

APPLICATION FOR PERMIT

1609.

To appropriate the Public Waters of the State of Idaho.

1. Name of applicant - WILLIAM G. COLE and WILLIAM T. FOWLER.

Postoffice address: P. O. - Cove

County - Bannock.

II. The financial resources of the applicant are: one thousand dollars.

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

3. Source of water supply - Gibbs Spring, SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 12, Tp. 11 S., R. 40 E., Bannock County.

4. Location of point of diversion - SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 12, Twp. 11 S., R. 40.

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated 160 acres.

(b) In the following legal subdivisions - N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ sec. 14, Tp. 11 S., R. 40 E. B. M.

6. Estimated cost of works - three hundred dollars.

7. Description of Works for Diversion:

I. Kind of works - ditch work.

II. Dimensions of Works:

(a) Height of dam four feet, length of dam at top thirty feet, length of dam at bottom four feet, material used in construction earth.

(d) Ditch (flume or pipe) width at bottom two feet, width at water line two & one half feet, depth of water one foot. Average grade per mile is ten feet. Length of ditch is two miles, and it crosses the following quarter sections - SW $\frac{1}{4}$ Sec. 12, SE $\frac{1}{4}$ of Sec. 11, Township 11 South, Range 40 E. B. M. to N $\frac{1}{2}$ of NW $\frac{1}{4}$ and S $\frac{1}{2}$ of NW $\frac{1}{4}$ Sec. 14, which is the point of intended use.

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

9. Time required for the complete application of the water to the proposed use is 4 years.

Remarks:

It is agreed and understood between the applicants herefor that this application is to be considered as a substitute for a certain application upon which permit #263 has heretofore been granted, and that William G. Cole is to have a ten-seventeenth interest and William T. Fowler a seven-seventeenth interest in and to the permit to be issued under the terms of this application.

Approval of State Engineer.

The number of this permit is 1212.

Date of first receipt of application 9:00 A. M. March 16, 1905.

Returned to applicant for correction ~~9:00 A. M.~~ March 16, 1905.

Corrected application received April 8, 1905.

Recorded in Book 4, page 1212. Approved April 11, 1905.

1212

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 11, 1905.

The whole of said work to be completed on or before April 11, 1906.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to April 11, 1910.

Witness my hand this eleventh day of April, 1905.

Jas. Stephenson, Jr.
State Engineer.

Blank Notice of Proof of Completion of Works mailed applicant January 2, 1906.

Notice of Proof of Completion of Works received January 27, 1906.

Notice for publication mailed to Soda Springs Chieftain, Soda Springs, Idaho, March 6, 1906, and deposition blanks mailed applicant same date.

Mr. E. J. Turner, Cove, Idaho, authorized March 6, 1906, to make examination of works.

Affidavit of publication of notice and depositions received April 14, 1906.

Fee of \$5.00 received April 14, 1906.

Report of examination received October 11, 1906.

Certificate of Completion of Works issued October 11, 1906.

Permit No. 1212

C E R T I F I C A T E O F C O M P L E T I O N O F W O R K S

To All Whom It May Concern:

This is to certify that WILLIAM G. COLE and WILLIAM T. FOWLER of Cove, County of Bannock, and State of Idaho, the holder of Permit No. 1212, issued upon Application No. 1609, bearing date of priority of March 16, 1905, authorizing the diversion of three second-feet of the waters of Gibbs Spring, County of Bannock, State of Idaho, at SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12, Twp. 11 South, Range 40 East of Boise Meridian, for irrigation and domestic purposes, have 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 two and seven-tenths second-feet of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: North Half (N $\frac{1}{2}$) of Northeast Quarter (NE $\frac{1}{4}$), South Half (S $\frac{1}{2}$) of Northwest Quarter (NW $\frac{1}{4}$) of Section Fourteen (14), Township Eleven (11) South, Range Forty (40) East of Boise Meridian.

Witness my hand this eleventh day of October, A. D. 1906.

Jas. Stephenson, Jr.

State Engineer of the State of Idaho.

License issued for 2.603 second feet

P1212

Township 11 South Range 40 E. B. M.

SEC.
6

SEC.
5

SEC.
4

SEC.
3

SEC.
2

SEC.
1

SEC.
7

SEC.
8

SEC.
9

SEC.
10

SEC.
11

SEC.
12

SEC.
18

SEC.
17

SEC.
16

SEC.
15

SEC.
14

William C. Gibbs
x
Land

William C. Gibbs
x
Land

3 sec. 5 ft. of Gibbs
Spring, Bannock Co.
Approved April 11, 1905.

William C. Gibbs and William
C. Gibbs

Application No. 1509

PERMIT NO. 1212

1212

Boise, Idaho, January 2, 1906.

Mr. William G. Cole,

Cave, Bannock County, Idaho.

Dear Sir:-

I enclose herewith blank upon which to notify this office of completion of works under your permit No. 1212. Kindly fill out the blank and mail to me at least 60 days before the date upon which you wish to submit proof, which proof must be submitted on or before April 11, 1906.

Yours truly,

State engineer.

1212

Cover, Idaho
Jan 24th 1906

James Stephenson Jr
Paisa, Idaho
Dear Sir,

Herewith I
enclose notice of Prog
of completion of work.
Please have E. J. Turner
Water Commissioner,
view these works, they
are of a simple nature.

William T. Fowles

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.)

(Date)

Cover Idaho

Jan 24 1906

To the State Engineer of the State of Idaho, Boise, Idaho,

Dear Sir:

Notice is hereby given that at 1-P M. on the 11th day of April 1906, at Lajo County of Bannock State of Idaho, before Wm H Bassett proof will be submitted of the completion of works for the diversion of Three cubic feet per second of the waters of Gibbs Spring S.W. 1/4 Sec. 12, T. 11 S. R. 40 E. 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

William G. Cole and William F. Fowler

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

Lajo, County of Bannock, State of Idaho.

