

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

Application No. 25396
Permit No. 18160
District No.

1. Name of Applicant: FRANCIS H. LEWIS

Postoffice address: R.F.D. 3 Preston

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: 0.1 cubic feet per second.

3. Source of water supply: Unnamed stream (See Remarks) which is a tributary of

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
of Section 34 , T. 15 S. , R. 39 E., B. M., County of Franklin

5. Water is to be used for: Irrigation and domestic 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: \$ 100.00

8. Kind of works: Earth Ditching

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 1 $\frac{1}{2}$ feet; width at water line 2 feet; depth of water 1 foot.

~~feet~~ dimensions of flume:

Diameter of pipe inches; length of conduit Approx. 2000' ~~feet~~
Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 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.

Francis H. Lewis

Applicant.

By **Arthur W. Hart**

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. August 24, 1935

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is **18160**

Recorded in Book **66** Page **18160** Approved **August 24, 1935**

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 23, 1935**

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 **February 24, 1938**

The whole of said work to be completed on or before **August 24, 1940**

Beneficial use of water appropriated in accordance herewith, to be made on or before **August 24, 1946.**

Witness my hand this 24th day of August, 1935.

R. W. FARIS
Commissioner of Reclamation.

Remarks: Source of Supply--Unnamed Stream is formed from seepage water.

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	
16 S	39 E	3					5												5
Total Number of Acres to be Irrigated.....																	5		
STATE OF IDAHO DEPARTMENT OF RECLAMATION																			
In the Matter of the Reinstatement of Permit No. 18160,) Under the Provisions of Section 41-311, Idaho Code : Annotated.)																			
ORDER REINSTATING PERMIT																			
WHEREAS, Permit No. 18160 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: August 24, 1940; and,																			
WHEREAS, On the 9th of November, 1940, notice to show cause why said Permit should not be cancelled under the provisions of Section 41-311, Idaho Code Annotated, was duly served on the holder of said Permit; and,																			
WHEREAS, On the 13th day of November, 1940, the holder filed notice of appearance to offer proof that the works of diversion under said Permit were fully completed within the time required; and,																			
WHEREAS, On the 28th day of December, 1940, depositions of the holder and two witnesses were received by the Department of Reclamation showing that the said works of diversion were completed within the time required in said Permit; and,																			
WHEREAS, After examination of the said depositions, the Commissioner of Reclamation of the State of Idaho is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 18160 and that the holder has acted in good faith;																			
IT IS, THEREFORE, Hereby Ordered that said Permit No. 18160 be, and the same is, hereby reinstated, and a certificate of completion of works be issued to the applicant herein.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 31st day of December, 1940.																			
(SEAL)																			
JAMES SPOFFORD Commissioner of Reclamation																			

PERMIT NO. 18160

TO ALL WHOM IT MAY CONCERN:

This is to certify that FRANCIS H. LEWIS, of Preston, County of Franklin, and State of Idaho, the holder of Permit No. 18160, issued upon Application No. 25396, bearing date of priority of August 24, 1935, authorizing the diversion of 0.1 second foot of the waters of an unnamed stream formed from seepage water, County of Franklin, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.1 second foot of the waters of said unnamed stream; that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, Township 15 South, Range 39 East, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 5 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, Township 16 South, Range 39 East, B. M.

Witness my hand this 2nd day of January, A. D. 1941.

JAMES SPOFFORD
Commissioner of Reclamation.

Proof of completion of works made December 24, 1940
Certificate of Completion of Works issued January 2, 1941

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 18160.

Comes now Francis H. Lewis and represents to the State Reclamation Engineer of the State of Idaho:
That he is the owner and holder of permit to appropriate the Public Waters of the State of Idaho, No. 18160.
That the point of diversion is described in said permit as being located SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 15 South, Range 39 EBM.
That he now requests that the point of diversion be changed to a point located SW Corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Twp. 15 S., Rge. 39 EBM.
That his reasons for desiring to make such change are as follows: That an error was made in original application.
That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.
Signed at Preston, Idaho, this 1st day of August, 1956.

FRANCIS H. LEWIS

Date of receipt at Department of Reclamation August 6, 1956.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18160. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 18160.

Comes now Francis H. Lewis, and represents to the State Reclamation Engineer of the State of Idaho.
That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 18160, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: That the point of diversion shall be as follows: The SW Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 15 South, Range 39 E.B.M. And that the land upon which water is used is described as follows: 3.4 acres in Lot 3 and 1.6 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 16 South, Range 39 East of the Boise, Meridian, making a total of five acres.

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

Signed at Preston, Idaho, this 1st day of August, 1956.

