

the Public Waters of the State of Idaho. No. 743.

535

APPROVAL OF STATE ENGINEER.

The number of this permit is 535.
 Date of first receipt of application G.A.M. March 26, 1904.
 Returned to applicant for correction March 26, 1904.
 Corrected application received April 11, 1904.
 Recorded in Book 2, Page 535.
 Approved April 16, 1904.

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:

One-fifth of the work above specified to be completed on or before October 16, 1905.

The whole of said work to be completed on or before April 16, 1907.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to April 16, 1909.

Witness my hand this sixteenth day of April, 1904.

Wayne Darrington
 State Engineer.

Notice of Proof of Completion of Works mailed applicant Feb 1, 1907

AFFIDAVIT FOR CHANGE OF POINT OF DIVERSION OF WATER RIGHT DEPARTMENT PERMIT NO. 535

STATE OF IDAHO,)
) ss.

County of Bannock,)
 I, Frank C. Christensen, being first duly sworn, deposes and says: That his postoffice address is Grace, Idaho. That he is the owner of and using a certain water right, for 3 cubic feet per second of the water of Seven Springs, County of Bannock, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 535, issued by the State Engineer, dated April 16, 1904, bearing date of priority of Nov. 13, 1931, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. , in the County of Bannock and State of Idaho, to-wit: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 10 S., R. 41 E., B. M., and is the person to whom such right was so issued;

Point 1 SW $\frac{1}{4}$ of NW $\frac{1}{4}$
 Point 2 SW $\frac{1}{4}$ of NE $\frac{1}{4}$
 Point 3 NW $\frac{1}{4}$ of SE $\frac{1}{4}$
 of Sec. 27, Twp. 10 S., Range 41 E., BM, and conducted to the above described lands through the ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of Point No. 1 of said waters from the point above described to a point located in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 27, Twp. 10 S., Range 41 E., BM, and thereafter conduct same to the above described land through the ditch, as per map above referred to;

That his reasons for desiring to make such change are as follows: Applicant was in error in his descriptions at the time when the original application for permit was filed.

That no one will be injured by such change and that such change will be made at affiant's own risk.

FRANK C. CHRISTENSEN
 Affiant.

Subscribed and sworn to before me this 21st day of September, 1937.

(SEAL) ALVIN WHITEHEAD
 Notary Public.

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9:00 A. M., Sept. 24, 1937.

R. W. FARIS
 Commissioner of Reclamation
 By P. L. H. Assistant.

LICENSE ISSUED FOR 2 SEC. FT.
 K7, P3885

the Public Waters of the State of Idaho. No. 743.

535

APPROVAL OF STATE ENGINEER.

The number of this permit is 535
 Date of first receipt of application 9 a.m., March 26, 1904.
 Returned to applicant for correction March 26, 1904.
 Corrected application received April 11, 1904.
 Recorded in Book 2, Page 535.
 Approved April 16, 1904.

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:

One-fifth of the work above specified to be completed on or before October 16, 1905.

The whole of said work to be completed on or before April 16, 1907.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to April 16, 1909.

Witness my hand this sixteenth day of April, 1904.

Wayne Darlington,
 State Engineer.

Notice of Proof of Completion of Works mailed applicant Feb 1, 1907

AFFIDAVIT FOR CHANGE OF POINT OF DIVERSION OF WATER RIGHT Permit No. 535

STATE OF IDAHO,)
) ss.
 County of Bannock.)

Frank C. Christensen, being first duly sworn, deposes and says: That his postoffice address is Grace, Idaho. That he is the owner of and using a certain water right, for 3 cubic feet per second of the water of Seven Springs, County of Bannock, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 535, issued by the State Engineer, dated April 16, 1904, bearing date of priority of Nov. 13, 1931, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. _____, in the County of Bannock and State of Idaho, to-wit: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 10 S., R. 41 E., B. M., and is the person to whom such right was so issued;

Point 1 SW $\frac{1}{4}$ of NW $\frac{1}{4}$
 Point 2 SW $\frac{1}{4}$ of NE $\frac{1}{4}$
 Point 3 NW $\frac{1}{4}$ of SE $\frac{1}{4}$
 That said waters are now diverted from said stream in: Point 1 SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 27, Twp. 10 S., Range 41 E., BM, and conducted to the above described lands through the ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of Point No. 1 of said waters from the point above described to a point located in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 27, Twp 10 S., Range 41 E., BM, and thereafter conduct same to the above described land through the ditch, as per map above referred to;

That his reasons for desiring to make such change are as follows: Applicant was in error in his descriptions at the time when the original application for permit was filed.

That no one will be injured by such change and that such change will be made at affiant's own risk.

FRANK C. CHRISTENSEN
 Affiant.

Subscribed and sworn to before me this 21st day of September, 1937.

(SEAL) ALVIN WHITEHEAD
 Notary Public.

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9:00 A. M., Sept. 24, 1937.

R. W. FARIS
 Commissioner of Reclamation
 By P. L. H.

PERMIT ISSUED FOR 2 SEC. FT.
 17, P. 3885

the Public Waters of the

APPROVAL OF STATE ENGINEER.

The number of this permit is 535.
 Date of first receipt of application 9 A.M., March 26, 1904.
 Returned to applicant for correction March 26, 1904.
 Corrected application received April 11, 1904.
 Recorded in Book 2, Page 535.
 Approved April 16, 1904.

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:

One-fifth of the work above specified to be completed on or before October 16, 1905.

The whole of said work to be completed on or before April 16, 1907.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to April 16, 1909.

Witness my hand this sixteenth day of April, 1904.

Wayne Darlington,
 State Engineer.

Notice of Proof of Completion of Works mailed applicant Feb 1, 1907

COMPTROLLER OF PUBLIC MONUMENTS
 STATE OF IDAHO

Permit No. 535
 OF WATER RIGHTS
 VALIDATED FOR SERVICE OF BOILING OF DIAPHRAGM

STATE OF IDAHO DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement)
 of Permit No. 535, under the pro-)
 visions of Section 5594, Compiled) ORDER REINSTATING PERMIT 535.
 Statutes of Idaho.)

WHEREAS, Permit No. 535 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the permit, to-wit: April 16, 1907; and,

WHEREAS, On the 21st day of November, 1921, notice to show cause why said permit should not be cancelled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 30th day of December, 1921, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 30th day of December, 1921, depositions of the holder and two witnesses were received at the Department of Reclamation showing the said works of diversion were completed within the time required in the permit; and

WHEREAS, After examination of the said depositions, the Commissioner of Reclamation of the State of Idaho is fully satisfied that the works of diversion were completed, as required under the terms of said Permit No. 535, and that the holder has acted in good faith:

IT IS, THEREFORE, Hereby ordered that said Permit No. 535, be and the same is, hereby reinstated and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this department, at Boise, Idaho, this 16th day of January, 1922.

W. G. SWENDSEN,
 Commissioner of Reclamation

By Geo. B. Archibald,
 Assistant.

(SEAL)

the Public Waters of Idaho

STATE OF IDAHO
 DEPARTMENT OF RECLAMATION
 DIVISION OF IRRIGATION
 OFFICE OF THE ENGINEER
 IN THE MATTER OF THE PERMIT NO. 535

DEPARTMENT OF RECLAMATION
 DIVISION OF IRRIGATION

APPROVAL OF STATE ENGINEER.

The number of this permit is 535.
 Date of first receipt of application 9 A.M., March 26, 1904.
 Returned to applicant for correction March 26, 1904.
 Corrected application received April 11, 1904.
 Recorded in Book 2, Page 535.
 Approved April 16, 1904.

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:

One-fifth of the work above specified to be completed on or before October 16, 1905.

The whole of said work to be completed on or before April 16, 1907.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to April 16, 1909.

Witness my hand this sixteenth day of April, 1904.

Wayne Darlington,
 State Engineer.

Notice of Proof of Completion of Works mailed applicant Feb 1, 1907

Proof of Completion of Works made December 30, 1921.
 Certificate issued January 16, 1922.

Permit No. 535.

Certificate of Completion of Works

To All Whom It May Concern:

This is to certify that Frank C. Christensen, of Bench, County of Bannock, and State of Idaho, the holder of Permit No. 535, issued upon Application No. 743, bearing date of priority of March 26, 1904, authorizing the diversion of 3 second feet of the waters of seven springs, County of Bannock, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3 second feet of the waters of seven springs; that the point of diversion of said waters is at said springs in Sections 27 and 34, Twp. 10 S., R. 41 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: $W\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$ and $NW\frac{1}{4}SE\frac{1}{4}$ of Section 33, Twp. 10 S., R. 41 E., B. M.

Witness my hand this 16th day of January, A. D. 1922.

W. G. SWENDSEN,
 Commissioner of Reclamation

By Geo. B. Archibald,
 Assistant.

Record of Application for Permit to appropriate

1. Name of applicant Frank E. ChristensenPostoffice address: P. O. Bench, IdahoCounty Bannock

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) The 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. The quantity of water claimed is three (3) cubic feet per second3. Source of water supply Seven Springs in Sec. 21, 25 and 33, T. 10 S., R. 41 E., Bannock County4. Location of point of diversion at said springs, as shown on accompanying plat

5. To be used for:

I. Irrigation and domestic use:

- (a) Number of acres to be irrigated one hundred and sixty acres
- (b) In the following legal subdivisions N. 1/4 of Sec. 21, E. 1/4 of N. 1/4 and N. 1/4 of Sec. 25 of T. 10 S., R. 41 E., B. M.

II. Mining, power, manufacturing or transportation purposes:

- (a) To be used for _____
- (b) Amount of power to be generated _____ horse power
- (c) At what point _____
- (d) If water is to be returned to stream, ("yes" or "no") _____
- (e) If "yes" at what point _____

6. Estimated cost of works two hundred dollars

7. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise) Ditches from springs tomain ditch, as described below.

II. Dimensions of works:

- (a) Height of dam _____ feet, length of dam at top _____ feet
- length of dam at bottom _____ feet, material used in construction _____
- (wood, earth, stone or concrete) _____
- (b) Capacity of reservoir _____ acre feet.
- (c) size of headgate, width _____ feet, height _____ feet.
- (d) ^{main} Ditch (flume or pipe) width at bottom _____ feet, width at water line _____ feet, depth of water _____ feet. Average grade per mile is 15 feet. Length of ditch is 2 miles, and it crosses the following quarter sections S. 1/4 of Sec. 21, N. 1/4 of Sec. 25, and E. 1/4 of Sec. 27, T. 10 S., R. 41 E.

to N. 1/4 of N. 1/4 of Sec. 34, T. 10 S., R. 41 E., which is the point of intended use.8. Time required for the completion of the construction of such work is three years. (The time must in no case exceed five years after date of approval of application.)9. Time required for the complete application of the water to the proposed use is five years. (The time must in no case exceed four years after the date set for the completion of works as defined in Section 8.)

Remarks:

The number of this permit is 53Date of first receipt of application 9

Returned to applicant for correction _____

Corrected application received _____

Recorded in Book 2, Page _____Approved April 16, 1909

This is to certify that I have examined

State of Idaho and hereby grant the same

One-fifth of the work above specified

The whole of said work to be completed

The time for the proof of completion

April 16, 1909

Witness my hand this _____ day of _____, 1909.

Notice of Proof of Compliance

72.5.3
SCALE 2 INCHES = 1 MILE. DRAW PLAN IN INK.

P535

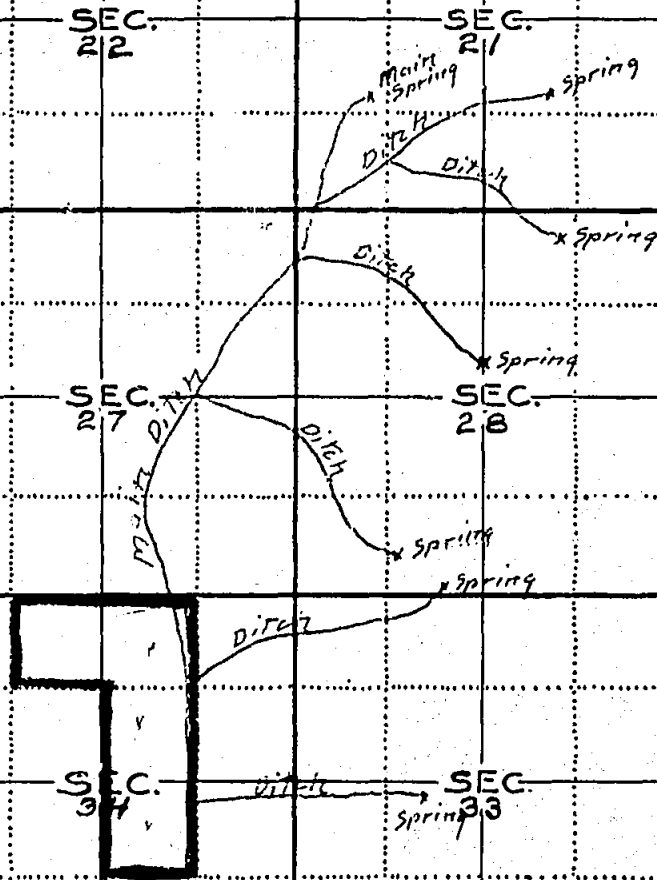
APPLICATION NO. 743
PERMIT NO.
FRANK C. CHRISTENSEN
3 sec. ft. of Springs, Banuok Co.