3. The number of such permit is 1212, and the date set for the completion of such work is April 11, 1906

4. Said water is to be used for Irrigating 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 One hundred

of Acrey acres, particularly described as follows:

N 1/2 NE 1/4, S 1/2 NW 1/4 Sec 14 T. 11 S. R. 40 E. B. 1

(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.

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

Wm G Cole and Wm F Fowler

(Signature)

William G. Cole
William F. Fowler

No. 1212

Notice of Proof of Completion of Works.

Received January 27-06

Date of proof

Place

Notice sent to

for publication on

1212

Boise, Idaho,

March 6, 1906.

Soda Springs Chieftain

Soda Springs, Idaho.

Dear Sirs:—

Enclosed find Notice of Publication of Proof of Completion of Works under Permit No. **1212** 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 **Wm. G. Cole and Wm. T. Fowler**, to whom you will please furnish proof of publication of this notice on or before **April 11, 1906**

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,

Jas. Stephenson, Jr.

State Engineer.

(Place)

(Date)

State Engineer,

Boise, Idaho.

Dear Sir:—

I have your letter of _____, enclosing Notice of Completion of Works under Permit No. **1212**, which will be published as you request, beginning with our issue of _____

1212

INSTRUCTIONS.

Wm. G. Cole,
Wm. T. Fowler

PROOF OF COMPLETION OF WORKS.

Boise, Idaho, March 6, 1906.

DEAR SIR:

I enclose herewith the following forms to be used in connection with Proof of Completion of Works under your Permit No. 1212

~~NOTICE OF PROOF OF COMPLETION OF WORKS.~~

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. Fill out the Notice of Proof of Completion of Works and mail to the State Engineer's office at least sixty days before the date upon which you wish to submit proof, which proof must be on or before ----- Upon receipt of this form, notice for publication will be sent to the paper direct from this office.

2. On April 11 06, 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, before someone authorized to administer oaths. (The proof may be at a place most convenient to permit holder and witnesses.)

3. 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.

4. When the depositions have been taken, they should be mailed to this office, together with affidavit of publication of notice and fee of \$ 5.00 ----- When 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.

Will write Mr. Turner to make examination.

1212

Boise, Idaho, March 6, 1906.

Permit No. 1212

Mr. E. J. Turner,

Cove, Idaho.

Dear Sir:-

I enclose herewith copy of notice being published in the matter of proof of completion of works under permit No. 1212. Mr. Fowler has requested that you look after the examination of the works.

Yours truly,

State Engineer.

1212

(Place)

Soda Springs Idaho

(Date)

March 7/06

State Engineer,

Boise, Idaho.

Dear Sir:—

I have your letter of

March 6/06

, enclosing Notice of Completion of Works under

Permit No. 1212

, which will be published as you request, beginning with our issue of

March 8, 1906

Joe H. De Wit

1212

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

PERMIT NO. 1212**Proof of Completion of Works.**

DEPOSITION OF WITNESS.

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

Answer.

John Gibbs age 57. Residence 4800
Wells, Idaho, FarmerQues. 2.—Are you acquainted with Wm. H. Cole and Wm. T. Fowler the
holder of Permit No. 1212, authorizing the diversion of Three second-feet of the waters of
Spring, at Lago,
for irrigation purposes? How long have you known him, and where does he reside?Ans. Have known them 8 years at LagoQues. 3.—Have you read or heard read said Permit No. 1212, and are you familiar with its
terms and conditions?

Ans.

YesQues. 4.—(If for irrigation purposes). Are you acquainted with the land proposed to be irri-
gated 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.

Sandy loam, over 1000 to
the 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.

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

Ans.

Yes, A dam to divert the water
capacity 4 second feet

(Sign here.)

John GibbsI hereby certify that the foregoing testimony was read to the above subscriber before its sign-
ing, that I believe him to be the person he represents himself to be, and that said testimony was sub-
scribed and sworn to before me, at my office in Lago County

of

Blaine, State of Idaho, on this 11 day ofApril, A. D. 1906

1906

William H. Fowler

Permit No.

To appropriatesecond

feet of water from

.....County, Idaho.

by

Proof of Completion of Works

Deposition of Witness

Received and filed

April 14, 1904

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

PERMIT NO. 1212**Proof of Completion of Works.**

DEPOSITION OF WITNESS.

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

Answer.

John C. Bickel, age 23, Residence & P.O.
Victory Idaho, HorsemanQues. 2.—Are you acquainted with Wm G. Cole & Wm T. Fowler, the holder of Permit No. 1212, authorizing the diversion of 3 second-feet of the waters ofSpring, at Rayo, for irrigating purposes? How long have you known him, and where does he reside?

Ans.

Have known them eight years at RayoQues. 3.—Have you read or heard read said Permit No. 1212, 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.

Sandy loams, are rich to the
acres

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 sufficient dam to divert the
water, capacity four second feet

(Sign here.)

John C. BickelI 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 this11

day of

April, A. D., 1906

1912

William H. BarrettJ.P.

Permit No.

To appropriatesecond
feet of water from

..... County, Idaho.

by

Proof of Completion of Works

Deposition of Witness

Received and filed

April 14, 1904

PERMIT NO 1212

Proof of Completion of Works.

DEPOSITION OF HOLDER.

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

Answer. Wm G Cole, Wm T Fowler, 40 yrs, 31 yrs

Residence, Coeur d'Alene, 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. NO 1212, April 11-1905, Three Second

feet, Spring, NW 1/4 NW 1/4 of Sec 12 Tp 11 S R 40 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. Irrigating, 160 acres NW 1/4 NE 1/4, S 1/2 NW 1/4

Sec 14 Tp 11 S R 40 E B me

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. Turned water, all the water in spring
two second feet

Ques. 6.—State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes

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. A dam to swing the water, a ditch
two miles long, two ft wide in bottom, 1 ft deep
cost three hundred dollars

(Sign here.)

Wm G Cole
William T Fowler

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 Lago, County

of Bannock, State of Idaho, on this 11th day of

April

A. D. 1906

1212

William T Fowler

Permit No.

