

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 21606
Permit No. 15197
District No. 5-M

1. Name of Applicant: Mary Ann Kunz
 Postoffice address: Bern County: Bear Lake State: Idaho
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation:
 (b) Amount of capital stock:
 (c) Amount paid in:
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are:
 (a) Cash on hand:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: ¹⁰⁶~~3.50~~ cubic feet per second.
3. Source of water supply: unnamed springs which is a tributary of nothing
4. Location of point of diversion: feet distant from the
 corner of Section , T. , R. , B. M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$
 of Section 12, , T. 12 S , R. 43 E , B. M., County of Bear Lake
5. Water is to be used for: domestic purposes and irrigating garden
6. If for mining, milling, power or manufacturing purposes, give:
 (a) Point of use of water: feet distant from corner of Section
 T. , R. , B. M., in the of Section , T. , R. , B. M.
 (b) Amount of power generated: H. P., under feet head.
 (c) Water is to be returned to at a point feet
 distant from the corner of Section , T. , R. , B. M., in the
 of Section , T. , R. , B. M.
7. Estimated cost of works: \$ 600.00
8. Kind of works: pipe
9. Height of dam feet; length of dam at top feet; length of dam at bottom
 feet; material used in dam
10. Size of headgate: width feet; height feet
11. Ditch: Width at bottom feet; width at water line feet; depth of water
 feet; dimensions of flume
 Diameter of pipe 1 $\frac{1}{4}$ " down to $\frac{1}{2}$ inch inches; length of conduit one miles.
 Average grade per mile 408-4/7 feet
12. The time required for the completion of such work is two years.
13. The time required for the complete application of the water to the proposed use is none additional years.
14. The land to be irrigated is described in the following tabulation: See Remarks.

15. (a) Is reservoir to be used? no If so, fill in (b) and (c) below.
 (b) Name of reservoir and number of Storage Permit: none
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

Mary Ann Kunz Applicant.

By Agent.

Date of first receipt at Department of Reclamation. 9 A. M. May 31, 1921.

Returned to applicant for correction.

Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 15197
 Recorded in Book 54 Page 15197 Approved June 15, 1921.
 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 \$ to be filed on or before
 Work to begin on or before August 14, 1921. 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 June 15, 1922.
 The whole of said work to be completed on or before June 15, 1923.
 Beneficial use of water appropriated in accordance herewith, to be made on or before June 15, 1923.

Witness my hand this 15th day of June, 1921.

W. G. SWENDSEN
 Commissioner of Reclamation.

Remarks:

14 Twp	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12	43	18																	
																		SW $\frac{1}{4}$	3 acres
																		Total Number of Acres to be Irrigated	3 acres
Remarks:																			
This permit is asked for purpose of procuring right to appropriate and use five small springs or swamp and to pipe same for distance of about one mile to be used for domestic purposes and to irrigate small garden.																			
AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS																			
I, J. Peter Allemann, of Bern, County of Bear Lake, State of Idaho, do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of Mary Ann Kunz is located, to-wit SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12, Tp. 12 S. Range 43 E. B. M. and that I do hereby grant unto the said Mary Ann Kunz permission to file on the said spring as set forth in the foregoing application.																			
J. Peter Alleman																			
STATE OF IDAHO,)) ss. County of Bear Lake)																			
On this 25th day of May, 1921. before me a Notary Public for the State of Idaho, residing at Montpelier, Idaho, personally appeared J. Peter Alemann, known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same.																			
Witness my hand and seal, the day and year in this certificate first above written.																			
My Commission expires Sept. 12th, 1921.																			
(SEAL)																			
D. C. Kunz, Notary Public																			

Proof of Completion of Works made March 29, 1923.
 Certificate of Completion of Works issued April 9, 1923.

Permit No. 15197

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Mary Ann Kunz of Bern, County of Bear Lake, and State of Idaho, the holder of Permit No. 15197, issued upon Application No. 21605, bearing date of priority of May 31, 1921, authorizing the diversion of .06 second feet of the waters of unnamed springs, 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 .06 second feet of the waters of unnamed springs; that the point of diversion of said waters is in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12, Township 12 South, Range 43 East, B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: three acres in the SW $\frac{1}{4}$, Sec. 18, Twp. 12 South, Range 43 East, B. M.

