Springs, Ida
July 25 1942

Reclamation Bureau
Boise Idaho.

Dear Sirs:- Will you
please tell me how many
Individual water rights
there are on the following
numbers, Water License 9651
water Dist no 53. Tell me
if this is Prior right
on this stream and
the Amount. If there
is another right please
tell me the amount of
inches and date of proof
and License. And, was
this right originally
filed for a Minnity claim?

9651

What procedure is to
be followed, when
someone who has no
water right continually
cuts your ditch and
takes water from it
to irrigate with?

Also please explain the
perpetual water right
dating from Sept 12 1913.

Thanking you in
advanced Deemain

Yours Truly
J. E. Rebermes
Bx 102

Soda Spring
Idaho

JULY 27, 1942

J. E. KELSHEIMER
P. O. Box 102
Soda Springs
Idaho

Dear Sir:

RE: Permit #9651

We wish to acknowledge receipt of your letter of July 25, in which you request information regarding Water Rights in an unnamed stream which is a tributary of the South Fork of Sulphur Canyon, located in Township 9 South, Range 43 East, in Caribou County. There are only two licensed Water Rights on this stream according to our records. However, this does not mean that these two State License Rights are the only water rights on said stream, for some wateruser may have a prescriptive right with an early date of priority which we may have no record of, which may be a valid right in the eyes of the Courts.

The Blackfoot River is also Decreed, and is being operated under the terms of a Court Decree. Therefore, the water from your stream is likely to be subject to the priorities of said Decree which includes all rights on the Blackfoot River and its tributaries. Without additional information we are unable to give you the exact status of your Water Right under Permit number 9651, as compared with all the decreed rights on Blackfoot River and its tributaries.

Mr. Pugmire of Blackfoot, Idaho is the Watermaster for your District and we are sure if you get in touch with him he can give you the required information. He can also straighten out your water difficulties with your neighbor.

The two State License Water Rights which we have on record of your unnamed stream are as follows: Permit #9651 - Applicant, Charles F. Cole, Filed on September 12, 1913. Amount of licensed right is 1.8 second feet, with a priority of September 12, 1913, issued for the purpose of irrigation. Permit #13023 - Applicant, Charles P. Tucker, filed June 18, 1917, License issued for 0.02 second feet (One inch of water) with a priority date of June 18, 1917.

9651

-----2

A perpetual water right in the sense used means a free and continued use of water when you put it to beneficial use which, of course, is subject to priority rights of other filings on said stream or streams.

You ask what procedure to follow when a wateruser, with a water right, cuts your ditch and takes your water. First - Make sure that said wateruser has no water right. Second - It would be better to call Mr. Pugmire, your Watermaster, and ask him to act in your behalf. Third - If you get no results, then see an Attorney and get action through the Courts. Hope this answers your inquiry.

