

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

Application No. 24640
Permit No. 17546
District No.

1. Name of Applicant: John Schwartz

Postoffice address: Dayton County: Franklin State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: One cubic feet per second.

3. Source of water supply: Subterranean Water which is a tributary of --

4. Location of point of diversion: 634 south bearing east feet distant from the NW corner of Section 35, T. 15 S., R. 38 E., B. M., and is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T. 15 S., R. 38 E., B. M., County of Franklin

5. Water is to be used for: Irrigation purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B. M., in the of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 300.00

8. Kind of works: Well, pump & ditch

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 2 $\frac{1}{2}$ feet; width at water line 4 feet; depth of water 2 feet; dimensions of flume:

Diameter of pipe inches; length of conduit 3/4 miles.

Average grade per mile 15 feet.

12. The time required for the completion of such work is 6 months years.

13. The time required for the complete application of the water to the proposed use is No. additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? **No** If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

John Schwartz

Applicant.

By

A. H. Jensen

Agent.

Date of first receipt at Department of Reclamation: 9 A.M., August 21, 1931

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 17546

Recorded in Book 63 Page 17546 Approved August 29, 1931

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before October 28, 1931

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before November 28, 1931

The whole of said work to be completed on or before February 27, 1932

Beneficial use of water appropriated in accordance herewith, to be made on or before February 27, 1932

Witness my hand this 29th day of August, 1931.

R. W. FARIS

Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15 S	38 E	26											30						30
		34	35																35
		35		30			20	40	45										135

Total number of acres to be irrigated 200

Remarks: This party drove a well on his farm and is pumping the water from the said well for irrigation purposes, and is making this filing to protect himself against others who may purchase drive a well in the vicinity of his well and shut off the source of supply. The map shows the location of the well and pump. also the ditches leading the water from the well to the several tracts of land which the water is being used upon for irrigation purposes. The ditches are completed, the well is completed and pump installed and the water being pumped and used on the land indicated in the drawing.

PERMIT NO. 17546
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that John Schwartz of Weston, County of Franklin, and State of Idaho, the holder of Permit No. 17546, issued upon Application No. 24649 bearing date of priority of August 21, 1931, authorizing the diversion of One second foot of the waters of Subterranean water, County of Franklin, State of Idaho, for Irrigation 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 One second feet of the waters of Subterranean Water; that the point of diversion of said waters is S. bearing east 634 ft. from NW Cor., Sec. 35, 15 S., Range 38 E.B.M., and is in the NW¼NW¼, Sec. 35, Tp. 15 S., Range 38 E. B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 200 acres-- 30 acres in SW¼SW¼, Sec. 26; 35 acres in NE¼NE¼, Sec. 34; 30 acres in NW¼NE¼; 20 acres in the NE¼NW¼; 40 acres in the NW¼NW¼; 45 acres in the SW¼NW¼, Sec. 35, all in Tp. 15 S., Range 38 E. B. M.

Witness my hand this 28th day of January, A. D., 1932.