Witness my hand this 9th day of April, A. D. 1923.

W. G. SWENDSEN,
 Commissioner of Reclamation

By: Geo. N. Carter,
 Assistant

APPLICATION FOR AMENDMENT
 TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
 OF THE STATE OF IDAHO, NO. 15197.

Comes now Mary Ann Kunz, Bern, Idaho, and represents to the Commissioner of Reclamation of the State of Idaho.

That she is the owner and holder of Permit to appropriate the public waters of the State of Idaho, No. 15197, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 18, Twp. 12 S., R. 44 E., B.M.

That an error was made in describing the lands in the original application as in Range 43 E., B.M.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Bern, Idaho, this Thirteenth day of August, 1923.

Mary Ann Kunz.

Date of receipt at office of Department of
 Reclamation, Aug. 16, 1923.

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the public waters of the State of Idaho, 15197. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

W. G. Swendsen,
 Commissioner of Reclamation.
 C.B.

License issued for 0.06 second feet
 Page 3084

Permit Map No. 15197

As Approved

JUN 15 1921

W. G. SWENSON
Commissioner of Reclamation

Consolidation of Rationing

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

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

15197

Boise, Idaho,
June 15, 1921.

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of State Engineer on the third page.

W. G. SWENDSEN
Commissioner of Reclamation.

15197

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mary Ann Kunz,
Bern, Idaho.

Boise, Idaho,
March 5, 1923.

Dear Sir:—

Under the terms of your permit No. 15197 you are required to complete your diversion works on or before June 15, 1923. 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,

W. G. SWENDSEN.

Commissoner of Reclamation.

15197

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Mary Ann Kunz,
Bern, Idaho.

March 5, 1923.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. **15197**, 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 date it is submitted.

Yours truly,

W. G. SWENDSEN.

Commissioner of Reclamation.

15197

DAVID C. KUNZ
ATTORNEY AT LAW
FIRST NATIONAL BANK BUILDING
MONTPELIER, IDAHO

March 29, 1923.

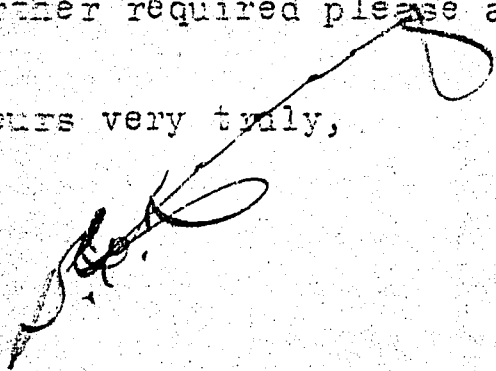
Mr. W. G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

I am herewith handing you affidavit of completion of works on small springs for which Mary Ann Kunz applied for permit about two years ago. All the work is fully completed. I am also enclosing you post office order for \$5.00.

If there anything further required please advise Mary Ann Kunz.

Yours very truly,



DCK:ZK.

15197

Permit No. 15,197.....

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Bear Lake.....

} ss.

Mary Ann Kunz....., 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. 15197....., and that his postoffice address is Bear, Bear Lake Co State of Idaho.....

Second: That the name of the stream from which said water is to be diverted is.... Unnamed Springs.....

Third: That the point of diversion of said water is S. 34 Sec. 12, Tp. 12... S. R. 43 E.B.M. Bear Lake county.....

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by... June 15th....., 1923...

Fifth: That the use for which said water is intended is... Domestic purposes.....

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: iron pipe, starting with 24 in. and reducing.....
(Reservoir, dam, ditch, flume, pipe or otherwise.)

to 1/2 inch. length of line about one mile. pipe line buried about two feet beneath surface.....

II. Dimensions of work:

(a) Height of dam..... feet, length of dam at top..... feet, length of dam at bottom..... feet. Material used in construction.....