T 10 S R. 41 E B. 17.

SEC. SEC. SEC. 22 SEC. 21 SEC. SEC.

SEC. SEC. SEC. 27 SEC. 28 SEC. SEC.

SEC. SEC. SEC. 34 SEC. 33 SEC. SEC.



Approved April 16, 1904.

Wayne Darlington
State Engineer

I N S T R U C T I O N S

Proof of Completion of Works.

Frank C. Christensen
Bond

Boise, Idaho, *Feb 11, 1907*

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. *535*

This form should be filled out and mailed to the State Engineer at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before *April 16, 1907*. Upon receipt of the blank, properly filled out, notice for publication will be sent to the paper direct from this office, which 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.

One of the requirements of the law is that an examination of the works constructed shall be made under the authority of the State Engineer. In order to make the expense as light as possible you are requested to furnish the name of a competent engineer, or surveyor, who can do this work for you at a reasonable cost. Upon receipt of such a name I will authorize him to make the examination and send me a report on or before the date set for the proof.

The Certificate that shall be issued under this proof does not give you a perpetual right to the use of the 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,

Jas. Stephenson, Jr.

State Engineer.

Boise, Idaho, February 11, 1907.

In re permit No. 535.

Mr. Frank C. Christensen,
Bench, Idaho.

Dear Sir:-

I return you herewith notice of proof of completion of works for the following correction: You give, as part of the land to be irrigated, the Southeast quarter of the Northwest quarter of section 33. The permit calls for the Northeast quarter of the Northwest quarter of section 34. There appears to be some discrepancy in the location of the sections. However, as this appears to be caused by numbering the sections from the wrong side I think we can alter it satisfactorily. If you will kindly look over this particular quarter and see whether it is the Northeast or the Southeast of the Northwest quarter of section 33 so that we can publish it correctly you will greatly oblige.

Very truly yours,

State Engineer.

535

Dic. by S.
Enc. P. 535

Bench Idaho Feb 23 ^{7th 1907}

Joe Stephenson Jr.

Stat Engineer

Dear Sir

I again return you notice of
proof of completion of proof for
advertisement, the S E $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of sec
33 as stated in notice of proof, is correct.
Mistake having been made you state by
numbering the sections from the wrong side.
I have looked over the quarters desired
and find that the S E $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of sec
33 is correct, as ^{made} ~~made~~ out in notice of
proof. It will be most convenient for me to
have you appoint Mr E J Turner Water
Commissioner, to make the examination and
report to you

Yours Truly
Frank C Christensen

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.) Bench Idaho

(Date) Feb 6th 1907

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

DEAR SIR: Notice is hereby given that at 2 P.M. on the 16th day of April 1907, at Lago County of Bannock State of Idaho, before W. H. Bassett proof will be submitted of the completion of works for the diversion of three cubic feet per second of the waters of Seven Springs in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is

Frank C. Christensen

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

Bench County of Bannock State of Idaho.

3. The number of such permit is 535, and the date set for the completion of such work is

April 16, 1907

4. Said water to be used for irrigation & domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is three cubic feet per second.

6. The amount of lands for which said water is available is 160 acres,

particularly described as follows: The un-surveyed west half of the N 2 1/4, the NW 1/4 of the S E 1/4 and the S E 1/4 of the NW 1/4 of Sec 33 in T. 10 S of Range 41 E B. M.

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

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

Engineer.

I desire that the above notice be published, according to law, in the Soda Springs

Chieftain of Soda Springs published in the county in which said works are

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

(Signature) Frank C. Christensen

No.

Notice of Proof of Completion of
Works

Received July 25 1907

Date of Proof

Place

Notice sent to

for publication on

Syma - York Co., Maine

Boise, Idaho, February 25, 1907.

Soda Springs Chieftain

Soda Springs, Idaho

Dear Sirs:—

Enclosed find Notice of Publication of Proof of Completion of Works under Permit No. 535 which please publish once a week for four consecutive weeks in your paper, in accordance with provisions of Section 4, House Bill No. 146, laws of the Seventh Session of the Legislature. The expense of this publication will be paid by Frank C. Christensen, to whom you will please furnish proof of publication of this notice on or before the 16th day of April.

Please promptly acknowledge receipt of this notice, and kindly mail me your first issue containing its publication that I may compare it with my records.

Yours truly,

State Engineer.

(Place)

(Date)

State Engineer,

Boise, Idaho.

Dear Sir:—

I have your letter of _____, enclosing Notice of Completion of Works under Permit No. _____, which will be published as you request, beginning with our issue of _____

NOTICE OF PUBLICATION

Notice is hereby given that at 2 P.M., on the 16th day of April 1907, at Lago County of Bannock State of Idaho, before W. H. Bassett proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of the waters of seven springs in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Frank C. Christensen
2. The postoffice address of such person or the place of business of such corporation is Bench County of Bannock State of Idaho.
3. The number of such permit is 535, and the date set for the completion of such work is April 16, 1907
4. Said water to be used for irrigation & domestic purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 3 cubic feet per second.
6. The amount of lands for which said water is available is 160 acres, particularly described as follows: The unsurveyed west-half of the T.E. 1/4, the N.W. 1/4 of the SE 1/4 and the SE 1/4 of the NW 1/4 of Sec. 33 in Tp. 10 S of Range 41 E.B.M.

535

State Engineer.

INSTRUCTIONS.

PROOF OF COMPLETION OF WORKS.

Frank C. Christensen
Lago, Idaho

Boise, Idaho, February 25, 1907.

Dear Sir:

I enclose herewith the following forms to be used in connection with Proof of Completion of Works under your Permit No. 535:

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 April 16, 1907, the date set for the 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 Lago, Idaho, before W. E. Bassett.

2. To complete the proof, it is also necessary that an examination be made of the works as constructed, which examination must be under the authority of the State Engineer. It is the desire to make this expense as light as possible to the permit holder. Will you therefore give me the name of a competent engineer, or surveyor, in your neighborhood who could do this work with as little expense as possible to you. Upon receipt of such a name I will authorize him to do the work. The examination should be made on or before the date set for the proof.

3. Then the depositions have been taken, they should be mailed to this office, together with the affidavit of publication of notice and fee of \$5.00 . Then these have been received, together with report of examining engineer, if everything is properly executed, Certificate of Completion of Works will issue.

Yours truly,

Jas. Stephenson, Jr.,

State Engineer.

JOE H. DeWITT,

Editor and Publisher

The Soda Springs Chieftain

PRINTING



One Dollar and Fifty
Cents the Year in Advance; or
Two Dollars on Credit

Printed in the city that has
the best mineral water known
to man.

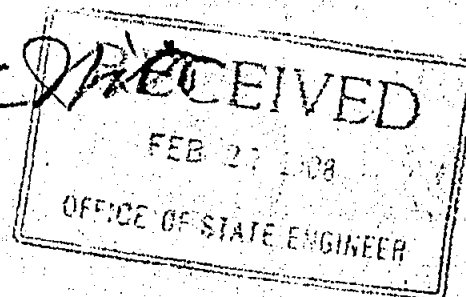
Soda Springs, Idaho. Feb. 25. 1908.

State Engineer,
Boise, Idaho.
Dear Sir:

At the request of Mr. Christensen, I am mailing you second affidavit
of publication for his water notice.

Very truly yours,

Joe H. DeWitt



535

(Place) Soda Springs, Idaho.

(Date) Feb. 26, 1907.

State Engineer,
Boise, Idaho.

Dear Sir:—

I have your letter of Feb. 25, 1907., enclosing Notice of Completion of Works under Permit No. 535, which will be published as you request, beginning with our issue of February 28, 1907.

John H. Smith
John H. Smith

535

Bench

March 9th 1907

Mr Jos. Stephenson

Dear Sir I sent my
papers as you requested and
no of quarters you wanted to
know. also requested you to
publish in the Soda Springs
& Chipton paper but as
yet have not heard from
you what is wrong I
sent your request back
Feb the 23

Yours truly

Frank L. Christensen

Boise, Idaho, March 11, 1907.

Permit No. 535.

Mr. Frank Christensen,
Bench, Idaho.

Dear sir:

Yours of the 9th received this morning. In answer to same will say that on the 25th day of February we sent you from this office deposition blanks for yourself and two witnesses. They were sent to Lago. The publication notice has also been sent as you requested to the Soda Springs Chieftain and was published beginning with the issue of February 28. Kindly send to Lago for deposition blanks and instructions.

Very truly yours,

State Engineer.

535

Dic. by S.

PERMIT NO. 535

Proof of Completion of Works.

DEPOSITION OF HOLDER.

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

Answer. Frank C Christensen, age 39,
Bruch Idaho, Farmer, Bruch 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. # 535, March 26-1904, three second feet

Sevensprings, Water Canyon in NW 1/4 of NE 1/4 Sec 22-T10S 41 E
Point of diversion of Pipe Line NW 1/4 SE 1/4 Sec 34-T10S R 41 E

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

Ans. Irrigation, 160 acres, W 1/2 NW 1/4 NW 1/4 SE 1/4
SE 1/4 NW 1/4 Sec 33 Township 10 S R 41 E

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 diverted to the extent
of three second feet in June 1904

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. Fully completed & comply with terms of permit

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

Ans. _____

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

Ans. Leitch 2 1/2 miles long, Three feet wide, 17 1/2 ft deep
1/2 in fall to rod, costing \$200.00, Pipe line 1 1/2
miles long, cost \$750.00

(Sign here.) Frank C. Christensen

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in _____, County

of Banner, State of Idaho, on this 16th day of

April

A. D., 1907

525

William H. Bassett
Justice of the Peace

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

Permit No. 535

Proof of Completion of Works.

Deposition of Witness.

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

Ans. C W Harris, age 35, Rayo Idaho, Farmer
Rayo IdahoQues. 2. Are you acquainted with Frank C Christensen, the holder of Permit No. 535, authorizing the diversion of three second-feet of the waters of Seven Springs of Water Canyon, at Burch, Idaho for Irrigation purposes? How long have you known him, and where does he reside?Ans. Twenty years, Burch IdahoQues. 3. Have you read or heard read said Permit No. 535, and are you familiar with its terms and conditions?Ans. yes

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

Ans. yes, gravel soil, would require 1 1/2
inches of water to irrigate

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. yes

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

Ans. A ditch 3 ft wide and 1 1/2 ft deep
two miles long, 1/2 in fall to rod,
six second feet also Pipeline 1 1/4 miles
long, 2 in pipe at head and 3/4 in at last end.(Sign here.) C W Harris

535

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 Rayo, County of Bannock,State of Idaho, on this 16th day of April A. D. 1907William H Bassett
Justice of the Peace

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

Permit No. 535

Proof of Completion of Works.

Deposition of Witness.

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

Ans. T M Ellis, age 33. Bench Idaho, Farmer
PO address, Bench IdahoQues. 2. Are you acquainted with Frank C Christensen, the
holder of Permit No. 535, authorizing the diversion of ^{Water} ~~the~~ second-feet of the waters of
~~Silver Springs~~ ^{Water Canyon} at Bench Idaho
for ~~Irrigation~~ purposes? How long have you known him, and where does he reside?

Ans. Fifteen years, Bench Idaho

Ques. 3. Have you read or heard read said Permit No. 535, and are you familiar with its terms
and conditions?

Ans. yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under
said permit? If so, describe same, state its character, and give your estimate of the amount of water required
for its profitable cultivation.Ans. yes, Grove land, and will require
1 1/2 inches to acreQues. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire
amount of water set out in the permit from point of diversion to place of use?

Ans. yes

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

Ans. a ditch 3 ft wide in bottom 1 1/2 ft
deep, six second feet,
also a Pipe line 1 1/4 inch long, 2 in in diameter
at head & 3/4 in at last end

(Sign here.)

T. M. Ellis

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 Lays, County of Bannock,
State of Idaho, on this 16th day of April, A. D. 1907

FOS

William H. Barrett
Justice of the Peace

Permit No.

To appropriate second
feet of water from

by
County, Idaho,

PROOF OF COMPLETION OF WORKS

DEPOSITION OF WITNESS.

Received and filed

June 20, 1947

COVE, IDAHO, June 12th 1907

Jos Stephenson Jr
Boise Ida State Engineer

Dear Sir

I beg to report that I made an examination of the works under permit # 585- held by Frank C Christensen of Bench P O Benneville County Idaho on the 16th of April. Mr Christensen requested me to hold the same a day or so, and to forward fees for final completion of works along with the depositions. he failed however to attend to this until to day.