R. W. FARIS

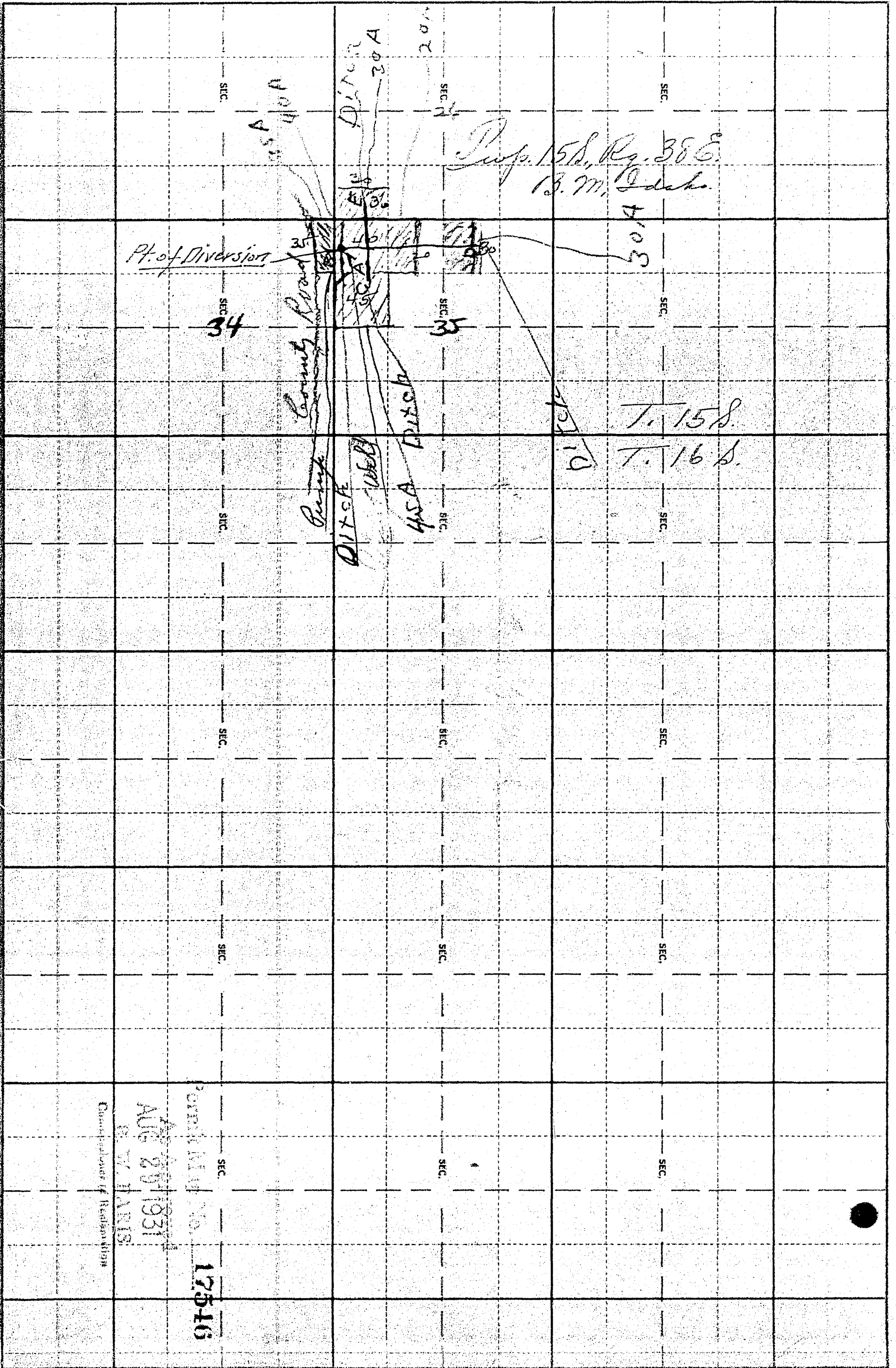
Commissioner of Reclamation

Proof of Completion of Works made January 26th, 1932

Certificate of Completion of Works issued January 28th, 1932

LICENSE ISSUED FOR 1.0 SEC. FT.

Volume 7, Page 3710



State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 17546
JOHN SCHWARTZ

Dayton, Idaho

Boise, Idaho, Sept. 2, 1931

Dear Sir:

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

R. W. FARIS

Commissioner of Reclamation.

17546

September 4, 1931.

Re: Application
Permit No. 17546

Mr. A. H. Jensen,
Preston, Idaho

Dear Sir:-

Referring to your letter of the 2nd inst. would say that the amount of water could not be increased after an application has once been filed. Mr. Schwartz may file a new application for the full amount of water, two second feet, or he may file one for the other one second foot additional.

We are enclosing application blank in case he desires to make the new filing.

Very truly yours,
R. W. FARIS
Commissioner of Reclamation
By
Chief Clerk.

Fl

17546

ARTHUR W. HART

PROSECUTING ATTORNEY
FRANKLIN COUNTY

PRESTON, IDAHO

September 2nd 1931,

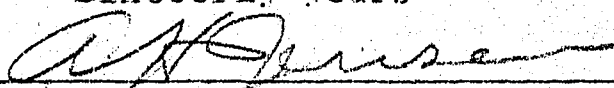
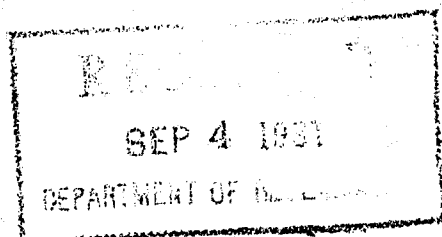
175-16
Department of Reclamation,
Boise, Idaho,

Gentlemen: John Swartz Water filing

On August 6th I mailed to your office an application for filing on under ground water, or in other words for filing on water that had been secured by driving a well and contacting the under ground reservoir and pumping it to the surface. This filing was made for John ~~Swartz~~ Schwartz of Dayton, Franklin County, Idaho, and the filing was made for one cubic foot per second of time, but since that time Mr. Schwartz is desirous of increasing the supply to 2 cubic feet per second of time if it is permissible. I would be very please to hear from you on this matter at once, and if it can be that the application you have there be amended to read so as to take in the additional amount it would be better.