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir..... acre feet.

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

(d) Conduit..... width at bottom..... feet, width at water line..... feet, depth of water..... feet; diameter of pipe..... inches, average grade per mile is..... feet. Length of conduit is..... miles.

Seventh: That said works are capable of conducting to the place of intended use about 3/50..... second feet of water.

Eighth: That water appropriated under said permit is available for..... acres of land described as follows: in SW 1/4, Township 12, S., Range 43 E.B.M.

Ninth: Remarks: That.....

Work fully completed.....

Mary Ann Kunz
(Sign here)

Subscribed and sworn to before me this 29th day of March....., 1923..

My commission expires Sept. 12th, 1925.

Notary Public.

15197

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Bern, Idaho, March 29th, 1923.

(P. O.) Bern, Idaho,

TO THE STATE ENGINEER:

Boise, Idaho.

Dear Sir:

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

Mary Ann Kung

(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

15197

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11 a. m. on the 15th day of June, 1923,
at Montpelier, County of Bear Lake, State of Idaho,
before D. C. Kunz, Notary Public, proof will be submitted
of the application to beneficial use of 0.06 cubic feet per second of the
waters of unnamed springs in accordance with the terms and conditions of
Permit No. 15197 heretofore issued by the Commissioner of Reclamation
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

Mary Ann Kunz, Montpelier, Idaho.

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

The amount applied to beneficial use is 0.06 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) 3 acres in the SW¹/₄ Sec. 18, Twp. 12 S., R. 43 E., B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use
is [Signature]

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

The source of supply from which such water is diverted is

The date of the priority which said user is prepared to establish is May 31, 1921.

W. G. Swendsen,
Commissioner of Reclamation.

15197

April 3, 1923.

Re: Permit No. 15197.

Mr. David C. Kunz,
Attorney at law,
Montpelier, Idaho.

Dear Sir:-

We are today in receipt of affidavit of holder for proof of completion of works under the above permit, together with money order for fee of \$5.00. The certificate of completion of works will be issued and mailed to you in due course.

Your letter also contained blank notices for proof of beneficial use of the water, with letter authorizing the publication, but the blanks were not filled out for this proof. If the holder will advise us as to the date, the name of the place and the name of the officer before whom she will make proof, we will complete the notice and mail a copy to the Montpelier Examiner for publication the required four weeks prior to the date of making proof.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By
Chief Clerk.

15197

April 10, 1923.

Re: Permit No. 15197

Mary Ann Kunz,
Bern, Idaho.

Dear Madam:

We are inclosing herewith Certificate
of Completion of Works, issued under the above num-
bered Permit, together with receipt for fees.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

Encls.

By

Chief Clerk.

15197

DAVID C. KUNZ
ATTORNEY AT LAW
FIRST NATIONAL BANK BUILDING
MONTPELIER, IDAHO

May Forth
1923

Department of Reclamation,
Boise, Idaho.

Gentlemen: In re: Permit No. 15197.

Your letter under date of April 3rd should have been answered before this but I overlooked this matter until today.

You may insert the name of D. C. Kunz, *Notary Public*
Montpelier, Idaho, as the officer before whom proof will be taken in this matter. Whatever time you desire to fix will be convenient for me.

I am returning the papers you enclosed me under date of April 3rd.

Yours very truly,

DCK:ZK.

15197

May 8, 1923.

Re: Permit No. 15197.

Mr. D. C. Kunz,
Attorney at law,
Montpelier, Idaho.

Dear Sir: -

Referring to yours of the 4th inst.
would say June 15th has been set as the date for
making proof under the above permit and notice of
proof has today been mailed to the Montpelier Examiner
for the required four weeks publication. Deposition
blanks will be mailed to you later.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By
Chief Clerk.

15197

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

June 16
DATE May 8, 1923.

Publisher, The Examiner,
Montpelier, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 15, 1923, the date set for proof, the expense of the publication to be paid by the applicant, Mary Ann Kunz, of Montpelier, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of the notice and furnish this office with a copy of the first publication.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

15197

State of Idaho

ENGINEERING DEPARTMENT

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS
AND
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

June 5, 1923.