The depositions was taken at the time and date set. I forward you my check ^{for \$5.00} along with these depositions. The certificate of publication of Notice will be sent later.

trusting this may be satisfactory

I am yours truly

Edward J Turner

535

June 20, 1907

Water Commissioner

COVE, IDAHO, Apr 16th 1907

Jas. Stephenson Jr.
State Engineer
Boise, Ida

Dear Sir

I would report that I have made an examination of the works under permit #535 held by Frank C. Christensen of Bench, Ida and find the same fully completed as shown on the enclosed plat. by means of a ditch 2 1/2 miles in length - width at water line 3 feet depth of water 1 foot at grade for mile 10 feet estimated to carry 2 1/2 second feet of water. also a pipe line as shown on plat consisting of an iron 2 inch pipe fall of 50 ft running a distance 1 1/4 miles to the land indicated capacity of 1/2 second foot

E J Turner
Water Commissioner

Boise, Idaho, June 24, 1907.

Permit 535.

Mr. Frank C. Christensen,
Bench, Idaho.

Sir:

I have received depositions of yourself and witnesses,
also, report of Mr. Turner and fee of \$5.00.

Before certificate can be issued it will be necessary to obtain from the Soda Springs Chieftain an affidavit of publication. As soon as this is received certificate will be issued.

Very truly yours,

Dic.S.
FFR 740

State Engineer.

Affidavit of Publication.

STATE OF IDAHO.

COUNTY OF BANNOCK.

SS.

I, **JOE H. DEWITT**, do solemnly swear that I am the publisher of **THE SODA SPRINGS CHIEFTAIN**, a newspaper of general circulation; published once each week at Soda Springs, Banuock County, State of Idaho; that the notice attached hereto, and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper for four consecutive weeks; the first publication being made on the Feb 28 day of Feb 1907; that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and that the notice was published in the newspaper and not in a supplement. **That said paper was published weekly at Soda Springs, Idaho, for the period of more than one year immediately preceeding the said 28 day of Feb 1907.**

Subscribed and Sworn to before me this 18 day of

February

A. D., 1907

L. C. Ertman

Notary Public

My Commission expires Dec 28-1910

I, Register, do hereby certify that a notice, a printed copy of which is hereunto annexed, was by me posted in a conspicuous place in my office for a period of thirty days, I having posted said notice on the Feb 28 day of Feb A. D., 1907

Notice of Publication.

Notice is hereby given that at 2 p. m. on the 14th day of April 1907, at Lago, County of Bannock, State of Idaho, before W. H. Bassett proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of the waters of Seven Springs in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Frank C. Christensen.
2. The postoffice address of such person or the place of business of such corporation is Bench, County of Bannock, State of Idaho.
3. The number of such permit is 635, and the date set for the completion of such work is April 15, 1907.
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 3 cubic feet per second.
6. The amount of lands for which said water is available is 100 acres, particularly described as follows: The unsurveyed west half of the NW 1/4 of sec. 22 in tp. 10 S of Range 41 E - M.

Jas. STEPHENSON Jr. State Engineer.
first pub Feb 28; last Mar 21.

535

Boise, February 27, 1908.

Permit 535.

Mr. Frank C. Christensen,
Bench, Idaho.

Sir:

I received by this morning's mail the affidavit of publication for proof of completion under the above permit. In looking over the papers on file here for this proof I find a discrepancy between the depositions and report and the permit. The permit gives the source of supply as seven springs in sections 21, 28 & 33 and the land to be irrigated as in section 34 while the depositions and map sent in by Mr. Turner show these springs in Sections 27 and 34 and the lands in section 33. The error was probably made on account of the land being unsurveyed but it will be necessary for us to have an affidavit from you showing which is correct and why the change was made.

I enclose you herewith the map sent by Mr. Turner which you may compare with your map sent in with the application and you will readily see the discrepancy. Kindly return Mr. Turner's map to this office.

As soon as this affidavit is received, if everything is satisfactory, certificate of completion will be issued.

Very truly yours,

State Engineer.

B-Map

By.....

Grace, Idaho, January 2, 1921.

Department of Reclamation

Boise, Idaho.

Inclosed find the affidavit of Frank C. Christensen, supported by two witnesses, correcting the Permit NO 535. This affidavit is in compliance with the request of your office expressed in a letter to Mr. Christensen dated Feb. 27, 1908 and reiterated in a letter to Messrs Matthews & Kerr dated August 16, 1921.

If Mr. Christensen is entitled to certificate of completion, please forward the same to me.

Will you also send me the necessary blanks for proof of beneficial use.

Yours truly,

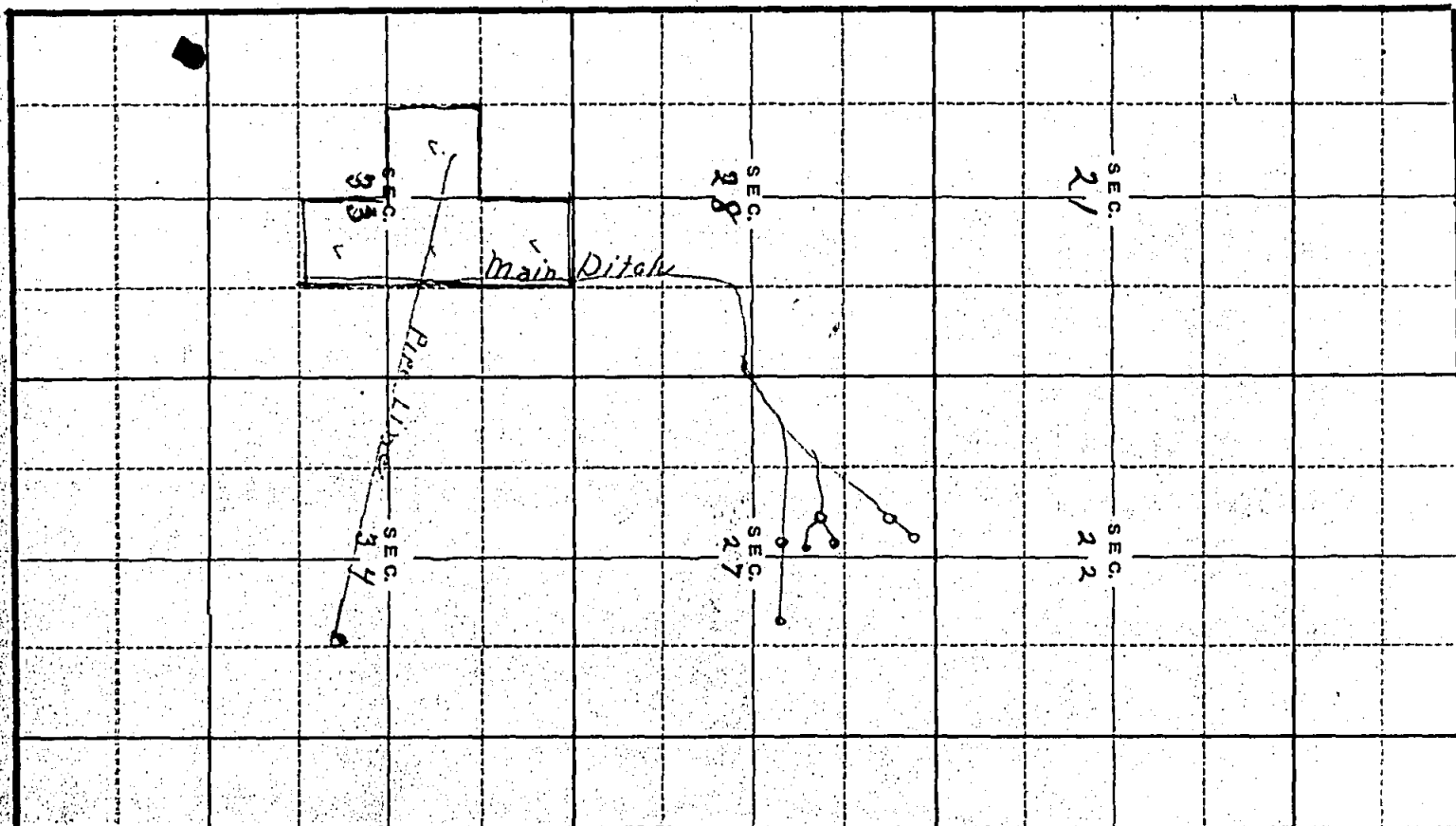
Frank C. Christensen

NAME OF APPLICANT Frank C. Christensen

585

Township 10 South

Range 41 East



State of Idaho)
Bannock County) ss

AFFIDAVIT.

Frank C. Christensen of Bench, County of Bannock, State of Idaho, being first duly sworn, deposes and says, that he is the same Frank C. Christensen who is named as applicant in Permit No 535 in application for permit to appropriate the public waters of the State of Idaho, and recorded in Book 2, Page 535, records of the State of Idaho, department of Reclamation;

That the discription of the lands named in said permit are erroneous due to the fact that the lands were unsurveyed at the time of application;

That the true discription of said lands is as follows, to wit:

(3) Source of water supply seven springs in section 27 and 34, in T.10 S. R.41 E.B.M.

(b) To be used in the following subdivisions, $W\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{2}$ SE $\frac{1}{4}$ of section 33, T.10 S. R.41 E.B.M.

And it crosses the following quarter sections, NW $\frac{1}{2}$ of section 27, SE $\frac{1}{2}$ of section 28 to the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of section 33, which is the point of intended use.

Frank C. Christensen

Subscribed and sworn to before me this 30 day of December, 1921

Fred C. Olsen
Notary Public of Grace, Idaho.

State of Idaho)
Bannock County) ss

Chas. Burke and Frank Whitehead

both of Bench, Bannock County, State of Idaho, being each duly sworn, each for-himself says that he is well acquainted with Frank C. Christensen and the lands and the water described in the foregoing affidavit; that he has read the foregoing affidavit and knows the contents thereof and that the same is true to the best of his knowledge and belief.

Chas. Burke
Frank Whitehead

Subscribed and sworn to before me this 30 day of December, 1921

Fred C. Olsen
Notary Public of Grace, Idaho.

Jan. 3, 1921

Re Permit 535

Mr. Fred C. Olsen,
Grace, Idaho.

Dear Sir:-

Affidavit form is herewith enclosed for entering an appearance to reinstate the above numbered permit. Kindly have same filled out and remailed at once as the time for making the appearance has lapsed. However, as you have made an effort to redeem the same we will extend the time a few days until proper affidavit is filed.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

By

MATTHEWS AND KERR

Financial Agents

LAND INVESTMENTS

BONDS AND INSURANCE

SODA SPRINGS, IDAHO

S. E. MATTHEWS

G. W. KERR

August 5th, 1921.

State Engineer's Office,
Boise, Idaho.

Dear Sir:-

Re: Application for Permit No. 535--Recorded in Book 2, Page 535
Approved: April 16, 1904. Frank C. Christensen.

W $\frac{1}{2}$ -NE $\frac{1}{4}$, SE $\frac{1}{4}$ -NW $\frac{1}{4}$, NW $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 33, Tp. 10 S., R. 41 E., B.M.,
in Bannock County, Idaho.

Kindly furnish us with a Certified Copy of the Water License issued to Mr. Frank C. Christensen in connection with his final proof under the above permit. (20¢ per folio as specified in paragraph 5581 will be forwarded upon receipt of statement of charges.)

We would certainly appreciate your giving this matter your immediate attention as Mr. Christensen has apparently lost the original License and the lack of the document is holding up the closing of a loan he is negotiating.

Trusting you will be good enough to give this matter your prompt attention and thanking you in advance, we are,

Yours respectfully,

MATTHEWS & KERR,

By: 

RECEIVED

AUG 8 - 1921

DEPARTMENT OF RECLAMATION

August 8th, 1921.

Messrs. Matthews & Kerr,
Soda Springs, Idaho.

Gentlemen:

Replying to yours of the 5th inst. the same being a request for a certified copy of License issued under Permit 535 in the name of Frank C. Christensen will state that our records do not show that license ever issued to Mr. Christensen under this permit. Proof of completion of works was submitted, but the affidavit was returned to the holder for correction and was never returned again to this office, hence Certificate of Completion was never issued.

Also, proof of beneficial use was never made, therefore, no license ever issued to the holder of the permit. We might send you certified copy of the permit, but as neither Certificate of Completion or License has issued, this copy of the permit would be of no value.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

HB

Chief Clerk.

MATTHEWS AND KERR

Financial Agents

LAND INVESTMENTS

BONDS AND INSURANCE

SODA SPRINGS, IDAHO

S. E. MATTHEWS

RECEIVED

AUG 15 1921

DEPARTMENT OF RECLAMATION

August 13th, 1921.

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

Dear Mr. Swendsen:-

- Re: Permit #535 - Frank C. Christensen -
- Bench, Idaho.-

by your chief clerk
We have your favor of August 8th, and for which we wish to
thank you. This matter has been taken up with Mr. Christensen, the
claimant under Permit No. 535 and he referred us to the following letter:

" Boise, Idaho, June 24, 1907.

"Permit 535.

"Mr. Frank C. Christensen,
Bench, Idaho.

"Sir:

"I have received depositions of yourself and witnesses, also,
report of Mr. Turner (Engineer) and fee of \$5.00.

"Before certificate can be issued it will be necessary to
obtain from the Soda Springs Chieftain an affidavit of publication.
As soon as this is received certificate will be issued.

"Yours very truly,

(Sgd:) Jas. Stephensen, Jr.,
State Engineer."

"Dic.S.