Awaiting your prompt reply and thanking you in advance for this favor I am.

Sincerely yours


A.H. Jensen, Justice of the Peace,
Preston, Idaho.

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State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

December 21, 1931

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

John Swartz
Dayton, Idaho

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. 17546 you are required to complete your diversion works on or before Feb. 27, 1932. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

R. W. FARIS
Commissioner of Reclamation.

17546

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No.

32057

INSURED PARCEL

No.

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$100

POST OFFICE OF DELIVERY
OFFICE

DEC

26

A.M.

1931

AND DATE OF DELIVERY

Return to

Dept of Rec

(NAME OF SENDER)

Street and Number,
or Post Office Box,

BOISE,

IDAHO.

RETURN RECEIPT

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

John Schwartz

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, *Dec 25*, 19*33*

Form 3811

U. S. GOVERNMENT PRINTING OFFICE: 1933

17546

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

John Swartz
Dayton, Idaho

December 29, 1931

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. **17546**....., which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is **Feb. 27, 1932**....., and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

R. W. FARIS
GEO. N. CARTER
Commissioner of Reclamation.

17546

Post Office Department

OFFICIAL BUSINESS

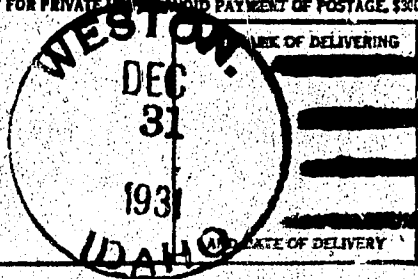
REGISTERED ARTICLE

No. 32075

INSURED PARCEL

No. _____

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



Return to Dept. of Reclamation
(NAME OF SENDER)

Street and Number,
or Post Office Box, }

BOISE,

IDAHO.

RETURN RECEIPT

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

John Schwartz

(Signature or name of addressee.)

RECEIVED

JAN 2 1932

Venna Schwartz

(Signature of addressee's agent.)

DEPARTMENT OF REGISTRATION

Date of delivery,

12/31/31/193

Form 8811

U. S. GOVERNMENT PRINTING OFFICE: 1928

17546

Permit No.

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO, }
County of Franklin } SS

John Schwartz, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the state of Idaho, No. 17546, and that his postoffice address is Weston State of Idaho,

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

Third: That the point of diversion of said water is S. bearing east 634 ft. from NW Cor Sec. 35.15 S R. 38 E.B.M. and in NW 1/4 of NW 1/4 of Sec. 35 Tp. 15 S. R. 38 E.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Feb. 27th, 19 32.

Fifth: That the use for which said water is intended is Irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were ~~(XXX XXXXX)~~ fully completed and consisted of the following:

I. Kind of works: Drove Well 100 feet, Installed Pump, and made ditches

(Reservoir, dam, ditch, flume, pipe or otherwise.)

sufficient to convey water to all parts of land

II. Dimensions of work:

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

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

(b) Capacity of reservoir acre feet.

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

(d) Conduit Ditch width at bottom 2.5 feet, width at water line 4

(State whether ditch, flume or pipe.)

feet, depth of water 1 feet; diameter of pipe inches, average grade per mile is 15 feet. Length of conduit is 3/4 miles.

Seventh: That said works are capable of conducting to the place of intended use 2 1/2 second feet of water.

Eighth: That water appropriated under said permit is available for 200 acres acres of land described as follows: 30 acres in SW 1/4 of SW 1/4 Sec. 26, 35 Acres in NE 1/4 of NE 1/4 of Sec. 34, 30 acres in NW 1/4 NE 1/4, 20 acres in the NE 1/4 NW 1/4, 40 NW 1/4 NW 1/4, 45 acres in SW 1/4 of NW 1/4 of Sec 35 all in Tp. 15 S. R. 38 E.B.M.

Ninth: Remarks: That that applicant caused to be drove a well to obtain water for irrigation purposes which was completed on or about the 24th day of July 1931; that thereafter affiant caused to the said water to be pumped to the surface and used the same for irrigation purposes upon the lands hereinbefore described.

(Sign here)

Subscribed and sworn to before me this 25th day of January, 19 32

My commission expires March 5 - 1932

Notary Public.

17546

17546

ARTHUR W. HART
PROSECUTING ATTORNEY
FRANKLIN COUNTY
PRESTON, IDAHO.