FRANCIS H. LEWIS

Date of receipt at Office of Department of Reclamation August 6, 1956.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18160. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

28 27 26

33 34 35

Seeaper

Ditch

SA.

Land to be irrigated

4 3 2

T. 15 S., R. 39 E.
T. 16 S., R. 39 E.

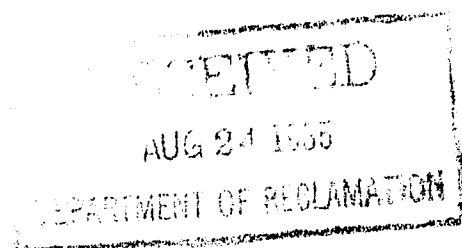
Permit Map No. 18160
As Approved
AUG 24 1935
R. W. FARIS
Commissioner of Reclamation

ARTHUR W. HART

PROSECUTING ATTORNEY
FRANKLIN COUNTY

PRESTON, IDAHO.

Aug. 23rd, 1935



Hon. R.W. Farris
Commissioner of Reclamation
Boise, Idaho

Re: Application No. 7935
Francis H. Lewis

Dear Sir:-

Your favor of the 21st instant received.

I am enclosing new application, as per your
kind suggestion, together with money order No. 186403 for
\$5.00

Inasmuch as the works are completed and it has
already been used and put to a beneficial use, I would be pleased
to hear from you as to the earliest date we can make the final proo
thereon.

Thanking you again for your kindness, I am,

Very truly


ARTHUR W. HART

18160

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18160

Boise, Idaho, August 27, 1935

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.

FRANCIS M. LEWIS
Preston, Idaho
R. F. D. # 3

R. W. FARIS
Commissioner of Reclamation.

18160

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

November 9, 1940

Re: Permit No. 18160

To Francis H. Lewis
R. F. D. 3
Preston, Idaho

It appearing to the Commissioner of Reclamation that the terms and conditions of Permit No. 18160,
to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of works August 24, 1940

You are hereby notified in compliance with Sec. 41-311, Idaho Code Annotated that said Permit No. 18160
is hereby held for cancellation.

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

Said Permit No. 18160 claims the use of 0.1 cubic feet per second of the
waters of an unnamed stream, with point of diversion located
in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, Twp. 15 S., Range 39 E., B.M., and
was approved August 24, 1935

In Witness Whereof, I have heretofore set my hand and affixed the seal of my office at Boise, Idaho, this
9th day of November, 1940

JAMES SPOFFORD

Commissioner of Reclamation.

By

Garry Dewey
Deputy Commissioner

Affiant.

18160

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 87212

INSURED PARCEL

No. _____

Return to

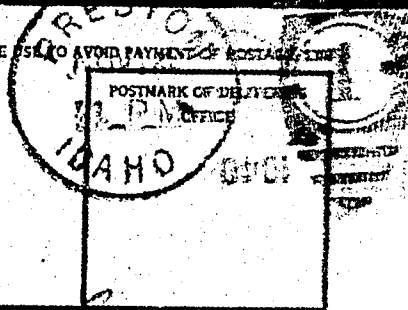
Street and Number,
or Post Office Box, }

(NAME)

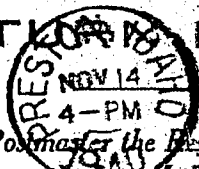
BOISE,

IDAHO.

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, ETC.



RETURN RECEIPT



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

Francis H Lewis

(Signature or name of addressee)

(Signature of addressee's agent)

Date of delivery, _____, 19

Form 3812

U. S. GOVERNMENT PRINTING OFFICE

18160

RECEIVED

NOV 18 1940

Department of Reclamation

No 15-1940

Commissioner of Reclamation

Dear Sir

I received your letter stating that the permit No 18160 has not been completed.

Thus I did know, As I hired a lawyer to fix water dead up lawfully.

Will you please let me know what has not been completed.

So that I may complete what has not been completed.

I have receipts for money that I paid the lawyer for that work.

This unnamed stream is drain water drained from Martin Shaffer and George Hodges farms

I have used this water for 8 years

Will you please let me know as soon as possible 18160 Over

Respectfully Yours
Francis H Lewis
Preston Idaho
RFD #1

Beeding

November 18, 1940

Re: Permit No. 18160

Mr. Francis H. Lewis
R. P. D. # 2
Preston, Idaho

Dear Mr. Lewis:

We are just in receipt of your letter of November 15th, in reply to our notice of cancellation of your Permit No. 18160 for failure to make proof of completion of works as called for under the terms of the permit.