"FFR 740"

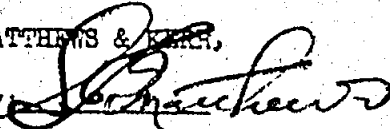
Mr. Christensen informed us he was confident he had complied
with this request and that it was more than likely the mails miscarried.
To make correction of this, however, he has obtained an additional "Affidavit
of Publication" and same is enclosed herewith.

Mr. Christensen, as you know, is an honest and trustworthy
farmer: he has been under the impression all requirements in connection with
his water rights had been faithfully performed by him and we certainly trust
the enclosed affidavit will straighten up the matter and that the certificate
will be issued to him.

Anticipating a favorable reply, we remain,

Yours respectfully,

MATTHEWS & KERR,

By 

Enc.

RECEIVED

AUG 15 1921

DEPARTMENT OF REVENUE

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
) ss
County of Caribou,)

Notice of Publication.

Notice is hereby given that at 12 p. m. on the 16th day of April 1907, at Lapa, County of Bannock, State of Idaho before W. E. Bassett proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of the waters of Seven Springs in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Frank C. Christensen.
 2. The postoffice address of such person or the place of business of such corporation is Bench, County of Bannock, State of Idaho.
 3. The number of such permit is 535, and the date set for the completion of such work is April 16, 1907.
 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 3 cubic feet per second.
 6. The amount of lands for which said water is available is 100 acres, particularly described as follows: The un-surveyed west-half of the sec. 34, the n.w. 1/4 of the sec. 34 and the s.w. 1/4 of the sec. 34 in tp. 10 N of Range 41 E 2 M.
- JAS. STEPHENSON JR. State Engineer.
first pub feb 25; last mar 21.

I, W.T. Franklin, 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 Caribou, State of Idaho; and that the files of said Soda Springs Chieftain give corroborative evidence that the annexed advertisement was published once each week for Four (4) successive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 28th day of February, 1907 and the date of the last publication was on the 21st day of March, 1907.

W.T. Franklin

Subscribed and sworn to before me this Eleventh day of August, A.D. 1921.

S. J. Andrews

Notary Public.

Residing at Soda Springs, Idaho.
My Commission Expires August 2nd, 1924.



August 16, 1921.

Re: Permit 535.

Messrs. Matthews & Kerr,
Soda Springs, Idaho.

Gentlemen:

Replying to yours of the 13th concerning the above numbered permit held by Frank C. Christensen will state that affidavit of publication was filed as requested by the office, but not until February 27, 1908. On that date the following letter was sent to Mr. Christensen.

Permit 535

Boise, February 27, 1908.

Mr. Frank C. Christensen,
Bench, Idaho.

Sir:

I received by this morning's mail the affidavit of publication for proof of completion under the above permit. In looking over the papers on file here for this proof I find a discrepancy between the depositions and report and the permit. The permit gives the source of supply as seven springs in sections 21, 28 & 33 and the land to be irrigated as in Section 34 while the depositions and map sent in by Mr. Turner show these springs in Sections 27 and 34 and the lands in section 33. The error was probably made on account of the land being unsurveyed but it will be necessary for us to have an affidavit from you showing which is correct and why the change was made.

I enclose you herewith the map sent by Mr. Turner which you may compare with your map sent in with the application and you will readily see the discrepancy. Kindly return Mr. Turner's map to this office.

As soon as this affidavit is received, if everything is satisfactory, certificate of completion will be issued.

Very truly yours,

State Engineer.

B-Map

By

The affidavit referred to was not the affidavit of publication as Mr. Christensen seems to think, but an affidavit showing the true description of the point of diversion and lands to be irrigated. If Mr. Christensen will furnish us with this information in the form of an affidavit together with a map, all as set out in this letter which we have quoted, we will be glad to issue certificate of completion of works, provided the description is correct, of course.

M. & K. 8-16-21 #2.

For your information will state that the pointof diversion as given in the permit is: From seven springs in Secs. 21, 28 and 33, T. 10 S. R. 41 E. while the list of lands to be irrigated is as follows: $\frac{1}{2}$ ~~NE~~¹ ~~NE~~¹, NE¹ NW¹, NW¹ SE¹ Sec. 34, T. 10 S. R. 41 E.

After Certificate of Completion has issued, proof of beneficial use may be made and license issued upon the showing made. As proof of beneficial use was due in 1909, if it is made in 1921, the date of priority will be brought down approximately 12 years. The original date of priority was March 26, 1904.

Very truly yours.

W. C. SWENDESEN,
Commissioner of Reclamation

By

MB

Chief Clerk.

Office of the State Engineer
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

November 21, 1921

Re: Permit No. 535

To Frank O. Christensen

Laro, Idaho

Commissioner of Reclamation

It appearing to the ~~State Engineer~~ that the terms and conditions of Permit No. 535,
to appropriate the Public Waters of the State of Idaho, have not been complied with as to
Proof of Completion of Works

4/16/07

you are hereby notified, in compliance with H. B. 53, approved February 28, 1917, that said Permit
No. 535 is hereby held for cancellation. Commissioner of Reclamation.

You are hereby required to show cause before the ~~State Engineer~~ on or before forty days from
date of this notice why said Permit should not be cancelled.

Said Permit No. 535 claims the use of 3 cubic feet per second of the
waters of Spring, with point of diversion located
In secs. 21, 28 & 33, T. 10 S. 41 E., and
was approved April 16, 1904.

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho,
this 21 st day of November, 1921.

W. G. SWENDSEN

~~State Engineer~~

Commissioner of Reclamation

By

Deputy

535

RECEIPT FOR REGISTERED ARTICLE NO.

10235

Postage paid.

from

Addressed to

Frank C. Chapman
Leg. Mar.

Return receipt desired

Delivery restricted

To addressee in person

To addressee or order

Postmaster, per

535

POSTMARK

Post Office Department

OFFICIAL BUSINESS

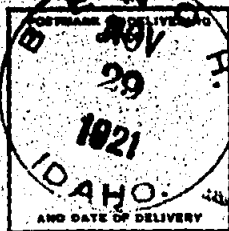
REGISTERED ARTICLE

No. 10235

INSURED PARCEL

No. _____

PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE, 500%.



Return to _____
COMMISSIONER OF RECLAMATION
(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

**BOISE,
535**

IDAHO.

RETURN RECEIPT.

535

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Frank G. Christensen
(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, Nov 29, 1921

Form 3511

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

Dear Sir:-

Receipt of notice that Permit No. 535 is held for
cancellation, under the provisions of H. B. 53, Session Laws of 1917,
is acknowledged. I hereby enter an appearance and will offer proof
to show that the works required thereunder were fully completed on the
date proof of completion of works was due.

Dated at Grace, Idaho, this 30 day
of December, 1921.

Frank C. Christensen
Applicant.

BY Fred E. Olsen
Attorney or Agent.

535

Grace, Idaho. December 13, 1921.

Department of Reclamation

Boise, Idaho.

Gentlemen:

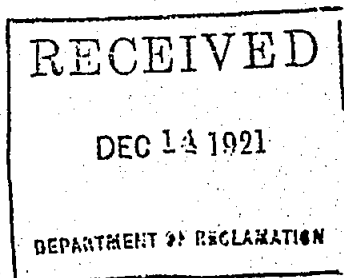
I have before me a notification from the Department of Reclamation to Frank C. Christensen in regard to permit No. 535, that the proof of completion of works have not been complied with.

I also have before me receipt No. 740 for five dollars received of Frank C. Christensen on account of Proof of Completion of Works and signed by Jas Stephenson Jr., State Engineer, and dated June 24, 1907.

It would seem that Mr. Christensen made proof. Will you kindly inform me wherein the proof is faulty and I will ^{make} ~~xxxxxx~~ the necessary corrections.

Yours truly,

Ford E. Olsen
Notary Public of Grace, Idaho.



*Matthew + Kar
Toda Springs*

535

Dec. 14, 1921

Mr. Fred C. Olsen,
Grace, Idaho.

Dear sir:-

We are in receipt of your communication in regard to Permit No. 535, held by Mr. F. C. Christiansen. In regard to this we wrote at some length to the firm of Matthews & Kerr explaining to them the status of the permit in August of this year. If you could get in touch with them at Soda Springs it would save a great deal of duplication of work in this office. At that time we quoted a letter which was received in this office at a time several years back, and which will give you all of the information required for your use.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation

By

Grace, Idaho, December 30, 1921.

Department of Reclamation

Boise, Idaho.

In regards to Permit No 535 held for cancellation by your office will say that I have affidavit and map prepared but have been unable to get Mr. Frank C. Christensen to sign as he is away from home for a few days. Will you please extend time five days.

Yours truly,

Fred C. Olsen

January 17, 1922.

Re: Permit No. 535.

Mr. Frank C. Christensen,
Bench, Idaho.

Dear Sir:

We inclose herewith order reinstating Permit
No. 535, together with Certificate of Completion of
Works, issued under the above numbered Permit.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

Encls.

By _____
Chief Clerk.

S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement)
of Permit No. 535, under the pro-)
visions of Section 5594, Compiled) ORDER REINSTATING PERMIT 535.
Statutes of Idaho.)
)

WHEREAS, Permit No. 535 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the permit, to-wit: April 16, 1907; and,

WHEREAS, On the 21st day of November, 1921, notice to show cause why said permit should not be cancelled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 30th day of December, 1921, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 30th day of December, 1921, depositions of the holder and two witnesses were received at the Department of Reclamation showing the said works of diversion were completed within the time required in the permit; and

WHEREAS, After examination of the said depositions, the Commissioner of Reclamation of the State of Idaho is fully satisfied that the works of diversion were completed, as required under the terms of said Permit No. 535, and that the holder has acted in good faith:

IT IS THEREFORE, Hereby ordered that said Permit No. 535 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 16th day of January, 1922.

W. G. SWENDSEN,
Commissioner of Reclamation

By Geo Buchbald
Assistant.

F. E. TYDEMAN

ATTORNEY-AT-LAW

Portneuf Block

POCATELLO, IDAHO

July 23, 1936.

Sec. 34, T10S., R41E

RECEIVED

JUL 24 1936

Department of Reclamation

State of Idaho,
Department of Reclamation,
Boise, Idaho.

Gentlemen:

Replying to your letter of July 22nd in which you ask for further information concerning a water filing:

The water at this time is owned by F. C. Christensen. The source of supply from which the water is taken is a group of springs. I do not know the name of the same but according to my understanding the permit for the use of the water was issued to Christensen.

Hoping that this information will be sufficient but assuring you that if it is not I shall secure the additional information, I beg to remain,

Very truly yours,

F. E. Tydeman,

FET/W

August 1, 1936

Re: Permit No. 535

F. E. TYDEMAN
Attorney-at-Law
Pocatello, Idaho

Dear Mr. Tydeman:

The filing to which you refer in your letter of July 23rd was issued to Mr. Christensen many years ago. The original application was filed in the State Engineer's office on March 26, 1904.

Proof of completion of works was not offered within the time required, and consequently the permit lapsed. Some time later, Mr. Christensen made a sufficient showing to warrant the reinstatement of the right.

Beneficial use proof was due on April 16, 1909 but it has never been made. The law governing this point provides that six years from the date proof of completion of works is due is the maximum time for offering final proof. It further provides that in the event such proof is offered at a later date, the priority is to be extended an amount of time equal to the time elapsing from the date when proof was due until the date when it is actually made. Consequently, Mr. Christensen has lost approximately twenty-six years priority from the filing by his failure to submit proof within the time required.

Presumably he is ready to make the proof at this time, and we are accordingly enclosing herewith the proper papers for publication. If this proves to be the case, will you kindly have him complete the notice in duplicate and return it to this office with his authorization to have the notice published in some newspaper located in the county wherein he resides?

Very truly yours

Chief Clerk & Office Engineer

PLH/cj
encl

535

F. E. TYDEMAN

ATTORNEY-AT-LAW

Portman Block

POCATELLO, IDAHO

August 26, 1936.

RECEIVED

AUG 27 1936

Department of Reclamation

Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Some time ago I received a letter from you relative to a certain water right that is supposed to be owned by Mr. Christensen near Lago, Idaho. At that time you advised me that so far as you could find no Certificate had been issued. I advised Mr. Christensen of this fact and he has this day furnished me with what appears to be an original order made by W. G. Swanson, Commissioner of Reclamation, dated January 16, 1922, and referring to Permit No. 535. Also a Certificate of Completion of Works in connection with this Permit No. 535.

If possible I would like to have you give me a map showing the location of the springs to which this permit applies so that we can identify the same.

Mr. Christensen desires to sell this water right and I would appreciate any suggestions that you have in connection with the proper means of transferring the same other than by a Deed.

Very truly yours,

F. E. Tydeman

FET/W

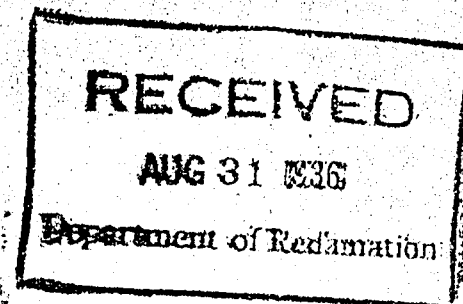
F. E. TYDEMAN

ATTORNEY-AT-LAW

Portneuf Block

POCATELLO, IDAHO

August 29th, 1936.