January 26th 1932

Department of Reclamation,
Boise, Idaho,

Gentlemen: Re- John Schwartz Filing Matters

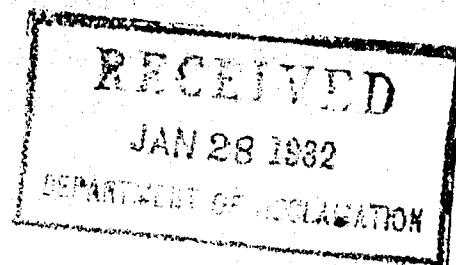
I am enclosing herewith papers for making proof in the above matter.

Mr. Schwartz had finished the works and proven to his own satisfaction that it was successful before he made his filing; that is during July 1931 he caused this well to be put down at a cost of approximately \$1000.00 including the equipment, and he used the water during a portion of the irrigation season last year, so he is now prepared to make final proof on the works, and I would suggest that he be permitted to do this to avoid any unnecessary expense.

If this can be done let me hear from you on the subject by return mail and I will communicate with Mr. Schwartz. Thanking you in advance for this favor, I am,

Sincerely yours


Arthur W. Hart, Atty. Preston, Idaho.



January 28th,
1932

Re: Permit No. 17546

Mr. Arthur W. Hart
Prosecuting Attorney
PRESTON, IDAHO

Dear Sir:

We are in receipt of the following papers in connection with the above permit issued to John Schwartz, to-wit: AFFIDAVIT OF HOLDER, Proof of COMPLETION OF WORKS, NOTICE FOR PUBLICATION in duplicate for proof of application of water to BENEFICIAL USE, and the letter authorizing this Department to make publication. The notice should be filled in from Mr. Schwartz's permit. You may set the date when such proof will be made at any time you desire, providing it is made prior to the date when it is due in this Department.

After the notices have been completed, return them to this Department with form 11. Please signify on form 11 which newspaper you wish to make the publication. After we receive the notices, one copy will be mailed to the newspaper for publication.

Very truly yours,

R. W. PARIS
Commissioner of Reclamation

By _____

Chief Clerk

FH/LP

17546

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

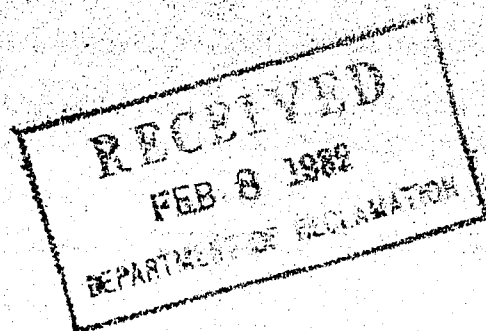
You are hereby authorized to have the attached notice published at my expense in the
Franklin County Citizen of Preston, Idaho, published in
the county in which the works are situated.

John Schwartz

(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 compe-
tent engineer.)

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

Engineer.



17546

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 7th day of March, 1932.,
at Preston, Idaho, County of Franklin, State of Idaho,
before Arthur W. Hart Notary Public, proof will be submitted
of the application to beneficial use of one cubic feet per second of the
waters of Subterranean water in accordance with the terms and conditions of
Permit No. 17546 heretofore issued by the Department of Reclamation
of the State of Idaho.

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

John Schwartz, Weston, Idaho,

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is one cubic foot

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) 200 acres of land as follows, 30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26; 35 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34; 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 20 acres in NE:NW $\frac{1}{4}$; 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; ⁴⁵ ~~40~~ acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35 Township 15 south, Range 38 east of the Boise Meridian.

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

The right to take water from such works is based upon Permit No. 17546

The source of supply from which such water is diverted is

Subterranean

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

Aug. 21st 1931

R. W. FARIS

Commissioner of Reclamation.

17546

February 8, 1932

Re: Permit No. 17546

Mr. Arthur W. Hart
Prosecuting Attorney
Preston, Idaho

Dear Sir:

We are in receipt of the following papers in connection with permit No. 17546 issued to John W. Schwartz, to-wit: Notice in duplicate for publication of proof of the application of water to Beneficial Use, and your letter authorizing the publication in the Franklin County Citizen of Preston, Idaho.

We have set the time for making proof at 10:00 a. m. on the 7th day of March, 1932. Proof is due on February 27th. However the publication cannot possibly be made by that time. We will mail depositions to you (one for the holder and two for witnesses) about February 29th so that you will have them in ample time for making your proof.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk

PH/LP

17546

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date February 8, 1932

Franklin County Citizen
Preston, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to March 7, 1932, the date set for proof, the expense of the publication to be paid by the applicant, John Schwartz, Preston, 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

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State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

February 29, 1932

ARTHUR W. HART
Notary Public
Preston, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 17546

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 March 7, 1932, 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

10:00 A. M. before Arthur W. Hart

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.