To appropriatesecond
feet of water from

..... County, Idaho.

by

Proof of Completion of Works

DEPOSITION OF HOLDER

Received and filed

April 14, 1904

1912

Affidavit of Publication.

STATE OF IDAHO.

COUNTY OF BANNOCK.

SS.

I, **JOE H. DeWITT**, do solemnly swear that I am the publisher of **THE SODA SPRINGS CHIEFTAIN**, a newspaper of general circulation; published once each week at Soda Springs, Bannock County, State of Idaho; that the notice attached hereto, and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper for four consecutive weeks; the first publication being made on the 8th day of March 1906; 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.

NOTICE FOR PUBLICATION.

Notice is hereby given that at 1 p. m. on the 11th day of April 1906, at Lago, County of Bannock, State of Idaho, before Wm. H. Bassett, proof will be submitted of the completion of works for the diversion of three cubic feet per second of the waters of Gibbs Spring in SW 1/4 of NW 1/4, Sec 12, T. 11 S., R. 19 E. 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 persons having said permit are William G. Hobbs and William T. Fowler.
2. The post office address of such persons is Lago, County of Bannock, State of Idaho.
3. The number of such permit is 1212, and the date set for the completion of such work is April 11, 1906.
4. Said water is to be used for irrigation 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: NW 1/4, Sec 12, T. 11 S., R. 19 E.

WITNESSED my hand and the seal of my office this 11th day of April 1906.

Jas STEPHENSON, Jr.
State Engineer.

11th mar 20.

Joe H. DeWitt
Subscribed and Sworn to before me this 9th day of

April A. D., 1906

Herbert Horsley
Notary Public

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 _____ day of _____ A. D., 190_____

Received April 14, 1906

1213

STATE OF IDAHO
BOARD OF IRRIGATION

COVE, IDAHO, Apr 13th 1906

Jas Stevenson Jr
State Engineer
Boise Idaho

Dear Sir: I would report that I made an examination of the works under Permit 1212 held by William G Cole and William T Fowler, and find that the same has been fully completed as required by the terms of the Permit, by means of a ditch constructed from a spring situated near SW corner of SW 1/4 of NW 1/4 Sec 12 T. 11 South Range 40 & B M. ditch width at bottom 2 feet at water line 2 1/2 feet. Depth of water 10 inches grade 10 feet per mile. The ditch crosses SW 1/4 Sec 12 S 2 1/4 Sec 11. and water being applied on N 1/2 of N 2 1/4 and S 1/2 of NW 1/4 Sec 14 all in same township and range.

Yours very truly
Edward J. Turner
Water Commissioner

Township 11 South Range 60 E. R. 100
SEC. SEC.

SEC. SEC. SEC.

William T. Fowler Land
William & Mary Land

SEC. SEC. SEC.

JAS. STEPHENSON, JR., PRESIDENT, HOIAR
STATE ENGINEER

J. H. LOWELL, SECRETARY, CALDWELL
COMMISSIONER DIVISION NO. 8

FRANK RIBLETT, ALBION
COMMISSIONER DIVISION NO. 9

EDWARD J. TURNER, COVE
COMMISSIONER DIVISION NO. 2

STATE OF IDAHO
BOARD OF IRRIGATION

COVE, IDAHO.

Oct 7th

1906

for Stevenson Jr
Boise Idaho State Engineer

Dear Sir

I made the examination under Permit

1212. Messrs Cole & Fowler also report on
the date mentioned. but the same has been
mislaid and overlooked from mailing
in my office. ever sorry and hope it
will not cause any inconvenience

yours truly

Edward J. Turner

Water Commissioner

1212

Boise, Idaho, October 11, 1906.

Mr. Wm. G. Cole,
Cove, Idaho.

Dear Sir:-

I enclose herewith Certificate of Completion of
Works issued under your permit No. 1212. Also enclose
receipt for \$5.00 proof fee.

Yours truly,

State Engineer.

1212

Permit No. 1212

Certificate of Completion of Works.

To All Whom It May Concern:

This is to certify that

William G. Cole and
William T. Fowlerof Cove, County of Bannock, and State ofIdaho, the holder of Permit No. 1212, issued upon ApplicationNo. 1809, bearing date of priority of March 16, 1905, authorizing the diversion ofThree second-feet of the waters of Gibbs SpringCounty of Bannock, State of Idaho, at SW 1/4 NW 1/4 Sec 12Twp 11 S., R 40 E B M, for Irrigation and domestic

purposes, have 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 2.7

second-feet of water; and that the lands proposed to be irrigated by the use of said water are described as fol-

lows, to-wit: N 1/2 W 6 1/4, S 1/2 NW 1/4 Sec 14 Twp 11 S., R 40 E B M

1212

Witness my hand this

11

day of

OctoberA. D. 1906

State Engineer of the State of Idaho

PERMIT No. 1212

Certificate of Completion
of Works.

Dated Oct 11, 1906

Stream Gilbo Spring

County Barnack

Amount 2.7 sec ft

Date of priority March 16, 1905

Recorded in Book 4

of Permits page 1212

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, January 1, 1910

William G. Cole,
Gove, Idaho

Dear Sir:

I enclose herewith blank Notice of Proof of Application of Water to Beneficial Use under your permit No. 1212 which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

JAS. STEPHENSON, Jr.,
State Engineer.

(over)

1312

PERMIT NO. 1212

Notice of Proof of Application of Water to Beneficial Use

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

(P. O.) Thatcher(Date) January 26, 1910

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

DEAR SIR: Notice is hereby given that at 2 P. M. on the 26 day of March 1910, at Lago County of Bannock State of Idaho, before Wm H Mendenhall, Notary P. proof will be submitted of the application to beneficial use of three cubic feet per second of the waters of Gibbs Spring in accordance with the terms and conditions of Permit No. 1212 heretofore issued by the State Engineer of the State of Idaho.