Commissioner of Reclamation,

Boise, Idaho.

Dear Sir:

A few days ago I wrote to you relative to the matter of a Water right owned by Frank C. Christensen. It appeared that you had no record of Certification of Completion of Works or that the one we have is not the correct one and I am therefore enclosing herewith the original certificate for you to use and when it has served its purpose I would appreciate having you return it to me.

Very truly yours,

F. E. Tydeman

FET/W
Encl.

September 2, 1936

Re: Permit No. 535

F. E. TYDEMAN
Attorney-at-Law
Pocatello, Idaho

Dear Sir:

This will acknowledge receipt of your letters of August 26th and August 29th, also the Certificate of Completion of works which was issued under the above permit to Mr. Frank C. Christensen for three second feet of water from seven springs in Bannock County.

If you will please refer to my letter of August 1st, you will find the following statement: "Proof of completion of works was not offered within the time required, and consequently the permit lapsed. Some time later, Mr. Christensen made a sufficient showing to warrant the reinstatement of the right." Thus, I did not state that the Certificate of Completion of Works had not been issued, but merely pointed out that it was not made within the time required. As a matter of fact, the proof had to be made to merit the reinstatement of the permit.

The order to which you refer is the order of reinstatement, which was dated January 16, 1922. You will note that the Certificate of Completion of Works was also issued on that date. However, as I previously stated, final proof has not been offered.

You requested a map that would show the location of the springs, and we are accordingly enclosing a copy of an amended plat that was filed by Mr. Christensen. At the time the original application was filed, these lands were unsurveyed, and later, it was discovered that the descriptions were in error. Consequently, Mr. Christensen filed an affidavit with a view of having the record corrected, and he also filed an amended plat.

We have no way of knowing whether or not this plat is actually correct, since the Department has not had an occasion to make a field examination, nor will any such examination be made until the time when final proof is offered.

We are also returning herewith, the Certificate of Completion of Works which you forwarded.

Very truly yours,

535

PLH/cj
encl 2

Chief Clerk & Office Engineer

Lava Hot Snrings, Idaho, October 16, 1936.

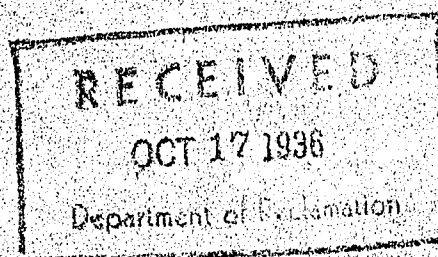
Department of Reclamation
Boise
Idaho

Dear Sirs:

Will you kindly forward me two copies of the proper blanks for making final proof of putting water to full and complete use according to terms of permit. Such instructions as you have for distribution on this matter will be highly appreciated.

Very truly yours,


F.O. Nelson



Permit 535-

October 19, 1936

Mr. F. O. Nelson
Lava Hot Springs, Idaho

Dear Mr. Nelson:

In reply to your letter of October 16th, we are herewith enclosing notice, in duplicate, for publication in connection with final proof under any permit, together with the proper form for your authorization to have the notice published in one of your county papers.

Will you kindly return both copies of the notice to this department, setting the date for proof sufficiently far ahead to permit four weekly publications prior to the date set for proof. If upon their receipt they are in proper form, we shall mail a copy of the notice to the newspaper with instructions for its publication.

Prior to the completion of the publication the necessary forms for making the proof will be mailed to the notary public before whom the proof is to be offered.

Very truly yours,

Chief Clerk & Office Engineer

PLH:jl
Encl.

535

Grace, Idaho, October 24, 1936.

Commissioner of Reclamation
Boise
Idaho

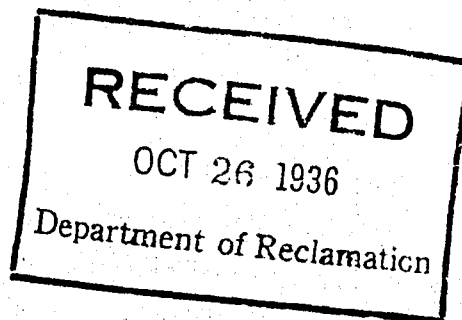
Dear Sir:

I am enclosing herewith request for the publication of Notice of Final of Application of water to beneficial use.

The two notices for publication are not attached to the request, but have been mailed from Pocatello to you under separate cover.

Very truly yours,

Frank C. Christensen
Frank C. Christensen



535

RECEIVED

OCT 27 1936

Department of Reclamation

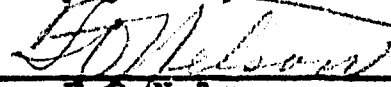
Lava Hot Springs, Idaho, October 24, 1936.

Mr. R. W. Faris
Commissioner of Reclamation
Boise, Idaho

Dear Mr. Faris:

I am enclosing you herewith the two notices required for publication of intention to make final proof of beneficial use of water. Frank C. Christensen will have mailed you your authorization from Henry. In the event there is any discrepancy or omission in the notice will you kindly communicate with me at once. I have placed the date of final proof for November 27th. This will give time for changes or corrections if such are necessary. The bill for the cost of advertising may be sent to me at Lava.

Very truly yours,


F.O. Nelson

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date..... November 5, 1936

Re: Permit No. 535

EDITOR, Grace Herald
Grace, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to..... December 4, 1936, the date set for proof, the expense of the publication to be paid by the applicant,..... Frank C. Christensen
..... Grace, Idaho

to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

R. W. FARIS

Commissioner of Reclamation

535

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 24, 1936.

(P. O.) Grace, Bannock County, Idaho.

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

Frank E. Christensen

Grace

(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 APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 3:00 P.M. on the 4th day of December, 1935,
at Lava Hot Springs, County of Bannock, State of Idaho,
before M. J. Kasiska, Notary Public, proof will be submitted
of the application to beneficial use of three cubic feet per second of the
waters of seven springs in accordance with the terms and conditions of
Permit No. 535 heretofore issued by the State Engineer
of the State of Idaho.

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

Frank C. Christensen; Grace, Bannock County, Idaho

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

The amount applied to beneficial use is three second feet

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 10 S., R. 41 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 Private ditch and pipe line

The right to take water from such works is based upon Permit No. 535

The source of supply from which such water is diverted is seven unnamed springs

The date of the priority which said user is prepared to establish is November 13, 1931.

E. W. FARIS

Commissioner of Reclamation.

535

November 5, 1936

Re: Permit No. 535

FRANK C. CHRISTENSEN
Grace, Idaho

Dear Mr. Christensen:

This will acknowledge receipt of notice in duplicate for publication in connection with beneficial use proof, and also your authorization to have the notice published in the Grace Herald, Grace, Idaho, all in connection with Permit No. 535. You will note that the date for proof has been advanced one week, to December 4th, in order that there may be sufficient time for four weekly publications before this proof is offered.

A copy of the notice has been mailed to the newspaper with instructions to publish it once a week for four consecutive weeks prior to December 4, 1936. About ten days prior to this date, depositions consisting of one for the holder and one each for two witnesses, will be mailed to M. J. Kasiska, Notary Public, Lava Hot Springs, Idaho, so that he will have them in ample time for the proof.

On the date designated, you should appear at Mr. Kasiska's office with two disinterested witnesses, who are familiar with the terms of the permit and the works constructed thereunder, for the purpose of executing the depositions.

The date of priority to be established has been changed from March 26, 1904 to November 13, 1931. It was necessary to do this for the reason that beneficial use proof was originally due April 16, 1909. When this proof is made on December 4, 1936, it will be 27 years, 7 months and 18 days past due. Therefore, the original priority date has to be advanced by this same amount of time, bringing it up to November 13, 1931, in accordance with statutory requirements.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

by

Ass't Chief Clerk

535

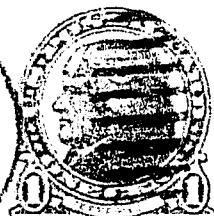
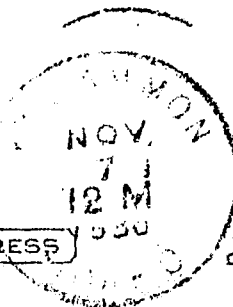
cc

F. O. Nelson, Lava Hot Springs

535

RECEIVED

THIS SIDE OF CARD IS FOR ADDRESS



R. W. Jarvis, Com of Reclamation,
Boise, Idaho.

Nov- 7- 1936.

Permit
535

525
Dept of Reclamation.
Boise, Ida.

Gentlemen:

Copy for notice to be published
for Frank S. Christensen of Grace, Ida
has been received. Thanks.

Grace Herald

525

Nov- 7- 1936.

Permit
535

Dept of Reclamation.
Boise, Ida.

Gentlemen:

Copy for notice to be published
for Frank S. Christensen of Grace, Ida
has been received. Thanks.

Grace Herald

State of Idaho

DEPARTMENT OF RECLAMATION BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,
November 24, 1936

Re: Permit No. 535

M. J. KASISKA
Notary Public
Lava Hot Springs, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 535

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 December 4, 1936, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Lava Hot Springs before M. J. Kaskiska, 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.

R. W. FARIS

Commissioner of Reclamation.

535

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

SYMBOLS

DL = Day Letter

NMA = Night Message

NL = Night Letter

LC = Deferred Cable

NLT = Cable Night Letter

Ship Radiogram

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination.

Received at 919 Main Street, Boise, Idaho

Always
Open

1935 NOV 17 PM 8 53

KHB24 26 NL COLLECT XC=GRACE IDA 17

R W FARIS=

RECLAMATION COMMISSIONER BOISE IDA=

GRACE HERALD HAS NOT RECEIVED COPY OF BENEFICIAL PROOF PERMIT
FIVE THIRTY FIVE SEND TONIGHT TO GRACE HERALD AT MCCAMMON TO
SPEED PUBLICATION ANSWER WESTERN UNION=

FRANK C CHRISTENSEN.

535

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER ☒	DEFERRED
NIGHT MESSAGE	CABLE LETTER
NIGHT LETTER	WEEK END LETTER

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

NEWCOMB CARLTON, PRESIDENT

J. C. WILLEVER, FIRST VICE-PRESIDENT

NO.	CASH OR CHG.
CHECK	
TIME FILED	

Send the following message, subject to the terms on back hereof, which are hereby agreed to

BOISE IDAHO
NOVEMBER 18, 1936

FRANK C CHRISTENSEN
GRACE IDAHO

NOTICE MAILED GRACE HERALD GRACE IDAHO NOVEMBER FIFTH PERMIT FIVE THREE FIVE
STOP PAPER ACKNOWLEDGED RECEIPT NOVEMBER SEVENTH

STATE DEPARTMENT OF RECLAMATION

COLLECT

535

ALL MESSAGES TAKEN BY THIS COMPANY ARE SUBJECT TO THE FOLLOWING TERMS:

To guard against mistakes or delays, the sender of a message should order it repeated, that is, telegraphed back to the originating office for comparison. For this, one-fifth the unreported message rate is charged in addition. Unless otherwise indicated on its face, this is an unreported message and paid for as such, in consideration whereof it is agreed between the sender of the message and this company as follows:

1. The company shall not be liable for mistakes or delays in the transmission or delivery, or for non-delivery, of any message received for transmission at the unreported message rate beyond the sum of five hundred dollars; nor for mistakes or delays in the transmission or delivery, or for non-delivery, of any message received for transmission at the reported message rate beyond the sum of five thousand dollars, unless specially valued; nor in any case for delays arising from unavoidable interruption in the working of its lines; nor for errors in cipher or obscure messages.

2. In any event the company shall not be liable for damages for mistakes or delays in the transmission or delivery, or for the non-delivery, of any message, whether caused by the negligence of its servants or otherwise, beyond the sum of five thousand dollars, at which amount each message is deemed to be valued, unless a greater value is stated in writing by the sender thereof at the time the message is tendered for transmission, and unless the reported message rate is paid or agreed to be paid, and an additional charge equal to one-tenth of one percent of the amount by which such valuation shall exceed five thousand dollars.

3. The company is hereby made the agent of the sender, without liability, to forward this message over the lines of any other company when necessary to reach its destination.

4. Domestic messages and incoming cable messages will be delivered free within one-half mile of the company's office in towns of 5,000 population or less, and within one mile of such office in other cities or towns. Beyond these limits the company does not undertake to make delivery, but will, without liability, at the sender's request, as his agent and at his expense, endeavor to contract for him for such delivery at a reasonable price.

5. No responsibility attaches to this company concerning messages until the same are accepted at one of its transmitting offices; and if a message is sent to such office by one of the company's messengers, he acts for that purpose as the agent of the sender.

6. The company will not be liable for damages or statutory penalties in any case where the claim is not presented in writing within sixty days after the message is filed with the company for transmission.

7. It is agreed that in any action by the company to recover the tolls for any message or messages the prompt and correct transmission and delivery thereof shall be presumed, subject to rebuttal by competent evidence.