17546

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 17546

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. John Schwartz, Weston, Idaho, Farmer, Weston, Idaho,

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

Ans. _____

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

Ans. Permit No. 17546, Date of Priority August 21st 1931,

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

Ans. Subterranean, S. bearing east 634 feet from NW Cor of Sec. 35 Tp. 15
S. R. 38 E. B. M. and is in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 35 Tp. 15 R. 38 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. Pumped from Well at above location and conveyed in private ditch.

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

Ans. For irrigation of following land, 200 acres, to-wit, 30 A. in SW $\frac{1}{4}$ of SW $\frac{1}{4}$
Sec. 35, 35 A. in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 34, 30 A. NW $\frac{1}{4}$ of NE $\frac{1}{4}$; 20 in NE $\frac{1}{4}$ of NW $\frac{1}{4}$;
40 A. in NW $\frac{1}{4}$ of NW $\frac{1}{4}$; 45 A. in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 35 all in Tp. 15 S.
R. 38 E. B. M.

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

Ans. _____

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Ques. 8. What is the minimum amount of water required for the purpose 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. _____

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

Ans. _____ for irrigation only

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. _____ the undersigned has some shares of water in the Twin Lakes Irrigation Company which is used in connection herewith.

(Sign) _____

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 _____ Preston, _____, County of _____ Franklin, State of Idaho, on this _____ 7th _____ day of _____ March _____, A. D. 1932 _____

Notary Public _____

My commission expires _____ March 5th 1936

RECEIVED

MAR 11 1982

DEPARTMENT OF AGRICULTURE

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17546

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. Godfrey Schwartz, age 35 years, Farmer, Weston, Idaho,

Ques. 2. Are you acquainted with John Schwartz, the holder of Permit No. 17546 ^{yes}? How long have you known him and where does he reside?

Ans. 35 years, and have known him always, he resides at Weston, Idaho,

Ques. 3. Have you read or heard read said Permit No. 17546 ^{yes}, 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. Subterranean, diversion in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 35 Tp. 15 S.R. 38
E.B.M. and carried in ditch (private)

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. one-second foot.

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 of following land, to-wit, 200 acres; 30 A. in SW $\frac{1}{4}$ of SW $\frac{1}{4}$
of Sec. 34; 35 A. in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 34; 30 A. in NW $\frac{1}{4}$ of NE $\frac{1}{4}$; 20 A. in
NE of NW $\frac{1}{4}$; 40 A. in NW $\frac{1}{4}$ of NW $\frac{1}{4}$; 45 A. in SW of NW $\frac{1}{4}$ of Sec. 35 all
in Tp. 15 S.R. 38 E.B.M.

17546

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. All tillable land, and to properly irrigate the 200 acres it
would require at least three second feet.

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. During the irrigation season last fall I witnessed the water
pumped from the Well and carried in the ditches to different parts
of the land and used to irrigate growing crops

(Signed) Godfrey Schwartz

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston, County of Franklin, State of Idaho, on this day of March 7th, A. D. 19 32

Arthur M. East
Notary Public.

My commission expires March 5th 1936

RECORDED

MAR 11 1932

STATE OF IDAHO

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17546

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. Hans Jensen, 41 years old, Farmer, Weston, Idaho,

Ques. 2. Are you acquainted with John Schwartz, the holder of Permit No. 17546? How long have you known him and where does he reside?

Ans. yes, have known him 15 years and he resides at Weston, Idaho,

Ques. 3. Have you read or heard read said Permit No. 17546, 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. Subterrenean, diversion in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 35 Tp. 15 S.R. 38 E.B.M. and carried in private ditch.

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

Ans. one second foot

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 of following land, to-wit, 200 acres; 30 A. in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 26; 35 A. in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 34; 30 A. in NW $\frac{1}{4}$ of NE $\frac{1}{4}$; 20 A. in NE of NW $\frac{1}{4}$; 40 A. in NW $\frac{1}{4}$ of NW $\frac{1}{4}$; 45 A. in SW of NW $\frac{1}{4}$ of Sec. 35 all in Tp. 15 S.R. 38 E.B.M.

17546

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. All tillable land, and to properly irrigate the 200 acres it
would require at least three second feet.

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. during the irrigating season last fall I witnessed the water
pumped from the Well and carried in the ditches to different parts
of the land and used to irrigate growing crops.