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

William G. Cole & William T. Fowler - Thatcher, Idaho2. The use to which said water has been applied is Irrigation andDomestic use3. The amount applied to beneficial use is Two and 1/4

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) North half (N 1/2) of North-East Quarter (NE 1/4), South-East (S 1/2) of North-West Quarter (NW 1/4) of section fourteen (14) Township eleven (11) South, Range forty East 40. East of Boise Meridian

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Cole's and Fowler's Ditch

6. The right to take the water from such works is based upon Permit No. 12127. The source of supply from which such water is diverted is Gibbs Spring

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

March 16, 1908

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

(Sign)

William G. Cole and William T. Fowler

Permit 1212

January 28, 1910.

Mr. J. C. Webster,
Water Commissioner,
Idaho Falls, Idaho -R.D.#5

Sir:-

William C. Cole and William F. Fowler, of Thatcher, Idaho, the holders of Permit of No. 1212, authorizing the diversion of 3 second foot of the waters of Gibbs Spring, desire to make proof of beneficial use of water on March 25, 1910.

Am inclosing herewith blanks for report and map.

Very truly yours,

State Engineer.

Inc.

By...

1312

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that ^{at 2 P.M.,} on the 25th day of March,
 1910, at Lago, County of Bannock, State of
Idaho, before Wm. H. Mondonhall, N.P.,
 proof will be submitted of the application to beneficial use of 3
 cubic feet per second of the waters of Gibbs Spring
 in accordance with the terms and conditions of Permit No. 1212, heretofore issued by the State
 Engineer of the State of Idaho.

1. The name^s and postoffice address of the person^s or corporation holding said permit are
Wm. A. Cole and William F. Fowler, Thatcher, Idaho.
2. The use to which said water has been applied is irrigation and domestic purposes.
3. The amount applied to beneficial use is 3 second feet.
4. The place where said water is used is (if for irrigation, give full and accurate description of
 the lands irrigated) N2 of NE4, S24 of NW4 Sec. 14, Tp. 11 S., R. 40 E. B.M.
5. The name of the canal or ditch or other works by which said water is conducted to such place
 of use is Cole's and Fowler's ditch.
6. The right to take the water from such works is based upon Permit No. 1212.
7. The source of supply from which such water is diverted is Gibbs Spring.
8. The date of the priority which said user is prepared to establish is March 16, 1905.

Jas. Stephenson, Jr.

State Engineer.

State of Idaho

ENGINEERING DEPARTMENT

BOISE

JAMES STEPHENSON, JR.,
ENGINEER

INSTRUCTIONS.

Proof of Beneficial Use.

Boise, Idaho,

January 28, 1910.

William G. Cole, et al,
Tetcher, Idaho.
Dear Sir:

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

1212.

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 the date set for the proof of application of water to ^{March 25, 1910.} beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at

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

Yours truly,

JAS. STEPHENSON, JR.,

State Engineer.

Jan. 31st 1910.

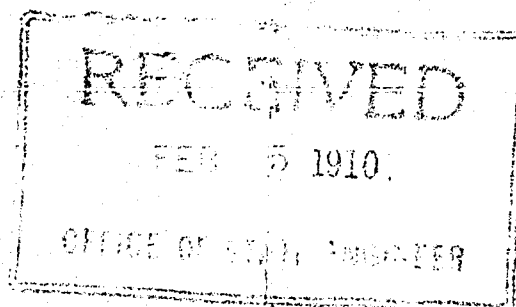
James Stephenson, Jr.
State Engineer.
Boise Idaho.

Dear Sir:-

Your favor relating to
examinations for beneficial use
of water under permit #1212, held
by William H. Cole and William
F. Fowles is received.

I will attend to this matter and
report as soon as possible.

Yours Respt
J. O. Webster



(Place)

(Date)

RECEIVED

FEB 3 1910

OFFICE OF STATE ENGINEER

State Engineer, Boise, Idaho.

Dear Sir:

I have your letter of 1/24/10 enclosing Notice of Proof of
Beneficial Use of Water under Permit No. 1212 which will be published as
you request, beginning with our issue of Feb 3

[Handwritten signature]

Affidavit of Publication.

State of Idaho, }
County of Bannock. } ss

I, JOE H. DeWITT, do solemnly swear that I am the manager of the SODA SPRINGS CHIEFTAIN, a newspaper of general circulation published once each week at Soda Springs, Bannock County, State of Idaho; that the notice attached hereto, and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper for four consecutive weeks; the first publication being made on the 3rd day of February, 1910; that said notice was published in the regular and

6. The right to take the water from such works is based upon Permit No. 1212.

7. The source of supply from which such water is diverted is Gibbs Spring.

8. The date of priority which said water is prepared to establish is March 16, 1905.

Jas. Stephenson, Jr.,
State Engineer.

paper during the period and times of publication, and that the notice was not in a supplement. That said paper was published weekly at said Soda Springs more than one year immediately preceeding the said 3rd day of February, 1910.

JOE H. DE WITT
Subscribed and Sworn to before me this 5th day of March, 1910.

L. C. Eastman

Notary Public.

Encl'd sheet 9⁰⁰

Fee for 4 forties 2⁰⁰ 8⁰⁰

Copy of Permit 1⁰⁰

All enclosed. 8⁰⁰

1212

Thatcher Idaho March 25th 1910

James Stephenson Jr.

State Engineer

Dear Sir:-

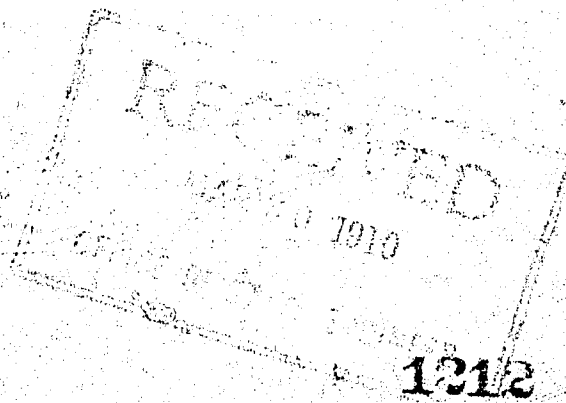
I herewith enclose proof of appropriation of water by Cole & Fowler, also check to cover same and \$1.00 for duplicate copy of permit.