8. Special terms governing the transmission of messages according to their classes, as enumerated below, shall apply to messages in each of such respective classes in addition to all the foregoing terms.

9. No employee of the company is authorized to vary the foregoing.

THE WESTERN UNION TELEGRAPH COMPANY

INCORPORATED

NEWCOMB CARLTON, PRESIDENT

CLASSES OF SERVICE

TELEGRAMS

A full-rate expedited service.

NIGHT MESSAGES

Accepted up to 2:00 A.M. at reduced rates to be sent during the night and delivered not earlier than the morning of the ensuing business day.

Night Messages may at the option of the Telegraph Company be mailed at destination to the addressees, and the Company shall be deemed to have discharged its obligation in such cases with respect to delivery by mailing such night messages at destination, postage prepaid.

DAY LETTERS

A deferred day service at rates lower than the standard telegram rates as follows: One and one-half times the standard night letter rate for the transmission of 50 words or less and one-fifth of the initial rates for each additional 10 words or less.

SPECIAL TERMS APPLYING TO DAY LETTERS:

In further consideration of the reduced rate for this special Day Letter service, the following special terms in addition to those enumerated above are hereby agreed to:

A. Day Letters may be forwarded by the Telegraph Company as a deferred service and the transmission and delivery of such Day Letters is, in all respects, subordinate to the priority of transmission and delivery of regular telegrams.

B. This Day Letter is received subject to the express understanding and agreement that the Company does not undertake that a Day Letter shall be delivered on the day of its date absolutely, and at all events; but that the Company's obligation in this respect is subject to the condition that there shall remain sufficient time for the transmission and delivery of such Day Letter on the day of its date during regular office hours, subject to the priority of the transmission of regular telegrams under the conditions named above.

No employee of the Company is authorized to vary the foregoing.

NIGHT LETTERS

Accepted up to 2:00 A.M. for delivery on the morning of the ensuing business day, at rates still lower than standard night message rates, as follows: The stand-

ard telegram rate for 10 words shall be charged for the transmission of 50 words or less, and one-fifth of such standard telegram rate for 10 words shall be charged for each additional 10 words or less.

SPECIAL TERMS APPLYING TO NIGHT LETTERS:

In further consideration of the reduced rates for this special Night Letter service, the following special terms in addition to those enumerated above are hereby agreed to:

Night Letters may at the option of the Telegraph Company be mailed at destination to the addressees, and the Company shall be deemed to have discharged its obligation in such cases with respect to delivery by mailing such Night Letters at destination, postage prepaid.

No employee of the Company is authorized to vary the foregoing.

FULL RATE CABLES

An expedited service throughout. Code language permitted.

DEFERRED HALF-RATE CABLES

Half-rate messages are subject to being deferred in favor of full rate messages for not exceeding 24 hours. Must be in language of country of origin or of destination, or in French. This class of service is in effect with most European countries and with various other countries throughout the world. Full particulars supplied on application at any Western Union Office.

CABLE LETTERS

For plain-language communications. The language of the country of destination may be employed, if the Cable Letter service is in operation to that country. Subject to delivery at the convenience of the Company within 24 hours if telegraphic delivery is selected. Delivery by mail beyond London will be made if a full mailing address is given and the words "Post London" are written after the destination. Rate is approximately one-third of the full rate; minimum 20 words.

WEEK-END LETTERS

Similar to Cable Letters except that they are accepted up to midnight Saturday for delivery Monday morning, if telegraphic delivery is selected. Rate is approximately one-quarter of the full rate; minimum 20 words.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 535

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Frank C. Christensen, Grace, Idaho. Farming

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. XXXXX XXX

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

Ans. Number 535. November, 13, 1931 Date of permit ~~uncertain- about June 1934~~ Apr 16, 1934 Date of priority, Nov. 13, 1931

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

Ans. Seven springs, Water Canyon, South west quarter of Northwest Quarter of Section twenty seven Township ten South, Range 41, E.B.M.
Frank's Canyon- SW 1/4 NE 1/4 Sec 34, T.10 S. R. 41 E.B.M.

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

Ans. By pipe line 6000 feet of six inch and 3500 feet of 11 inch pipe from a reservoir eight feet deep and seven feet square, conveying from three second feet to five second feet; called Water Canyon pipe line and Franks Canyon pipe line which last line is piped through 6000 feet of 2 inch to 3/4 inch pipe.

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 used for irrigating and culinary purposes. Irrigated the west half of the North east quarter of Sec 33 T.10 S. R.41 E.B.M. and NW 1/4 SE 1/4 and SE 1/4 NW 1/4 Sec 33 T.10 S. R.41 E.B.M. containing 160 Acres. less about 30 acres waste in ~~excess of~~ the four forties. Land is cultivated Water is piped into the house and barn with cistern located on hill about 700 feet from house.

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

Ans. none except for culinary purposes as stated in answer to question 6.

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

Ans. requires the full three second feet of water to irrigate

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. Water has been in constant use by myself since 1887

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

Ans. Used from about May 20th to October 20th of each year, by ditches on the 160 acres previously described to the extent of three second feet as long as the flow lasts.

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. None other than the water described in this permit. except 9 acres in the south west corner of the Southwest Quarter of the North East Quarter of Section 33, T.10 R.41 E.B.M. which nine acres are watered from the Last Chance Canal Company. represented by 75 shares of water.

(Sign)

Frank C. Christensen

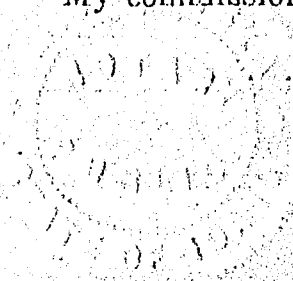
I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Lava Hot Springs, County of Bannock, State of Idaho, on this 4th day of December, A. D. 1936.

W. H. Kasiska

Notary Public

My commission expires Jan. 10, 1940

Lava Hot Springs, Idaho



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 535

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. Frank G. Nelson, 58 years, civil engineer, Lava Hot Springs, Idaho.

Ques. 2. Are you acquainted with Frank C. Christensen, the holder of Permit No. 535? How long have you known him and where does he reside?

Ans. Yes. 50 years. He resides at Grace, Idaho.

Ques. 3. Have you read or heard read said Permit No. 535, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Source from Seven springs; 4 springs diverted in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 27, T10 S. R.4. E.B.M.; Three springs one in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 34, T10 S. R.41 E.B.M. other two in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34 T.10 S. R.41 E.B.M.; Water from 4 springs in Sec 27 is conveyed in concrete reservoir, 6000 feet of six inch pipe, 3500 feet of 1 $\frac{1}{2}$ in. pipe. Springs in Sec 34, water conveyed in 2 in, one inch and 3/4 inch pipe about 7000 feet.

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. Three second feet of water has been conveyed to my knowledge. The six in. pipe will convey 4 second feet.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. For irrigation and culinary purposes. Irrigates W $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec 33 T. 10 S. R. 41. E.B.M. containing 160 Acres all said land is irrigated by above mentioned water except about 10 acres, irrigated from the least Chanee Canal Co.. Land is cultivated. Water is used for culinary and domestic purposes in the house, barn and feed lots.

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

Ans. None other than described.

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. Disintegrated lava soil mixed with mountain soil, which evidently originated from limestone. "equires not less than three second feet. retained."

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.

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. First time I saw it used in 1910 and since, each of the past three summers have seen not less than three second feet. in June and a little more than one second foot in September.

(Signed)

Frank O. Nelson

I hereby certify that the foregoing testimony was read to the above subbscriber 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 lava Hot Springs, County of Bannock, State of Idaho, on this day of Fourth December 4th, A. D. 1936.

W. J. Kasiska

Nctary Public.

My commission expires Jan 10, 1940

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 535

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. George T. Allsop, 52 years, construction business Grace, Idaho

Ques. 2. Are you acquainted with Frank C. Christensen, the holder of Permit No. 535? How long have you known him and where does he reside?

Ans. Yes; 38 years. He resides Grace, Idaho.

Ques. 3. Have you read or heard read said Permit No. 535, and are you familiar with its provisions and conditions?

Ans. Only casually familiar with permit.

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 Springs in Water Canyon; Points of Diversion Water Canyon SW $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 27 T 10 S.R. 41 E.B.M. and Franks Canyon SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 34, T 10 S.R. 41 E.B.M. and NW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 34, T 10 S.R. 41 E.B.M.
It is conveyed through about a mile and a quarter of 6 inch pipe line with a concrete intake, and from there is carried through 12 inch pipe to the house a distance of about half a mile.

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

Ans. About Three second feet.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. For Domestic purposes house and barn and for irrigation. About 160 acres irrigated, The ~~East~~ ^{West} Half of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 33, T 10 S.R. 41 E.B.M. except 10 acres irrigated by the water from the Last Chance Canal Co.
The Land is cultivated, Water is piped into the house and barn.

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

Ans. None

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. Top soil about to the depth of three feet is heavy loam Under strata is inclined to be gravelly. Would say three second feet of water would be necessary to irrigate this 160 Acres.

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

Ans. No

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. Would state that this water has been used on the 160 Acres described for the past thirty years from personal observation.

(Signed)

George T. Allsoph

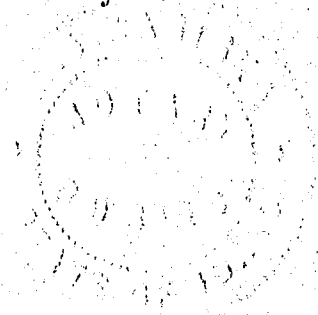
I hereby certify that the foregoing testimony was read to the above subbscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Lava Hot Springs, County of Bannock, State of Idaho, on this day of December 4th, A. D. 1936.

My commission expires Jan 10. 1940

M. J. Kasiska

Notary Public.

Lava Hot Springs, Idaho.



PROOF OF PUBLICATION RECEIVED

DEC 7 1936

Department of Reclamation

STATE OF IDAHO

COUNTY OF BANNOCK

SS

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 3:00 p. m. on the 4th day of December, 1936, at Lava Hot Springs, County of Bannock, State of Idaho, before M. J. Kaskela, Notary Public, proof will be submitted of the application to beneficial use of three cubic feet per second of the waters of seven springs in accordance with the terms and conditions of Permit No. 535 heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Frank C. Christensen, Grace, Bannock County, Idaho.

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

The amount applied to beneficial use is three second feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated): W $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$, SE $\frac{1}{2}$ NW $\frac{1}{2}$, NW $\frac{1}{2}$ SE $\frac{1}{2}$, Sec. 33, Twp. 10 S., R. 41 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: Private ditch and pipe line.

The right to take water from such works is based upon Permit No. 535.

The source of supply from which such water is diverted is seven unnamed springs.

The date of the priority which said user is prepared to establish is November 18, 1931.

R. W. FARIS,
Commissioner of Reclamation.
Mn12-19-26d3

I. A. Pilton being first duly sworn, deposes and says that he is the Foreman of The McCAMMON NEWS, a weekly newspaper published in McCAMMON, Bannock County, in the State of Idaho. That the Notice, a true copy of which is hereto attached was published in The McCAMMON NEWS for 4 consecutive weeks, first publication having been made on the 12 day of Nov-1936, and the last publication having been made on the 3 day of Dec-1936.

That said paper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of said notice or advertisement, and is a newspaper within the meaning of the laws of Idaho.

SUBSCRIBED and SWORN TO before me this 3 day of

Dec.

A. D., 1936

J. F. Whitney

Notary Public.

December 14, 1936

Re: Permit No. 535

FRANK C. CHRISTENSEN
Grace, Idaho

Dear Sir:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses and the affidavit of proof of publication from the newspaper, all in connection with beneficial use proof under the above permit.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made since the department has but one field engineer who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his report is on file in this office, you will be further notified as to fees due before the issuance of your license.

Very truly yours,

Chief Clerk & Office Engineer.

PHB/cj

535

December 14, 1936

Re: Permit No. 535
Frank C. Christensen

M. J. KASISKA
Notary Public
Lava Hot Springs, Idaho

Dear Sir:

We are in receipt of the deposition of the holder, depositions of two witnesses, and the affidavit of proof of publication, all in connection with beneficial use proof under the above permit.

However, you neglected to sign two of the depositions, and they are herewith being returned for your signature.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

by
Ass't Chief Clerk

cj
encl 2

F. E. TYDEMAN

ATTORNEY-AT-LAW

Portneuf Block

POCATELLO, IDAHO

December 29th, 1936.

RECEIVED

DEC 31 1936

Mr. R. W. Faris,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Some time ago a Notice of hearing on December 4, 1936, at Lava Hot Springs was given in connection with Permit No. 535.

I represent some parties who are interested in the purchase of part of this water for domestic purpose when the permit has been issued and I will appreciate having you give me the present status of the matter so that we can determine when it may be possible to complete the transaction for the purchase of a portion of this water.

Very truly yours,

F. E. Tydeman

FET/W

535

January 11, 1937

Re: Permit 535,
Frank Christensen.

F. E. TYDEMAN
Attorney at Law
Pocatello, Idaho

Dear Mr. Tydeman:

In reply to your letter of recent date in regard to the above permit, I wish to inform you that the hearing to which you referred as having been held on December 4th at Lava Hot Springs consisted merely in taking of depositions for final proof under the above permit.