(Signed) *Harry Johnson*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston, County of Franklin, State of Idaho, on this day of March 7th, A. D. 1932.

Arthur M. East
Notary Public.

My commission expires March 5th 1936

RECEIVED

MAR 11 1932

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use.

Notice is hereby given that at 10 a. m. on the 7th day of March, 1932, at Preston, County of Franklin, State of Idaho, before Arthur W. Hart, Notary Public, proof will be submitted to the application to beneficial use of one cubic foot per second of the waters of Subterranean water in accordance with the terms and conditions of Permit No. 17546 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are John Schwartz, Weston, Idaho.

The use to which said water has been applied is Irrigation.

The amount applied to beneficial use is one cubic foot.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) 200 acres of land as follows, 80 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 26; 35 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34; 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; 45 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35 Township 15 South, Range 38 East of the Boise Meridian.

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

The right to take water from such works is based upon Permit No. 17546.

The source of supply from which such water is diverted is subterranean.

The date of the priority which said user is prepared to establish is August 21st, 1911.

R. W. Farls,
Commissioner of Reclamation.
110 m2 4t

Affidavit of Publication

I, Louise B. Hart

(publisher) (foremen) of the

FRANKLIN COUNTY CITIZEN

published weekly at Preston, Franklin County, Idaho, do solemnly swear that a copy of the notice as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for (4) consecutive weeks, commencing with issue dated

..... Feb. 10 1932 and

ending with the issue dated

..... March 2 1932

By Louise B. Hart

Subscribed and sworn to before me

this 7th day of March, 1932

Arthur W. Hart

Notary Public

17546

March 11, 1932

Re: PERMIT NO. 17546

MR. ARTHUR W. HART
Prosecuting Attorney
Preston, Idaho

Dear Sir:

We are in receipt of the following papers in connection with the above permit issued to Godfrey Schwartz: Deposition of the holder, and depositions for two witnesses in the matter of proof of application of water to BENEFICIAL USE; also the affidavit of publication.

The depositions will be placed on file without final action until the time when a field examination can be made by an engineer from this department. At such time you will be further notified as to the fees due before the license is issued.

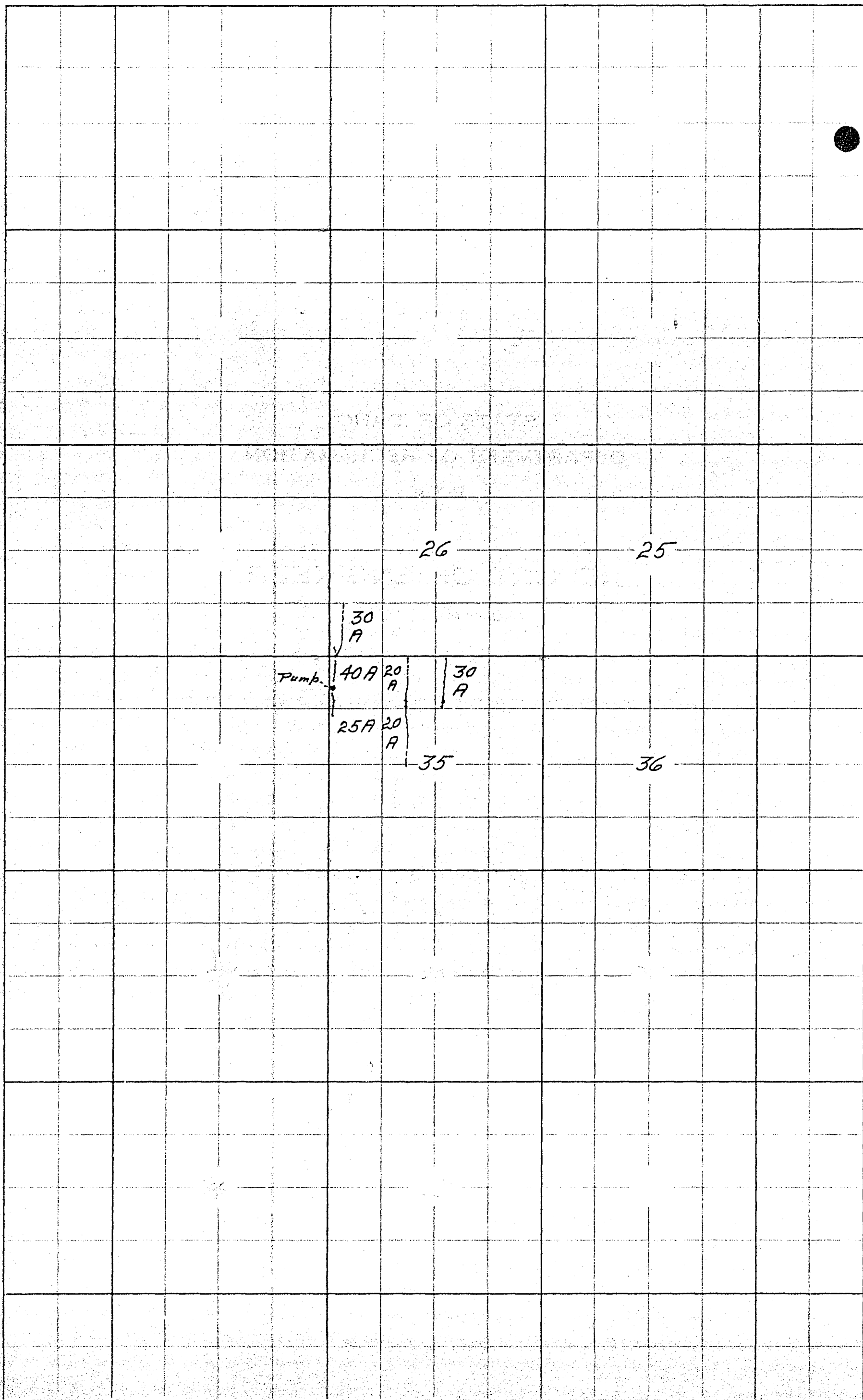
Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk

PH/lp

17546



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17546

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Godfrey Schwartz

2. Source of water supply: Subterranean Water

3. Location of point of diversion: Is in the NW 1/4 NW 1/4 of Section 35

T. 15 S. R. 38 E. B. M. County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: Byron-Jackson pump - reported capacity 600 gals. per minute, electrically operated. Ditches running both North & South from well capacities 1.0 c.f.s.

5. Water is used for: Irrigation

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):

SW 1/4 SW 1/4, Sec. 26; NE 1/4 NE 1/4, Sec. 34; NW 1/4 NE 1/4, NE 1/4 NW 1/4, NW 1/4 NW 1/4, SW 1/4 NW 1/4,

Sec. 35; All in Twp. 15 S., Range 38 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

Remarks

as a supplement right
This water is used to irrigate lands that have a water right under the Twin Lakes Canal Co. which right is deficient for intensive cultivation.

This examination was made on the 14

day of July

19 32

(Signed)

Examiner.

August 9, 1932

Re: Permit No. 17546

MR. JOHN SCHWARTZ
Preston, Idaho

Dear Sir:

The engineer's report in connection with BENEFICIAL USE proof on the above numbered permit, has been received. It is noted by his report that you are irrigating a portion of six different 40 acre legal subdivisions. Therefore your fee for BENEFICIAL USE proof will be \$12.00 which is computed at the rate of \$2.00 for each subdivision or portion thereof that is being irrigated.

Upon receipt of this fee your license will be issued for one cubic foot per second which will become appurtenant to the lands set out under your permit.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk

PLH/lwp

17546

October 6, 1932

Re; Permit No. 17546

Mr. John Schwartz
Weston, Idaho

Dear Sir:

We are herewith enclosing your License and Certificate of Water Right issued today under the above numbered permit, together with our receipt for the fee of \$12.00 submitted in connection with Beneficial Use Proof.