The water of this spring is continually rising owing to water being brought out on the lands above. Holders claim to have appropriated all the water there is in the spring at present which measured 2 second feet. Undoubtedly it will reach the 3 sec. feet during this year, when it will be appropriated, the works being sufficiently large to ^{conduct} ~~carry~~ the water to place of use.

I have been requested by the holders to make this explanation and ask that the license issue for the 3 second feet as called for in permit.

Yours truly,

Wm. H. Mendenhall



Permit No. 1212

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Man. G. Cole 44 yrs Thatcher Ida, farmer, Thatcher Ida.
Wm J Fowler 34 yrs Niter Ida, farmer Thatcher Ida.

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

Ans. No

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

Ans. #1212 Mar. 16-1905 Priority March 16, 1905

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

Ans. Gibbs Spring SW⁴ NW⁴ Sec. 12 Tp. 11 R. 4 DE

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. One ditch Two miles long 2 1/2 feet wide at water line and
Two feet at bottom of ditch. Dam is made of earth four feet high
& thirty feet long. Will convey three cfs of water to place of use
Cole & Fowler name of ditch.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Irrigation & domestic use Place of use is N 1/2 of NE⁴ Sec 14
20 acres irrigated Five in east forty and 15 in west forty,
S 1/2 of NW⁴ Sec 14, 50 acres irrigated 25 acres in each forty.

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

Ans. _____

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

Ans. _____

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. _____

1212

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

Ans. Used every season since 1905, watering growing crops on said land. Two cuft has been used upon said land. Water has been applied to each subdivision of land & crops grown there on.

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.

(Sign)

William G. Cole
William T. Fowler

I hereby certify that the foregoing testimony was read to the above subscribers 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 Thatcher

County of Blaine, State of Idaho, on this 25

day of March A. D. 1910.

Wm Mendenhall
N.P.

Permit No. 1212	Proof of Application of Water to Beneficial Use	DEPOSITION OF HOLDER	Amount of Water 3 second feet	Source G. G. S. Spring	County Blaine	Purpose Irrigation	Place of use	Date of Priority Mar 16, 1905	Received and filed
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WMS-YORK CO., PRINTERS & BINDERS, BOISE
7318

Permit No. 1212

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Albert Steadbeck, 26 yrs. Farmer Lago Dela
Resident of Thatcher.

Ques. 2. Are you acquainted with Wm G. Cole, & Wm J. Fowler the holder of Permit No. 1212? How long have you known him and where does he reside?

Ans. Five years, Thatcher Dela

Ques. 3. Have you read or heard read said Permit No. 1212, 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. Globe Spring SW¹/₄ NW¹/₄ Sec 12 Tp 11 R 40E.
Ditch 2 miles long, width 2 feet in bottom, grade
10 feet to miles Dam made of earth 30 feet long,
four feet high.

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. Four sec feet, 1 1/2 second feet were conveyed

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.)

Ans. Irrigation & Domestic, N 1/2 NE¹/₄, So 1/2 NW¹/₄ Sec 14
Tp 11 R 40E acres irrigated 20 acres on N 1/2 of NE¹/₄, and
50 acres on So 1/2 of NW¹/₄

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

Ans.

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

Ans.

1212

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 the water diverted under said permit.

Ans.

Since 1907 have witnessed application of water to said land, 1 1/2 sec feet has been turned onto the land in my presence.

(Sign)

Albert Stenbeck

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

Barnock

State of Idaho, on this

25

day of

March

A. D. 1910.

Wm. H. McDanielhall
S. O.

Permit No.

Proof of Application of Water to
Beneficial Use

DEPOSITION OF WITNESS

Received and filed

BYES-YORK CO., PRINTERS & BINDERS, 801 E
7817

Permit No. 1212.

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. John C Fowler 26, yrs. Lagoda farmer, Lagoda

Ques. 2. Are you acquainted with Wm G Cole & William J Fowler the holder of Permit No. 1212? How long have you known him and where does he reside?

Ans. Twelve years Residence Thatcher Ida.

Ques. 3. Have you read or heard read said Permit No. 1212, 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. Gibbs Spring SW⁴ NW⁴ Sec 12, Tp 11, R 40 E
Dam 30 ft long, four feet high made of earth, ditch 2 feet
wide, and 1 1/2 feet deep about ten feet grade per 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. Will conduct four second feet, have been conveyed 2 sec foot

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.)

Ans. Irrigation domestic used on N 1/2 NE⁴ So 1/2
of NW⁴ Sec 14 Tp 11, R 40 E, acres irrigated 25 in each of So 1/2
of NE⁴, 15 acres in NW⁴ NE⁴, 5 acres NE⁴ NE⁴ Sec 14.

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

Ans. _____

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

Ans. _____

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

Ans.

No

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

Ans.

Summer of 1908 & 1909, have witnessed the water running over the land, to the extent of one cuft. or more

(Sign)

John C. Fowler

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 *Thatcher*

County of

Bayne

State of Idaho, on this

25

day of

March

A. D. 19*10*

Wm. H. Mendenhall
N.P.

Permit No. _____

Proof of Application of Water to
Beneficial Use

DEPOSITION OF WITNESS

Received and filed _____

BY THE CLERK OF THE DISTRICT COURT,
BOISE
7317

March 28" 1910

James Stephenson Jr.
State Engineer
Boise Idaho

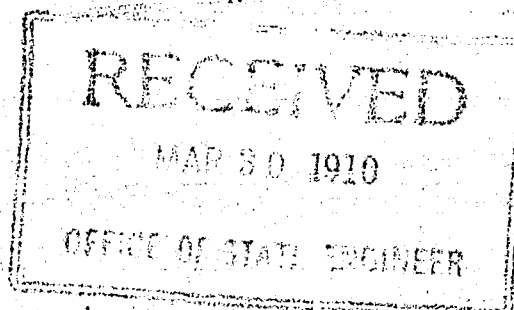
Dear Sir —

I herewith submit report
of examination of following
holders of permits

W. M. Cole and Wm. F. Fowler	Per. No.	1717.
Louisa Nugent.	" "	3571.
Erastus W. Wells.	" "	3989.
John D. Nielson	" "	5084.