Mary Ann Kunz,

c/o D. C. Kunz,

Montpelier, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of
works and beneficial use of water under Permit No. ~~15197~~-----

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 rights:

1. On ~~June 15, 1923~~----- the date set for proof, the enclosed forms (two for permit holder and ~~two~~ ^{one} each for two disinterested witnesses) should be filled out and sworn to, at-----

~~Montpelier~~----- before ~~D. C. Kunz, notary public.~~

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

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

~~W. G. SWENDSEN,~~
Commissioner of Reclamation.

15197

DAVID C. KUNZ
ATTORNEY AT LAW
FIRST NATIONAL BANK BLDG.
MONTPELIER, IDAHO

June Twentieth,
1 9 2 3

Department of Reclamation,
Boise, Idaho.

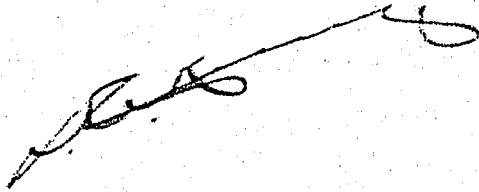
Gentlemen: In re: Permit No. 15197. Mary Ann Kunz.

I am herewith handing you papers
relative to water proof for Mary Ann Kunz.

If I have omitted anything please
advise what further is required and I will furnish
same for you.

Yours very truly,

DCK:ZK.



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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 15197

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Mary Ann Kuns, fifty-six, Bern, Idaho, housekeeper, same as residence,

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of 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. 15197.

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

Ans. Southeast Quarter of the Southeast quarter of Section 12, Tp. 12. South Range 43 East Boise Meridian.

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. The intake is made of rock and plank and water is carried through iron pipes 1½ inch pipe and reduced to ½ inch pipe. The pipe line is about 5400 feet. The pipe is covered to a depth of three feet.

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

Ans. It is used for irrigation and domestic purposes, the point of use is 3 acres in Southwest quarter Tp. 12 South, Range 43 East Boise Meridian.

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

Ans. none other

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

Ans. All water used for domestic purpose and to water garden.

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. _____

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

Ans. It has all been used since May 31st, 1921. All the water from springs from which it is piped has been used for domestic purposes and irrigate garden.

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 right claimed thereunder.

Ans. None.

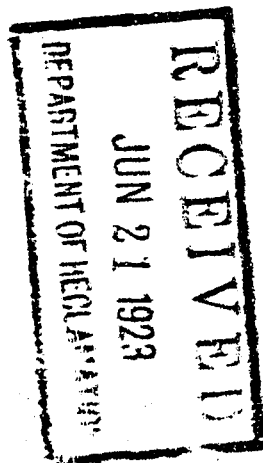
(Sign) _____

Mary Ann Kury

I hereby certify that the foregoing testimony was read to the above subscribed 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 Montpelier County of Bear Lake State of Idaho, on this 15th day of June, A. D. 1923.

[Signature]
Notary Public.

15197



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 15197

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. J. Peter Allemann, age 50, Bern, Bear Lake county, Idaho,
farmer and rancher by occupation.

Ques. 2. Are you acquainted with Mary Ann Kunz, the
holder of Permit No. 15197? How long have you known him and where does he reside?

Ans. I have known her for thirty years, she resides on her farm
in Bern, Bear Lake county, Idaho.

Ques. 3. Have you read or heard read said Permit No. 15197, and are you familiar with its provisions and conditions?

Ans. No

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. From several small springs about one mile north-west of the
farm house of Mary Ann Kunz. The diversion works consist of intake
to pipes prepared with planks and rock, pipe line about one mile
in length which takes the water from springs to house. Pipe line,
most of it 3/4 inch pipe.

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. Fills a iron pipe about 3/4 inch through.

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. Water used for domestic purposes and to water garden of about
three acres.

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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. _____

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

Ans. None whatever.

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. Have seen the place of diversion, the pipe line and have
seen the water used in watering garden rear house of Mary Ann
Kunz.