On referring to the files in this department we find that, although the permit allowed five years within which to complete the works of diversion and an additional six years within which to submit beneficial use proof, your attorney, Mr. Arthur W. Hart stated in filing the application for permit that the works were completed and the water had been put to beneficial use, and that you were ready to make the necessary proofs as soon as possible.

Through some oversight on the part of the department, this portion of Mr. Hart's letter appears to have been overlooked at the time the permit was sent to you, and therefore no proof has been made, either of completion of works or beneficial use.

We are enclosing a set of depositions, consisting of one for yourself as holder, and one for each of two disinterested witnesses, who are familiar with the terms of your permit, and the works constructed thereunder. If you will have these three depositions executed before a Notary Public, showing that the works were completed prior to August 24, 1940 (the date set under the terms of the permit), and return all three to this office, the permit may be reinstated, and a Certificate of Completion of Works issued upon payment of the fee of \$5.00 required in connection with completion of works proof.

Your permit allows until August 24, 1946 to make the final or beneficial use proof, but this can be done at any time- and if you wish to proceed now with this proof, and so complete the permit, we shall be glad to send you the necessary forms, including notice of intention to make such proof which must be published once a week for four weeks prior to the date set for proof.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

Chief Clerk

JLA
Encls.

18160

December 20, 1940

Re: Permit No. 18160

Mr. Francis H. Lewis,
R. F. D. No. 2,
Preston, Idaho.

Dear Mr. Lewis:

We refer you to our letter of November 18th, in reply to your letter of November 15th, relative to cancellation of your Permit No. 18160.

In that letter we enclosed a set of depositions, consisting of one for yourself and one for each of two witnesses, to be executed before a Notary Public, showing that the works called for under the terms of this permit were actually completed prior to August 24, 1940, if the works were so completed.

We have had no reply to this letter, and unless these depositions are received not later than December 31, 1940, accompanied by the statutory fee of \$5.00, final cancellation order will be issued on the above numbered permit.

Very truly yours,

JAMES SPORFORD
Commissioner of Reclamation
By

JLA

Deputy Commissioner

18160

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement)
of Permit No. 18160 Under the)
Provisions of Section ~~5594~~-Idaho-)
~~Compiled Statutes. 41-311~~, Idaho Code)
Annotated)

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 18160 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: August 24, 1940; and,

WHEREAS, On the 9th day of November, 19240 notice to show cause why said permit should not be canceled, under the provisions of Section ~~5594~~41-311 ~~Idaho Code Annotated~~ ~~Compiled Statutes of Idaho~~, was duly served on the holder of said permit; and,

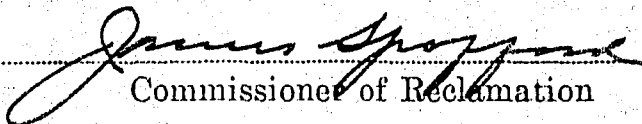
WHEREAS, On the 15th day of November, 19240 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 28th day of December, 19240 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the Commissioner of Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 18160, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 18160 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 31st day of December, 19240.


Commissioner of Reclamation

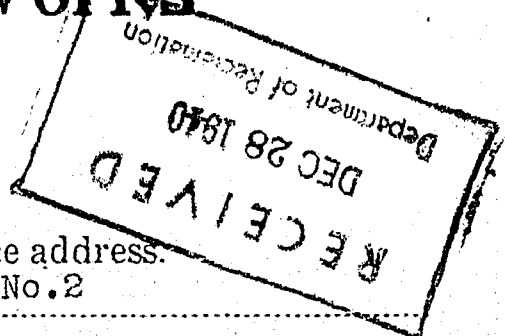
By _____
Assistant

18160

PERMIT NO. 18160

Proof of Completion of Works

DEPOSITION OF HOLDER



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

Ans. Francis H. Lewis, R.F.D. Preston, Idaho, No. 2
Farmer and Carpenter, Preston, 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. I am acting for myself

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Application No. 25396, approved Aug. 24, 1935

One second foot per second; Unnamed stream formed from seepage water

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. It is for irrigation and five acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, Twp. 16 South Range 39 EBM

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. I have used the same every year for the past 8 years and this year I used in constantly during the months of May, June, July, August, Sept. and Oct.

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. They are fully completed and comply with the terms of the permit

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

Ans.

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

Ans. It is an earthen ditch conveying water to my land direct from the springs

(Sign here.) Francis H. Lewis

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 Idaho

County of Franklin, State of Idaho, on this 24th day of Dec A. D. 1940

My Commission expires

Nov 5, 1944

Notary Public.