The depositions were taken and submitted to this office in proper form, and the matter of the issuance of the license is being held in abeyance awaiting a field examination, as required by law. It will probably be some time in the early summer before the Department's field engineer can make this inspection.

We are very sorry that this matter will have to be delayed for so long a time, but the examination could not possibly be made at the present time due to weather conditions, and furthermore, the Department's appropriations are so limited that examinations must be grouped so that one trip will take care of as many of them as possible. However, just as quickly as it has been made and we have the report, we shall advise the permit holder of the fees due so that the issuance of the license need not be delayed any longer than is necessary.

Very truly yours,

Chief Clerk & Office Engineer

PLH:jl

535

RECEIVED

MAY 7 1937

Department of Reclamation

Lava Hot Springs, Idaho, May 6, 1937.

Robert S. Faris
Commissioner of Reclamation
Boise, Idaho

Dear Mr. Faris:

Re: License for water, Permit, 535.
Frank C. Christensen, Grace, Idaho.

Last fall Frank C. Christensen made final proof on water under permit No. 535. An inspection of the facts submitted was to be made by an engineer of your department before license could be issued. Mr. Christensen is very much inconvenienced by the delay. Anticipating the granting of the said license, a deal involving a small portion of the waters involved under the said permit is still pending and can not be closed until the license is issued.

Will you kindly write him a letter immediately, informing him when the inspection by your engineer will be made? It will greatly facilitate matters for him and for the group of families who are interested if this matter can be consummated without further delay.

Sincerely yours,


F.O. Nelson

535

May 13, 1937

Re: Permit No. 535
Frank C. Christensen

F. O. NELSON
Lava Hot Springs, Idaho

Dear Sir:

In reply to your letter of May 6th concerning the above permit, please be advised that Fred A. Tolman, Field Engineer of this department, will be in that section of the state the first part of next week and at that time will make the necessary field examination in connection with final proof. Mr. Tolman was in southeastern Idaho several weeks ago, but snow conditions would not permit an examination at that time.

You may be assured that as soon as he returns to the department, I shall secure his report and advise Mr. Christensen of the fee due in connection with the proof so that the license can be issued immediately upon its receipt.

Very truly yours

Deputy Commissioner of Reclamation

PLH/cj

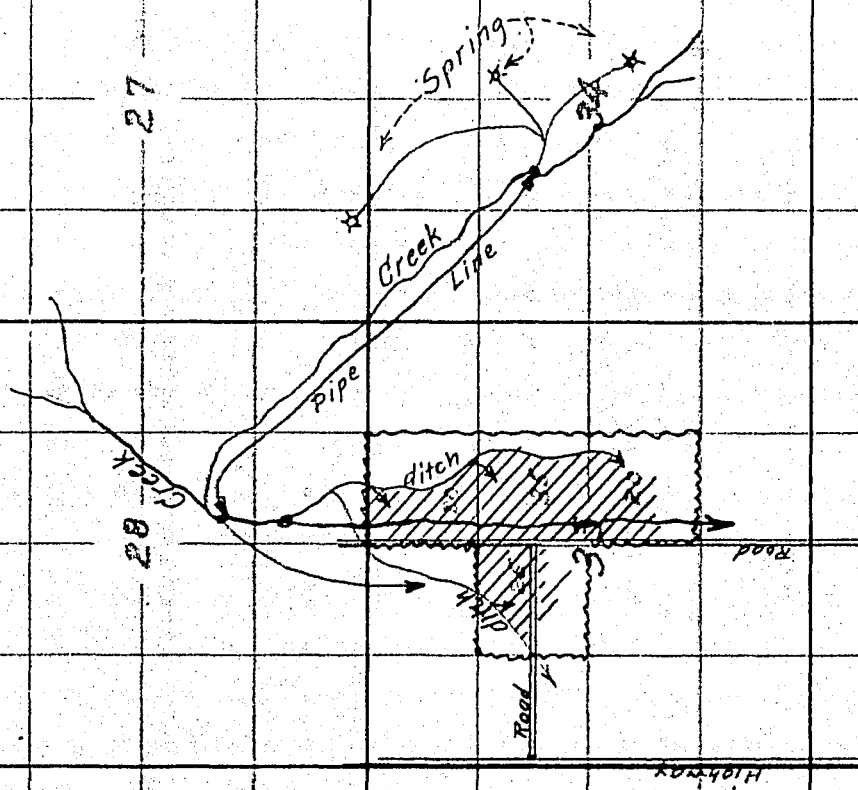
535

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 535

REPORT ON PROOF OF Beneficial Use



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

535

REPORT OF ENGINEER

Permit No. 535

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Frank C. Christensen
2. Source of water supply: Seven Springs
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$. Sec. 27; SW $\frac{1}{4}$ NE $\frac{1}{4}$ ~~XXXXXX~~
& NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34,
T. 10 S. R. 41 E. County of Bannock
4. Describe works as they exist, giving dimensions and capacities of same: Dirt dam 40 ft long x 4 ft high, 20 ft corrugated pipe 16" diam, Concrete reservoir 6' x 6' x 8' deep, 20 ft 10", 20 ft 8" and 1 mile of 6" steel pipe, flanged joints. About 2 miles of ditches
5. Water is used for: Irrigation & Domestic
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): W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, & NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 10 S., R. 41 E., B. M.

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

8. What large stream would the water here appropriated finally reach? Bear River (in flood season)
- Remarks: This system is now owned by a son of F. C. Christensen and the owners knowledge of spring locations etc. is limited

This examination was made on the

15th

day of

May1937

(Signed)

Fred H. Salzman

Examiner

50
Frank C. Christensen
Grace, Idaho

Permit No. 535

Examination for Beneficial Use

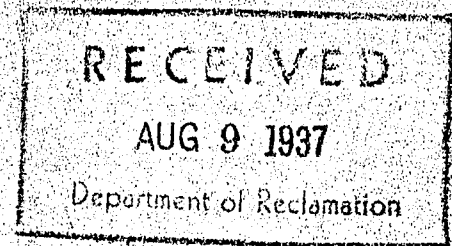
County Bannock

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
-

F. E. TYDEMAN
ATTORNEY-AT-LAW
Portneuf Block
POCATELLO, IDAHO

August 7th, 1937.



Mr. R. M. Ferris,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

In connection with the investigation in
examination of the springs which are the subject
of the application and permit No. 535; made by
Mr. Christensen near Grace, Idaho:

I would appreciate very much having informa-
tion as to the progress of the action on the
application and whether or not the permit has been
issued.

Thanking you for any information that you
give me, I beg to remain,

Very truly yours,
F. E. Tydeman

FET/W

535

Permit 535

August 12, 1937

F. E. TYDEMAN
Attorney-at-Law
Pocatello, Idaho

Dear Sir:

I have your letter of August 7, in which you request that you be advised as to how soon the Department will take action in the matter of the Proof of Beneficial Use, under Permit No. 535.

Mr. Fred Tolman, Field Engineer for this Department, has been out almost constantly since April and I am not advised as to whether or not he has yet made the required investigation in connection with this matter. However, he will be in the office in a few days and I shall then discuss the matter with him and try and get action within the next week or so, so that Mr. Christensen may obtain his license.

This matter, as you know, has been pending for several months and we too are anxious to dispose of it.

Yours very truly,

PAUL L. HENRY,
Deputy Commissioner

PLH:c1

535

RECEIVED

SEP 1 1937

Department of Reclamation

535

Henry Idaho

August 31-1937

Mr. R. W. Faris

Boise Idaho

Dear Mr. Faris:-

I have been waiting to hear from you in regards to water deed, permit 5-35, as we are anxious to get this settled, and the water line in shape for cold weather.

Mr. F. C. Nelson of Lava informed me quite while ago that you would send the deed with your approval but haven't heard from you as yet.

Hoping to hear from you soon
Frank C. Christensen
(Address given) Henry Idaho.

September 10, 1937

Re: Permit 535,
Frank C. Christensen.

Mr. F. E. Tydeman
Attorney at Law
Pocatello, Idaho

Dear Sir:

I am herewith enclosing an affidavit for the purpose of correcting the description of one of the points of diversion under Permit 535. You will note that this instrument is complete except for filling in the county and the affiant's signature before a Notary.

Will you kindly have Mr. Christensen return this affidavit to the Department with a fee in the amount of \$8.00. This fee is fixed by law at the rate of \$2.00 for each forty-acre subdivision or fraction thereof and is for the purpose of partially paying the cost of inspection of the lands.

Immediately upon receipt of the affidavit and the fee, a license will be issued to Mr. Christensen for 2 second feet of water.

Very truly yours,

Deputy Commissioner of Reclamation

PLH:jl

Encl.

cc: Mr. Christensen,
Grace, Idaho



BARZILLA W. CLARK, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

R. W. FARIS, COMMISSIONER

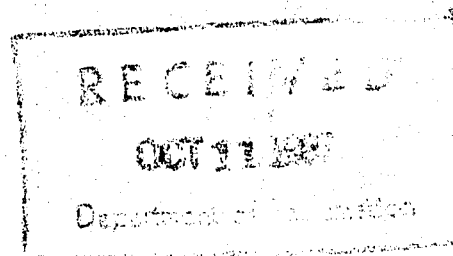
BOISE

PAUL L. HENRY
DEPUTY COMMISSIONER

September 10, 1937

Re: Permit 535,
Frank C. Christensen.

Mr. F. E. Tydeman
Attorney at Law
Pocatello, Idaho



Dear Sir:

I am herewith enclosing an affidavit for the purpose of correcting the description of one of the points of diversion under Permit 535. You will note that this instrument is complete except for filling in the county and the affiant's signature before a Notary.

Will you kindly have Mr. Christensen return this affidavit to the Department with a fee in the amount of \$8.00. This fee is fixed by law at the rate of \$2.00 for each forty-acre subdivision or fraction thereof and is for the purpose of partially paying the cost of inspection of the lands.

Immediately upon receipt of the affidavit and the fee, a license will be issued to Mr. Christensen for 2 second feet of water.

Very truly yours,

Paul L. Henry

Deputy Commissioner of Reclamation

PLH:jl

Encl.

cc: Mr. Christensen,
Grace, Idaho

*Dear Mr. Faris: I have sent in
affidavit & fee and as stated in this
letter you would mail license
out immediately. Will appreciate it.*

F. E. TYDEMAN

ATTORNEY-AT-LAW

Portneuf Block

POCATELLO, IDAHO

September 23, 1937.

Department of Reclamation,
Boise, Idaho.

Gentlemen:

Permit No. 535, FRANK CHRISTENSEN.

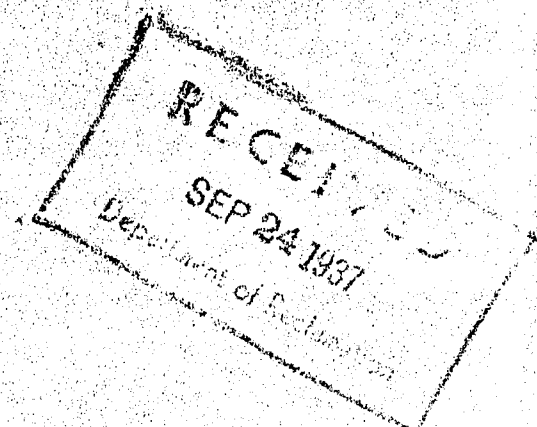
Pursuant to your letter of September 10th, 1937,
I have had Mr. Christensen complete the affidavit and
the same, together with his check for \$10.00, is
enclosed herewith. We will appreciate the issuance
of the license at your early convenience.

Very truly yours,

F. E. Tydeman

FET/W
Encl.

535



October 14, 1937

Re: Permit 535.

Mr. F. C. Christensen
Grace, Idaho

Dear Sir:

I am enclosing herewith your License and Certificate of Water Right issued under the provisions of Permit 535. I am also enclosing herewith your Affidavit for Change of Point of Diversion under one of the springs, as well as our Office Receipt in the sum of \$8.00, which you paid in connection with your beneficial use proof. This license now serves to complete the record.

There are two things concerning the license to which I wish to call your attention. In the first place, final proof was approximately twenty-seven years past due; consequently your priority date had to be advanced to November 13th, 1931, whereas had proof been made when it was due, your priority date would have been March 26, 1904.

The permit was originally issued for three second feet of water, and you obtained a Certificate of Completion of Works with a carrying capacity of this amount, but at the time when the field engineer of this department made his inspection of the lands which you were irrigating, he gave you credit for but one hundred acres. Your license therefore had to be limited to two second feet, since under the laws of this state one is entitled to the use of only one miners' inch per acre (1 second foot equals 50 miners' inches.)

I trust that this explanation will be sufficient to clarify these points to your satisfaction.

Very truly yours,

Deputy Commissioner of Reclamation

PLH:jl
Enc. (3)
cc: F. E. Tydeman,
Attorney at Law,
Pocatello, Idaho

535

THE FEDERAL LAND BANK OF SPOKANE

UNIT OF
THE FARM CREDIT ADMINISTRATION
TWELFTH DISTRICT
IDAHO, MONTANA, OREGON, AND WASHINGTON

SPOKANE, WASHINGTON

Pocatello, Idaho.
June 20th. 1938.