(Sign)

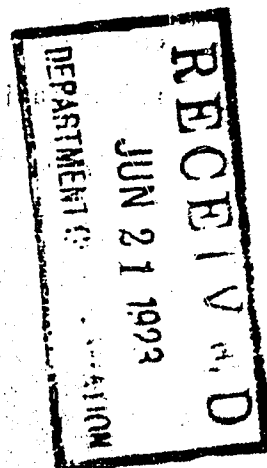
J. Peter Atterman

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 Montpelier, County of Bear Lake, State of Idaho,
on this 15th day of June A. D. 1923.

[Signature]
Notary Public

My commission expires Sept, 12th, 1923.

15197



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. _____

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Robert Schmid, age 47, Bern, Idaho, farmer and rancher.

Ques. 2. Are you acquainted with Mary Ann Kunz, the holder of Permit No. 15197? How long have you known him and where does he reside?

Ans. I have known her for 36 years and she resides at Bern, Bear Lake County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 15197, and are you familiar with its provisions and conditions?

Ans. No.

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. Small springs about one mile northwest of farm house of Mary Ann Kunz. Place of diversion: At springs. Works: plank and rock to divert water into iron pipes. Pipe line about one mile in length, conveying water from springs to house.

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

Ans. About a 3/4 inch pipe full.

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. Used for domestic puposes and ti water a small garden.

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.

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

Ans. None whatever

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. Have seen the diversion works and use made of water in watering garden.

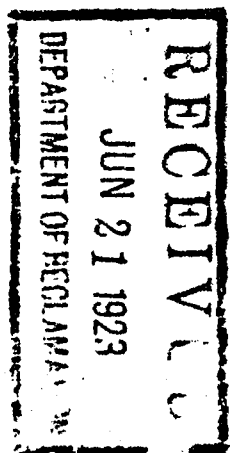
(Sign) Robert Schmid

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 Montpelier County of Bear Lake State of Idaho.
on this 15th day of June A. D. 1923

[Signature]
Notary Public.

My commission expires Sept. 12th, 1925.

15197



The Montpelier Examiner

Affidavit of Publication

STATE OF IDAHO, }
County of Bear Lake } ss.

H. M. Nelson

being first duly sworn, deposes and says that he

is the Manager

of The MONTPELIER EXAMINER; that the said MONTPELIER EXAMINER is a weekly newspaper published at Montpelier, County of Bear Lake, State of Idaho, of general circulation in said county and state.

That the notice attached was published in the said MONTPELIER EXAMINER, and not in a

supplement, for Four (4)

successive weeks, commencing with the issue dat-

ed May 10, 1923

and ending with the issue dated

May 31, 1923

H. M. Nelson

Subscribed and sworn to before me this 15th day of June, 1923

[Signature]

15197

Notice for Publication
NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE.
Notice is hereby given that at 11
a. m. on the 15th day of June, 1923,
at Montpelier, County of Bear Lake,
State of Idaho, before D. C. Kunz,
Notary Public, proof will be sub-
mitted of the application to beneficial
use of 0.06 cubic feet per second of
the waters of unnamed springs in
accordance with the terms and con-
ditions of Permit No. 15197 here-
tofore issued by the Commissioner
of Reclamation of the State of Ida-
ho.
The name and postoffice address
of the person or corporation holding
said permit are Mary Ann Kunz,
Montpelier, Idaho.
The use to which said water has
been applied is irrigation and domes-
tic use.
The amount applied to beneficial
use is 0.06 cubic feet per second.
The place where said water is used
(if for irrigation, give full and ac-
curate description of the lands irri-
gated) 3 acres in SW 1/4 SW 1/4 Sec.
18, Twp. 12 S., R. 43 E., B. M.
The date of the priority which
said user is prepared to establish is
May 31, 1921.
W. G. SWENDSEN,
Commissioner of
Reclamation.
m10-31

June 21, 1923.

Re: Permit #15197.
Mary AnnKunz.

Mr. D. C. Kunz,
Attorney at law,
Montpelier, Idaho.