Yours Truly

J. O. Webster



1312

Report of Engineer

1. State name of applicant and number of permit: Wm. G. Cole & Wm. F. Fowler - Permit 1212
2. State source of water supply: Gibbs Spring
3. Location of point of diversion: SW4 NW4 Sec. 12, Tp. 11 S., R. 40 E. B.M.

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

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

- (a) Width of conduit at bottom: 2 feet
- (b) Width at water line: 2.5 "
- (c) Depth of water: 1 foot
- (d) Grade per mile: 17 feet

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

all the water of this spring has been used to beneficial purpose upon the land.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each

forty acre tract: NE 1/4 of NW 4 and SE 1/4 of NW 4. Sec. 14 Tp. 11. S. R. 40 E. B.M. ^{under cultivation} about 40 acres in the NE 1/4 of NW 4 and about 50 acres in the SE 1/4 of NW 4. Sec. 14. Tp. 11. S. R. 40 E. B.M.

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

Remarks: There is not more than 2 second feet of water altogether in this spring. The amount has been increasing each year (and no doubt will continue to increase) by reason of more water being used on lands above. as this spring is seepage.

J. H. Webster
Water Commissioner
1st Dist.

STATE OF IDAHO,

County of _____ } ss.

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

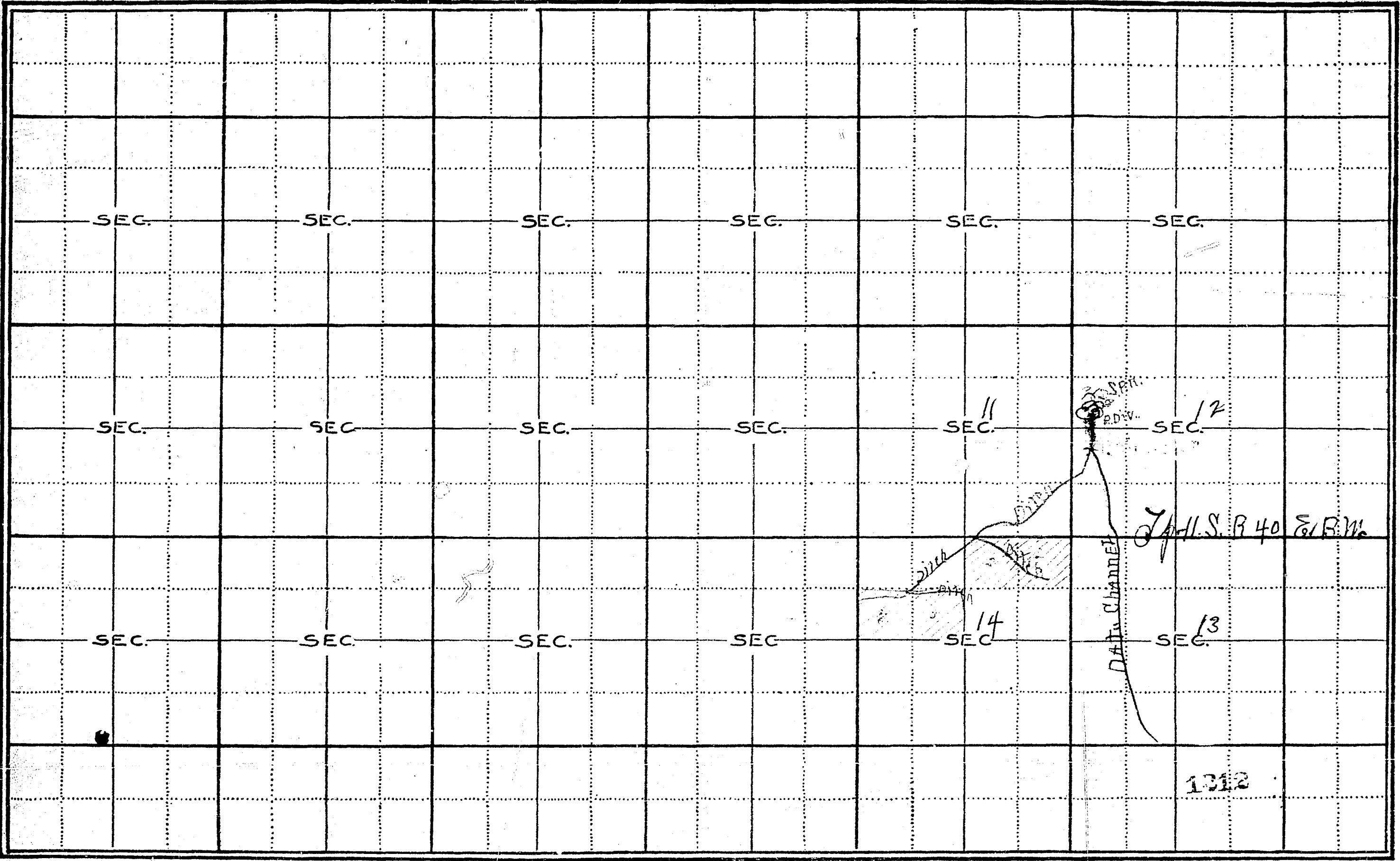
Subscribed and sworn to before me this _____ day of _____ 190_____

My Commission Expires _____

Notary Public.

1212

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



Printed and for sale by the Statesman Printing Co., Boise, Idaho

To be compared

L

March 31, 1910.