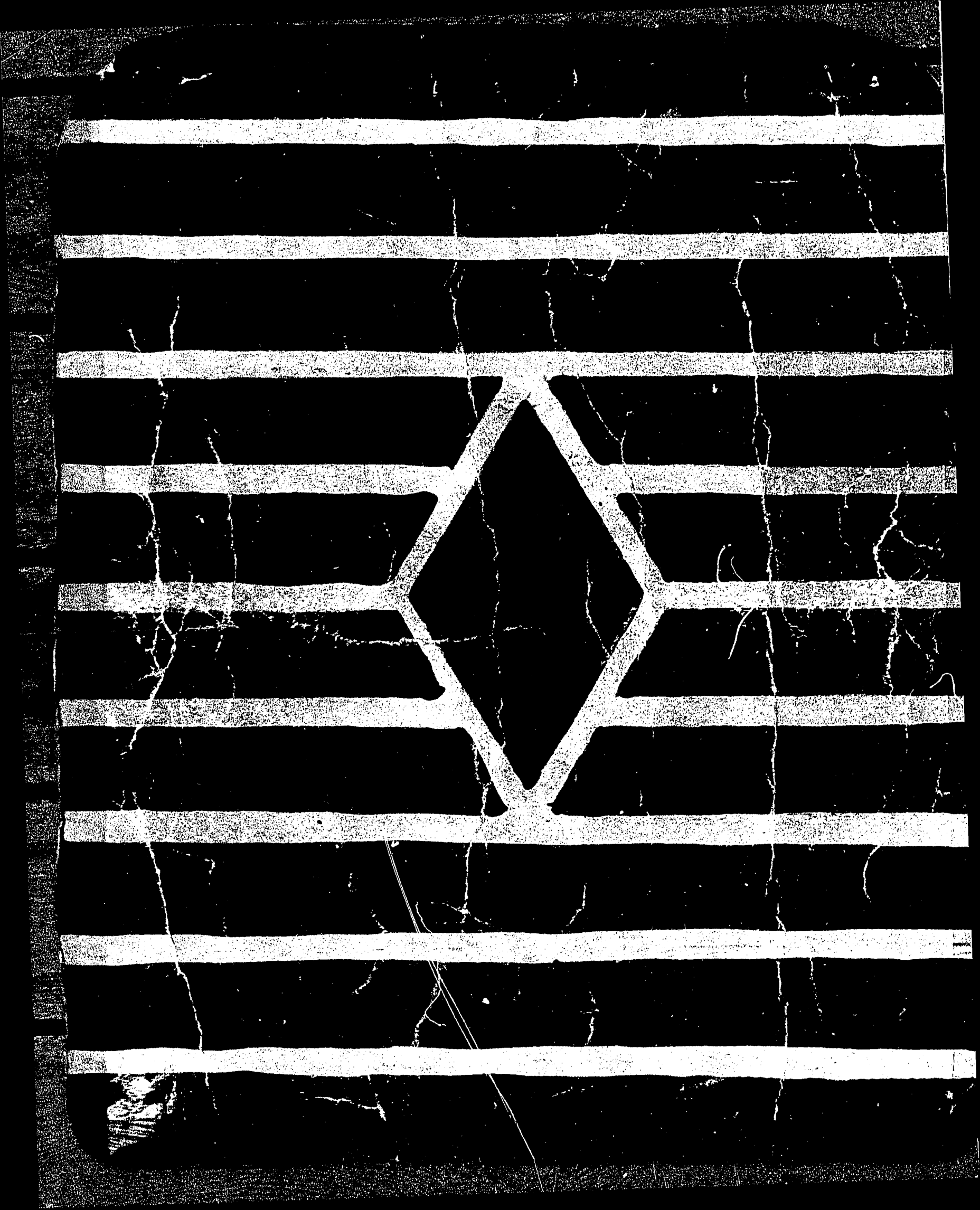
Very truly yours,

E. V. BERG

Commissioner of Reclamation

By: ROY W. THOMPSON
Deputy Commissioner

RWTFPLCC



County: Bannock
 Stream: Unnamed Creek
 Amount: 1.8
 Use: Irrigation
 Priority: 9/ 12/ 13

STATE OF IDAHO

Water License No. 9651

Water District No. 5 E.

WHEREAS, On the 12th day of September, A. D. 1913,

Charles F. Call

of Soda Springs, County of Bannock, State of Idaho, duly made application (No. 14457) to me for a permit to use 3.2 cubic feet per second of the waters of an unnamed creek, tributary of South Fork of Sulphur Creek, Water District No. 5 E.

County of Bannock, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 27th day of September, A. D. 1913, Permit No. 9651 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 27th day of September, A. D. 1915, and for the application to beneficial use of said water on or before the 27th day of September, A. D. 1915, and,

WHEREAS, On the 4th day of August, A. D. 1915, the time for completion of works and beneficial use of water under said permit was extended to the 27th day of September, A. D. 1916, and

WHEREAS, On the 14th day of August, A. D. 1916,

Charles F. Call

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 9651 dated August 28, 1916, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of said waters with date of priority of September 12th, 1913, and

WHEREAS, On the 22nd day of September, A. D. 1916,

Charles F. Call

the holder of said permit, duly made proof of the application to beneficial use of 1.8 cubic feet 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

Charles F. Call

of Soda Springs, County of Bannock, State of Idaho, the holder and owner of said Permit No. 9651, a perpetual right, dating from September 12, 1913 to the use of 1.8 cubic feet per second of the waters of an unnamed stream, tributary of the South Fork of Sulphur Canyon

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 NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 18, T. 9 S., R. 43 E., B.M.

and conducted to and upon 90 acres of land, divided as follows: 20 acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$, 30 acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and 40 acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 13, T. 9 S., R. 42 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 14th day of July, A. D., nineteen hundred and seventeen.

J. H. Smith,

(Seal)

State Engineer.

11 2056