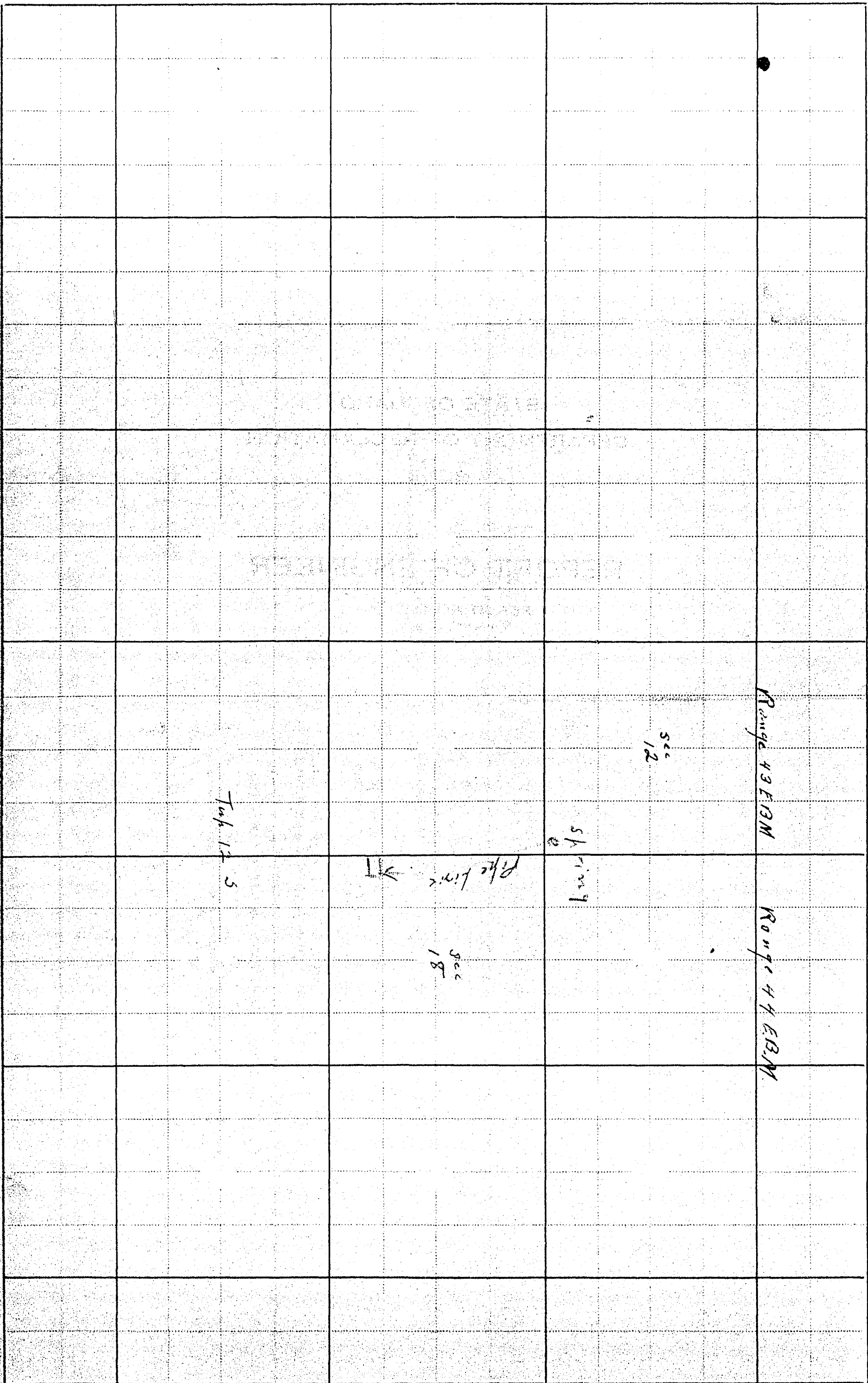
Dear Sir:-

We are today in receipt of your letter of the 20th inst., enclosing depositions and affidavit of publication for proof of use of water under the above permit. These will be filed without further action, pending receipt of our engineer's report, at which time you will be further advised as to fees due before issuing license.