Permit 1212-Cole & Fowler

Wm. H. Mendenhall,
Thatcher, Idaho.

Sir:-

I am just in receipt of your letter of the 25th inst. inclosing depositions, affidavit of publication and fees for proof of beneficial use of water under above permit. Inclosed find receipt for fee for proof and also fee for certified copy of above permit.

In regard to issuing license for the full amount of water would say that the law allows the license to be issued for only the amount of water that has been actually used beneficially, allowing one inch to the acre. The report of the water commissioner shows that about 90 acres have been cultivated hence license can be issued for only 1.8 second foot of water. However, the holders of the permit can make another proof of beneficial use of water when the balance of the land has been put under cultivation. A second license will then be issued for the balance of the water.

License will be issued and forwarded you in a few days.

Very truly yours,

State Engineer.

R2515-16

By...

1312

Boise, Idaho, May 10, 1910

Permit No. 1212

William G. Cole,
Thatcher, Idaho

Sir:--
Inclosed herewith Water License issued
under above Permit.

Very truly yours,

State Engineer

By _____

Enc. 91

1212

EDWIN BENNION
PRESIDENT
E P HOFF
VICE-PRESIDENT
P C PETTERSON
SEC'Y AND TREASURER
SODA SPRINGS, IDAHO



ADVISORY BOARD:
EDWIN BENNION
E P HOFF
LOUIS K BITTON
W E CLARK
ALBERT BEUS

Dry Valley Cattlemen's Association

OF THE
---Caribou National Forest Soda Springs July 27/20

State Engineer
Boise
Idaho

Dear Sir

Will you please send me a description of the water under permit No. 1212
issued to Wm J. Cole and Mr. Fowler for the
Gibbs Spring. I bought Mr. Cole's Ranch and
water right and it seems as though there has
been a rather filing on part of this spring
recently.

Obliged,

Very respectfully yours,

Chas. Peterson

1213

P.S.
Please send
to Soda Springs
P.C.P.

July 30, 1920.

Re Permit 1212.

Mr. P. C. Petterson,
Soda Springs, Idaho.

Dear Sir:--

Replying to yours of the 27th inst., relative to above permit, would say that W. G. Cole and Wm. T. Fowler hold a water license under this permit for 1.8 second feet of the waters of Gibbs Spring, for the irrigation of the NE¹/₄ & SE¹/₄ Sec. 14, T. 11 S., R. 40 E., S.M., with priority of March 16, 1905. This permit was issued upon application No. 1609.

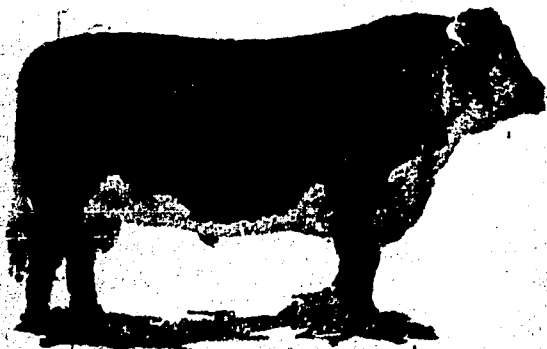
Very truly yours,

W. G. SPENDSEN,

Commissioner of Reclamation.

By _____

1212



P. C. PETTERSON
PRESIDENT

W. N. PETTERSON.
VICE-PRESIDENT AND SEC'Y-TREAS.

Pettersen Live Stock Company

HOME RANCH - Grace, Idaho.

FEEDING YARDS - Garland, Utah

Cattle Branded
on Left Ribs:

Horses Branded
on Thigh:

GARLAND, UTAH.

July 8th - 1921

Department of Reclamation
Boise
Idaho.

Dear Sir,

Have you record in your
Department of a water license issued to
Wm J Cole and Wm J Fowler for second
feet of water from Gibbs Spring Point of di-
version: - NW 1/4 of SW 1/4 Sec 12. T. 11 S. Range 40 East.
Final Proal for use of water - Oct 21, 1907.
No of Permit 263.

I own this water right and hold
the Permit at the present time but did not
receive the water license.

Please advise

Obliged,

Very respectfully yours,

P. C. Pettersen
Garland Utah.

1312

12/12

July 10, 1925.

Re: Permit No. 1212

Mr. P. C. Peterson,
Garland, Utah.

Dear Sir:-

Referring to your request of the 8th inst. would say that a water license was issued under the above numbered permit, to William G. Cole and William T. Fowler, for 1.8 second feet of the waters of Gibbs Spring. This license appears of record in this office in Book 2 of Water Licenses, page 603. A copy will be furnished upon receipt of 50 cents.

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

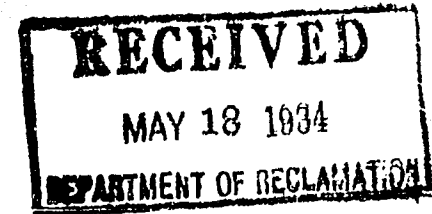
By _____
Chief Clerk.

1212

LAW OFFICES
BLACK & BAUM
POCATELLO, IDAHO

ROY L. BLACK
O. R. BAUM

May 17th, 1934.



HON. R. W. FARIS
Commissioner of Reclamation,
State of Idaho,
Boise, Idaho

Attn.: State Engineer

Re: Wm. T. Fowler-Water Location Notice
filed Bannock County May 17th, 1902,
Recorded Book 2 of Water Locations, page
125

Dear Commissioner:

Do you have any record of the above water filing in your office? It covers 100 inches measured under a four inch pressure of the water of the several springs located in what is known as Clemens Hollow, to be diverted at the following described point, viz: for the big spring at the head of said hollow at a point immediately below said spring, and for all the others in said hollow at a point immediately below said spring, and for all the others in said hollow, at points close below said springs, all supposed to be in sections 12 and 13, township 11 south, range 40 E. B. M. in the County of Bannock, State of Idaho, and that said water is for the purpose of irrigating the NE $\frac{1}{4}$ of Section 14, Township 11 South, of Range 40 E. B. M. and for domestic purposes-----.