610 MAIN AVENUE
PHONE RIV. 7141

RECEIVED

JUN 21 1938

Department of Reclamation

Department of Reclamation,
Boise, Idaho.

Dear Sir:

Re: Water License No. 535- issued to
Frank C. Christensen, to be used on
lands in Sec. 33- Twp 10S. Range 41 E.B.M.
and Section 34- 10 S, 41 EBM. and Permit
of the same number.

Kindly advise what rights are given to the
user in the above permit and license, together with the
source of supply as enumerated thereon and the description
of lands that water is to be used upon. It is claimed that
the above permit appropriates all the water in Frank's Canyon
and what is known as Water Canyon and that there are no other
filings on said water.

I will appreciate the above information
by early mail. Thanking you, I am.

Yours very truly,

F. Rhoda

F. Rhoda,

Land Bank Appraiser.

Box 189,

Pocatello, Idaho.

535

June 22, 1938

Re; License Number 535

F. Rhoda
Land Bank Appraiser
Box 189
Pocatello, Idaho

Dear Sir:

We have your letter of June 20, 1938, in which you request information concerning the above numbered license. This license was issued to Frank C. Christensen, for two (2) cubic feet per second of the waters of Seven Springs, lying in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 34, the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 27, and the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 34, all in Township 10 South, Range 41 East, Boise Meridian. The date of priority is November 13, 1931, and the lands to be irrigated are as follows:

20 Acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$),
35 Acres in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$),
25 Acres in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),
20 Acres in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$),
All in Section 33, Township 10 South, Range 41 East, for a total of 100 Acres.

The original filing was made in 1904, however Proof of Beneficial Use was a good many years late, hence the date of priority was set up to 1931.

You mention, in your letter, that the above numbered permit claims all of the water in Frank's Canyon, or Water Canyon, however, the license makes no mention of this fact, it merely states that this appropriation is of the waters of Seven Springs which is described above.

F. Rhoda
Page Two
June 22, 1938

You further ask in your letter what rights are given by the issuance of a license.

Section 41-214, Idaho Code Annotated, states:

"Such license shall be binding upon the state as to the right of such licensee to use the amount of water mentioned therein, and shall be prima facie evidence as to such right; and all rights to water confirmed under the provisions of this chapter, or by any decree of court, shall become appurtenant to, and shall pass with a conveyance of, the land for which the right of use is granted."* * *

This portion of this section means just what it says that the issuance of a license is prima facie evidence of a water right.

We trust that this information will be of some value to you.

Very truly yours,

R. W. FARIS,
Commissioner of Reclamation

By PAUL H. BERG,
Deputy Commissioner

PHB:mh

IDAHO PIONEER
NATIONAL FARM LOAN ASSOCIATION

PRESTON, IDAHO

CLIFFORD WARR, SECRETARY-TREASURER

FEDERAL LAND BANK LOANS

June 19, 1954

Mark R. Kulp, Reclamation Engineer
Department of Reclamation
Boise, Idaho

RECEIVED
JUN 21 1954
Department of Reclamation

Dear Sir:

If possible, will you please forward to us a copy of Permit #535, issued to Frank C. Christensen for the use of spring water arising in Sections 27 and 34, Township 10 South, Range 41 E. B. M., in Caribou County, Idaho?

We are taking an application for a loan on property of Mr. Card Christensen, who claims water for irrigation of approximately 70 acres from this permit. There appears to be some question as to the water arising under this permit and a copy of the permit I am sure would straighten the matter out for us.

Very truly yours,

Gene Curtis
Gene Curtis
Fieldman

GC:FBR

June 21, 1954

RE: Permit No. 535

Mr. Gene Curtis, Fieldman
National Farm Loan Association
Preston, Idaho

Dear Mr. Curtis:

We have your letter of June 19 requesting a copy of Permit No. 535 issued to Frank C. Christensen.

The records of this department show that a License has been issued on this permit, which License shows the following:

Name: Frank C. Christensen
Amount: 2 cubic feet per second
Source: Springs
Points of Diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27; and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Township 10 South, Range 41 East B.M.
Place of Use: 100 acres in Section 33, Township 10 South, Range 41 East B.M.
Divided as Follows: 20 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 35 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 25 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 20 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
Priority: November 13, 1931.

The records further show that this application was originally filed March 26, 1904 but proof of beneficial use was not made until December 4, 1936, which brings the priority down to November 13, 1931.

The above information may be all that you require but if you wish a copy of the License No. 535, we can make one for you and the fee will amount to \$1.00 or \$1.50 if you wish it certified.

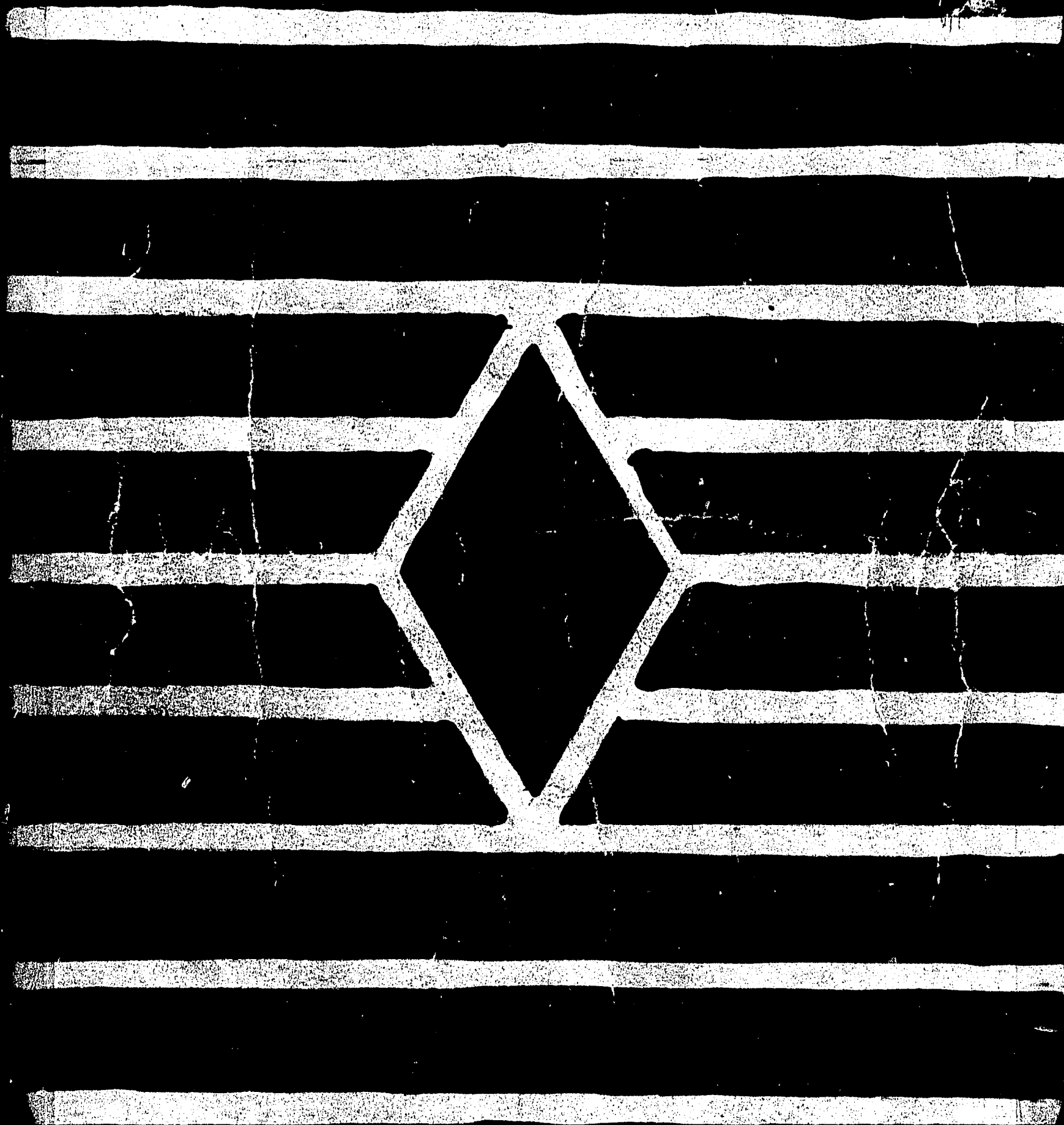
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

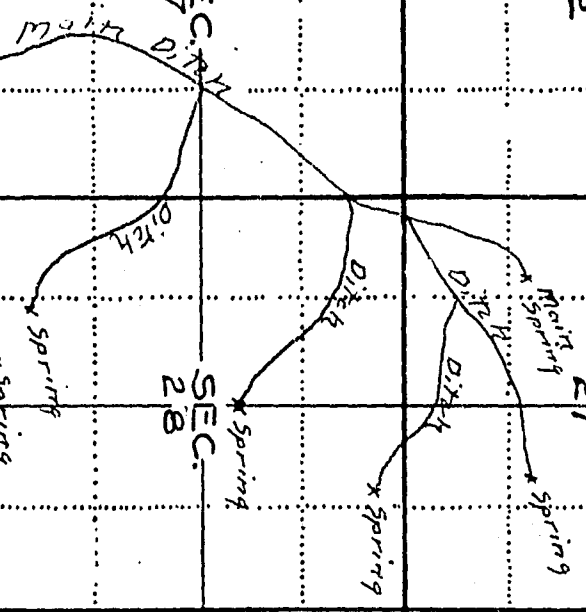
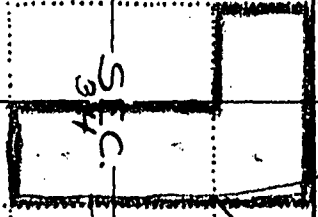
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535



2535

T 105 R 41 E B M



SEC. 27
SEC. 28
SEC. 21
SEC. 22

APPROVED APRIL 16, 1904.

Frank C. Christensen
State Engineer

APPLICATION NO. 743
PERMIT NO. 1000
FRANK C. CHRISTENSEN
3 sec. ft. of Springs, Banuack Co

13 2002

RECEIVED

13-2002

JUN 22 1971

Department of Water Administration

Stanley Christensen
Star Route
Irish, Idaho 83741
June 17, 1971

Department of Reclamation
Boise, Idaho

Dear Sir:

If possible I would like to get photostat copies of water license no. 535 or copies of filings Frank Christensen in Caribou county formerly Bannock County. Along with this information I would like to gather all pertinent transactions associated with water license 535 or Frank Christensen.

If possible I would like to get photo copies of filings of water rights within a 2 mile radius of water license 535.

Would you send me procedures of filing for a water license or steps in filing for a new water license on a non-flood water source.

Please send the cost of such services. Thank you for your help in this matter.

Sincerely,

Stanley Christensen

13 2002

June 30, 1971

Re: License No. 535/13-2002

Mr. Stanley Christensen
Star Route
Grace, Idaho 83241

Dear Mr. Christensen:

We are enclosing a copy of Water License No. 535/13-2002. We cannot tell from your letter just exactly what you want researched. The Department does not have a normal research type operation available or abstract service. We would make an effort to assist you in this matter as time permits. We would need, however, a more specific statement as to what you require. You have asked for water rights within a two mile area. Do you mean from the same source, from surface water, ground water and etc. Anything else that you would require, we would request clarification on.

We also find that your letter indicates that you wish to be advised as to the cost of the copies. Is this to be supplied to you before the copies are submitted, or do you want the copies regardless of the cost? Our fees for photo copies are twenty cents for letter size, twenty five for legal and fifty cents for larger than legal size.

If we can assist you further, please contact us.

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DWM:cm

Enclosure

13 2002

State of Idaho
License and Certificate of Water Right

Water License No. 535

Amount 2 Sec. Ft.

Water District No.

Priority Nov. 13, 1931

THIS IS TO CERTIFY that FRANK C. CHRISTENSEN
of Grace, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 26, 1904; that Permit No. 535
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3 second feet, was issued thereunder on January 16, 1922, showing that said works
were completed on the 30th day of December, 1921; and that on the 4th
day of December, 1936,

FRANK C. CHRISTENSEN

of Grace, 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. 535 of the State Engineer
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 7
of Licenses, at page 3885, on the 14th day of October, 1937;

The right hereby confirmed dates from November 13, 1931;

The Points of Diversion are located
in the SW 1/4 NE 1/4, Sec. 34, Tp. 10 S., R. 41 E., B. M. Bannock County.
SW 1/4 NE 1/4, Sec. 34
NW 1/4 SE 1/4

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 2
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S	41 E	33	NW 1/4 NE 1/4	40	20
			SW 1/4 NE 1/4	40	35
			SE 1/4 NW 1/4	40	25
			NW 1/4 SE 1/4	40	20
Total Number of Acres Irrigated				100	

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 Deputy
Commissioner of Reclamation, affixed at Boise, Idaho,
this 14th day of October, 1937.

PAUL L. HENRY 13 2002
Deputy Commissioner of Reclamation

(SEAL)