Very truly yours,
W. G. SWENDSEN,
Commissioner of
Reclamation.

By
Chief Clerk.

15197



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

15197

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 15197This proof is for BEN. USE WATERIn Water District No. 5-M

1. Name of applicant: Mary Ann Kunz
2. Source of water supply: Unnamed springs
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12
T. 12 S. R. 43 E. B.M. County of Bear Lake

4. Describe works as they exist, giving dimensions and capacities of same:

Small spring dug out and collected into 1 $\frac{1}{2}$ " pipe which extends
approx one mi thru 1 $\frac{1}{2}$ " to 1" pipe to place of use.

5. Water is used for: Domestic use, and irrigates garden.
6. State whether or not water has been turned into works of diversion: Yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): 3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, Twp. 12 S., R. ~~43~~ 44 E., B.M.

Note: Range 44 E B.M. instead of R. 43.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? None.

Remarks: License should be granted - Water is saved
& utilized

Place of use as shown on original map filed
was Range 44. Correction should be made.

This examination was made on the 29 day of June 1923.

15197

(Signed)

[Signature]

Examiner.

July 6, 1923.

Re: Permit #15197.
Mary Ann Kunz.

Mr. D. C. Kunz,
Attorney at law,
Montpelier, Idaho.

Dear Sir:-

The report of our examining engineer, which has just been filed, shows the land land to be irrigated under the above permit to be in Range 44 East, instead of 43, as given in the permit. To correct this mistake, the holder should file an application for amendment upon the enclosed form, such application to be accompanied by maps in duplicate. The enclosed plat will give you the location as shown on the map filed with the report of the engineer.

The fee due this office before issuing license amounts to \$2.00.

Very truly yours,
E. C. SWENDSEN,
Commissioner of Reclamation.

By
Chief Clerk.

Enc.

15197

Application For Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. 15197

Comes now Mary Ann Kunz, Bern, Idaho,, and represents to the Commissioner of Reclamation of the State of Idaho,

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 15197, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

SW $\frac{1}{2}$ of SW $\frac{1}{4}$, Sec. 18, Twp. 12 S., R. 44 E., B.M.

That an error was made in describing the lands in the original application as in Range 43 E., B.M.

making a total of -

acres

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Bern Idaho, this Thirteenth day of August 1928

Mary Ann Kunz

Date of receipt at Office of Department of Reclamation AUG. 16, 1928.

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 15197. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

W. G. Swendsen
Commissioner of Reclamation.

Over

15197

N

T 12 S

T 12 E

R-4350m

R-4450m

SEC

SEC

SEC

Spring

SEC

SEC

SEC

15197

SEC

SEC

SEC

September 20, 1923.

Re: Permit No. 15197
Mary Ann Kunz

Mr. D. C. Kunz,
Attorney at Law,
Montpelier, Idaho.

Dear Sir:

We are enclosing herewith Water License, issued under
the above numbered Permit, together with receipt for fees.