Mr. Fowler's successor in interest advises that the above covered 7/17ths of the flow from the big spring, and all of the flow of the little springs, and that a Mr. William G. Cole made a water location, or filing, on the other 10/17ths of the waters of the big spring, above described.

We are very anxious to locate Mr. Cole's original application for this water, likewise anxious to know if you have any record of the Wm. T. Fowler 1902 Water Location in your office.

We have located, through the Bannock County Records, an Application for Permit, No. 1609, by William G. Cole and William T. Fowler—source of water supply—Giivs Spring (which seems to be the big spring above mentioned—if we are not correct in this please advise) SW $\frac{1}{4}$ of NW $\frac{1}{4}$, of Sec. 12, Tp. 11 S. R. 40 E. Bannock County

1312

Page Two-

This bears an approval of Jas Stephenson, Jr., as State Engineer under date of April 11, 1905, and Permit No. 1212 was issued by said State Engineer on October 11, 1905, and the completion of works was certified to by D. C. Martin, State Engineer under date of the 18th day of April, 1910 and on April 22, 1929, Geo. N. Carter, Commissioner of Reclamation made a certified copy of the above record and the same was filed in the office of the County Recorder of Bannock County, on April 23, 1929.

Would you please advise as to these various matters by letter and would you wire us collect, tomorrow, immediately upon receipt of this letter, if you have any record in your office prior to April 11th, 1905, as to the William G. Cole water right? Is there any water filing in conflict with the above filings? If so, please advise by wire, collect. Mr. Fowler and Mr. Coles are of the impression that there is not.

Thank you!

Very truly yours,



O. R. BAUM

ORE-s

1212

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

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

COPY OF WESTERN UNION TELEGRAM

May 18, 1924

No. 1212

Mr. O. R. Baum
Pocatello., Idaho.

Cole Fowler earliest Stop License issued 1.8 second feet.

Department of Reclamation

Send collect

1212

May 19, 1934

Re: Permit No. 1212
Wm. G. Cole & Wm. T. Fowler

HON. O. R. BAUM, Attorney
Pocatello,
Idaho

Dear Mr. Baum:

Following our telegram of yesterday morning and in compliance with the request contained in your communication, we wish to inform you that the above permit was issued under date of April 11, 1905, by James Stephenson, Jr., State Engineer. The application was first received in this office under date of March 10, 1905. This latter date, therefore, established the priority under the permit. Both proofs were made in due course and a license was issued for 1.8 second feet of the waters of Gibbs Springs with point of diversion located in the SW 1/4 of Sec. 12, T. 11 S., R. 40 E., S. M., Bannock County. The land for which this water was appropriated is described in the permit as follows: NE 1/4 NE 1/4, S 1/4 NW 1/4, Sec. 14, T. 11 S., R. 40 E., S. M. There is nothing that occurs on the records of this department ahead of this filing.

We have been unable to locate the Location Notice filed in Bannock County on the 17th day of May, 1902, by Mr. W. T. Fowler. However, as you no doubt know, the system that was followed prior to the enactment of the permit law provided that all location notices be filed in the County Recorder's office in the county wherein the water was to be appropriated. The County Recorder in turn was supposed to mail a copy of the notice to the State Engineer's office. However, we frequently find where this was not done and in such cases the only record exists in the County Recorder's office. At any rate, it seems to us that the one filed in the county would be of most importance any way since it was the original and the one mailed to this office was but a copy.

Trusting that the foregoing explanation will serve your purpose,
we remain

Very truly yours,

1212

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG

 Bannock County *
 Gibbs Spring, *
 1.8 sec. ft. *
 Irrigation & Domestic *
 March 16, 1905. *

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

Water License No. 1212

WHEREAS, On the 16th day of March, A.D. 1905, WILLIAM G. COLE and WILLIAM T. FOWLER, of Thatcher, County of Bannock, State of Idaho, duly made application (No. 1609), to me for a permit to use three (3) cubic feet per second of the waters of GIBBS SPRING, County of Bannock, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 11th day of April, A.D. 1905, Permit No. 1212 was issued to said applicants for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 11th day of April, A. D. 1906, and for the application to beneficial use of said water on or before the 11th day of April, A. D. 1910, and,

WHEREAS, On the 11th day of April, A. D. 1906, WILLIAM G. COLE AND WILLIAM T. FOWLER, the holders of said permit duly made proof of the completion of adequate works for the diversion of 2.7 cubic feet per second of said waters, as evidenced by my Certificate No. 1212, dated October 11, 1906, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use two and seven-tenths (2.7) cubic feet per second of water, with date of priority of March 16, 1905, and,

WHEREAS, on the 25th day of March, A. D. 1910, WILLIAM G. COLE and WILLIAM T. FOWLER, the holders of said permit duly made proof of the application to beneficial use of 1.8 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to WILLIAM G. COLE and WILLIAM T. FOWLER, of Thatcher, County of Bannock, State of Idaho, the holders and owners of said Permit No. 1212, a perpetual right, dating from March 16, 1905, to the use of one and eight-tenths (1.8) cubic feet per second of the waters of GIBBS SPRING, in the County of Bannock, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Southwest quarter of the Northwest quarter (SW4 NW4) Section 12, Township 11 South, Range 40 East of Boise Meridian, and conducted to and upon (20 acres in the Northeast quarter of the Northeast quarter, (NE4 NE4) and 20 acres in the Northwest quarter of the Northeast quarter (NW4 NE4) 25 acres in the Southeast quarter of the Northwest quarter (SE4 NW4) and 25 acres in the Southwest quarter of the Northwest quarter (SW4 NW4), Section 14, Township 11 South, Range 40 East of Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 18th day of April, A. D. Nineteen hundred and ten.

D. G. Martin,
 State Engineer.

13 2010

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or printed text on the paper. The left edge of the paper appears slightly irregular, possibly indicating it was torn from a notebook.