Very truly yours,

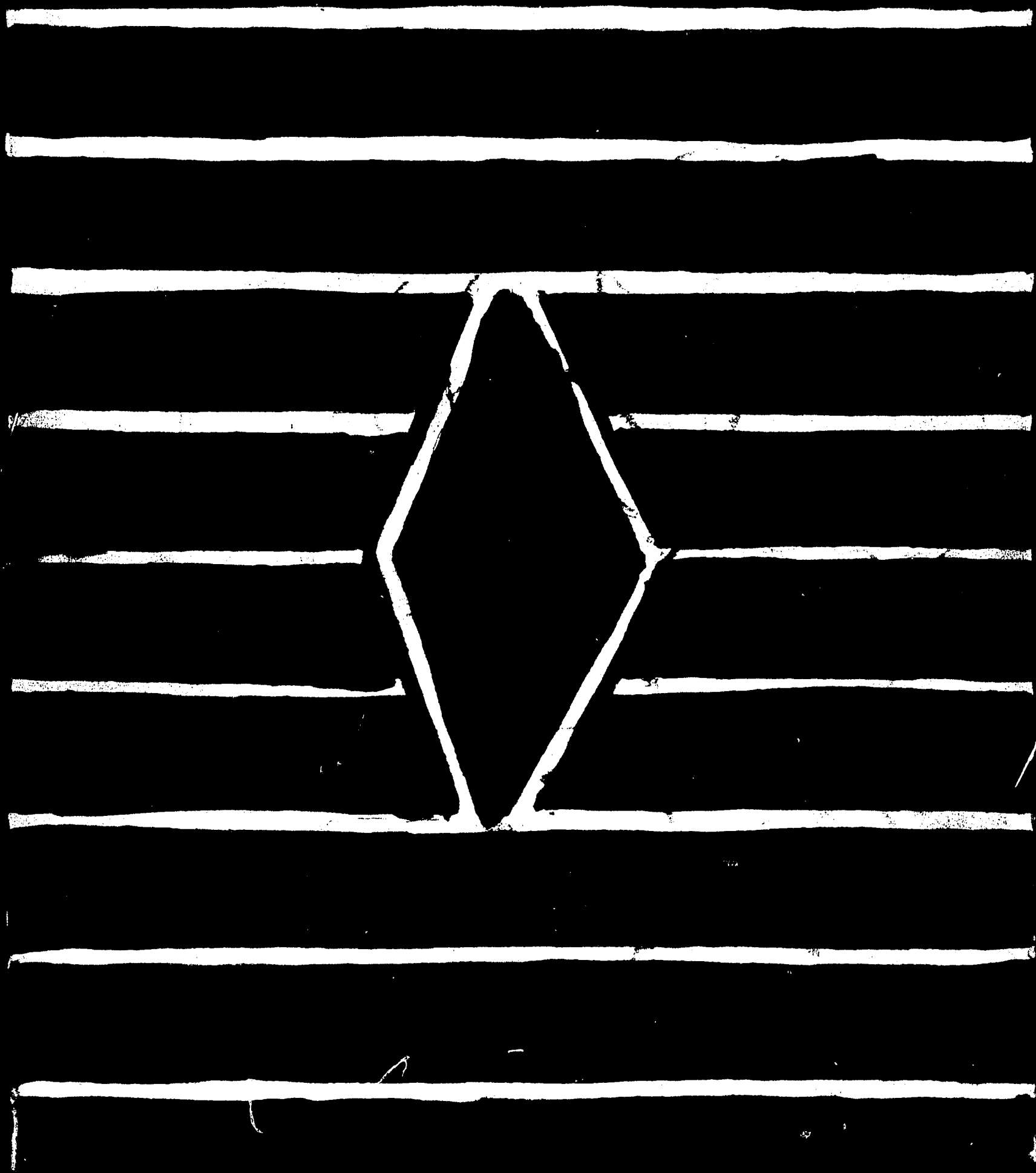
R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:MC

Encl. Office receipt for \$12.00.

17546



State of Idaho License and Certificate of Water Right

Water License No. 17546
 Water District No. _____

Amount 1.0
 Priority August 30, 1931

THIS IS TO CERTIFY that **John Schwartz** of **Dayton, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **August 21**, 1931; that Permit No. **17546** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **1.0** second feet, was issued thereunder on **January 28**, 1932, showing that said works were completed on the **26th** day of **January 26**, 1932; and that on the **7th** day of **March**, 1932,

John Schwartz of **Dayton**, State of **Idaho**, made proof to the satisfaction of the **Commissioner of Reclamation** of Idaho, of the right to use the waters of **Subterranean**, a tributary of _____, for the purpose of **Irrigation**, under Use Permit No. **17546** of the **Commissioner of Reclamation** and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume **7** of Licenses, at page **3710**, on the **6th** day of **October**, 1932;

The right hereby confirmed dates from **August 30**, 1931;

The Point of Diversion is located in the **NW ¼ NW ¼, Sec. 35**, Tp. **15 S.**, R. **38 E.**, B. M.

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 **1.0** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S	38 E	26	SW $\frac{1}{4}$ SW $\frac{1}{4}$	30	30
15 S	38 E	35	NW $\frac{1}{4}$ NE $\frac{1}{4}$	30	30
15 S	38 E	35	NE $\frac{1}{4}$ NW $\frac{1}{4}$	20	20
15 S	38 E	35	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
15 S	38 E	35	SW $\frac{1}{4}$ NW $\frac{1}{4}$	45	25
15 S	38 E	35	SE $\frac{1}{4}$ NW $\frac{1}{4}$		20
					<u>165</u>

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this **6th** day of **October**, 1932

(SEAL)

R. W. FARIS
 Commissioner of Reclamation

13 2154