Very truly yours,

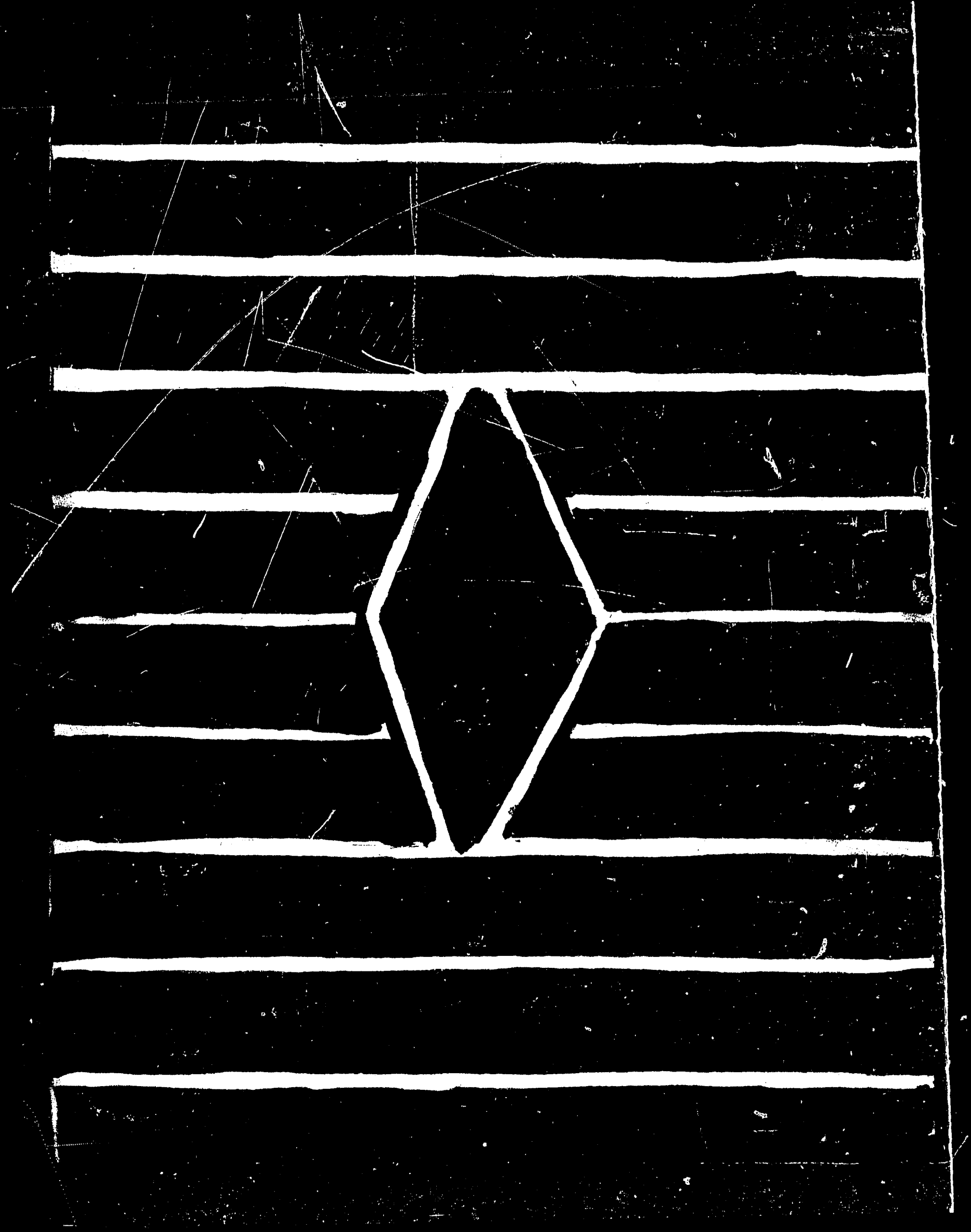
W. G. SWENDSEN,
Commissioner of Reclamation

Encls.

By

Chief Clerk.

15197



State of Idaho
License and Certificate of Water Right

Water License No. 15197
Water District No. 5-M

Amount 0.06 sec. ft.
Priority 5-31-21

THIS IS TO CERTIFY that Mary Ann Kunz
of Bern, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 31, 1921; that Permit No. 15197
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.06 second feet, was issued thereunder on April 9, 1923, showing that said works
were completed on the 29th day of March, 1923; and that on the 15th
day of June, 1923,

Mary Ann Kunz

of Bern, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Springs
~~a tributary of~~ for the purpose of irrigation and
domestic use, under Use Permit No. 15197 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of
Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
Volume 6 of Licenses, at page 3084, on the 14th day of September, 1923;

The right hereby confirmed dates from May 31, 1921;

The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 12, Tp. 12 S, R. 43 E., B. M.
County of Bear Lake.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed 0.06 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S.	44 E.	18	SW $\frac{1}{4}$ SW $\frac{1}{4}$	3	3

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of
use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 14th day of September, 1923.

W. G. SWENDSEN.
Commissioner of Reclamation.

(SEAL)

11 2079