OK OOI CFS

18160

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

Permit No. 18160**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. Morgan Owens, Preston, Idaho, Farmer, Preston Idaho

Ques. 2. Are you acquainted with Francis H. Lewis, the holder of Permit No. 18160, authorizing the diversion of One second-feet of the waters of Unnamed Stream, at Preston for Irrigation purposes? How long have you known him, and where does he reside?

Ans. I have known him 25 years; he lives in Preston, IdahoQues. 3. Have you read or heard read said Permit No. 18160, and are you familiar with its terms and conditions?Ans. I have read the permit and know the terms and conditions

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

Ans. Yes, I am acquainted with the land irrigated by him with said water

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. They are completed and of sufficient capacity

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

Ans. An earthen ditch running from the springs to the land described in his permit(Sign here.) Morgan Owens

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 Preston Idaho County of Franklin, State of Idaho, on this 24th day of Dec, A. D. 1940

Arthur J. West
Notary Public
18160

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

Permit No. 18160**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. Charles Owens, farmer, Preston, Idaho; Preston, Idaho

Ques. 2. Are you acquainted with Francis H. Lewis, the holder of Permit No. 18160, authorizing the diversion of One second-foot of the waters of Unnamed Stream at Preston for Irriga purposes? How long have you known him, and where does he reside?

Ans. 20 years; he lives in Preston, Idaho

Ques. 3. Have you read or heard read said Permit No. 18160, and are you familiar with its terms and conditions?

Ans. I am and have read the said permit

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. I am acquainted with the lands he irrigates from said springs; it requires at least one second foot; there is a gentle slope to the land to the east

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, the entire amount can be carried

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity. An earthen ditch from the springs to the said land

Ans. _____

(Sign here.)

Charles Owens

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 Preston, Idaho

County of Franklin, State of Idaho, on this 24th day of Dec, A. D. 1940

Arthur J. West
Notary Public
Preston
Idaho

January 3, 1941

Re: Permit No. 18160

Mr. Francis R. Lewis,
R. F. D. No. 2,
Preston, Idaho.

Dear Mr. Lewis:

We acknowledge receipt of the depositions of yourself and two witnesses, in connection with proof of completion of work under the above numbered permit.

The permit has accordingly been reinstated, and we enclose herewith Certificate of Completion of Work, and also Departmental Receipt # 17669 for the \$5.00 fee.

This permit is for the appropriation of One-tenth (0.1) second foot of the waters of an unnamed stream formed from seepage water, in the SE $\frac{1}{4}$ Section 34, Township 15 South, Range 30 East, Franklin County, for irrigation and domestic use.

Very truly yours,

JAMES SPONTORD
Commissioner of Reclamation
By

Chief Clerk

JLA
Encls.

18160



THIS SIDE OF CARD IS FOR ADDRESS



State of Idaho
Department of Reclamation
Boise, Idaho

Att: Chief Clerk

Just A Short Message From
Don Smith of

The Preston Citizen

PRESTON, IDAHO

June 30

This is to acknowledge receipt of NOTICE OF PROOF
OF APPLICATION OF WATER in the matter of
Francis H. Lewis, route 3, Preston, Idaho.
This notice will be published in our issues of
July 5 to 26.

RECEIVED
JUL 3 1956

Department of Reclamation

18160

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 9:00 A. M. on the 27th day of July, 1956, at Preston, County of Franklin, State of Idaho, before J. N. Larsen, Notary Public, proof will be submitted of the application to beneficial use of 0.1 cubic foot per second of the waters of an un-named stream (seepage water) in accordance with the terms and conditions of Permit No. 18160 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 Francis H. Lewis, Preston, Idaho, Route 3.

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

The amount applied to beneficial use is 0.1 cubic foot per second.

The place where said water is used: NW¼ NW¼ Section 3, Township 16 South, Range 29 East B. M.

The right to take water from such works is based upon Permit No. 18160.

The source of supply from which such water is diverted is Un-named stream (seepage water).

The date of priority which said user is prepared to establish is July 27, 1943.

1816 DANK R. KULP
State Reclamation Engineer.

27-30c

RECEIVED
JUN 28 1956

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 21, 1956

(P. O.) Preston, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Preston Citizen

of Preston, Idaho

published in

the county in which the works are situated.

Francis H Lewis

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

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

Engineer

18160

NOTICE FOR PUBLICATION
 NOTICE OF PROOF APPLICATION OF WATER
 TO BENEFICIAL USE

Notice is hereby given that at 9:00 A. M. on the 27th day of July, 1956,
 at Preston, County of Franklin, State of Idaho, before
J. N. Larsen, Notary Public, proof will be submitted of the
 application to beneficial use of 0.1 cubic foot per second of the waters of an un-named
stream (seepage water) in accordance with the terms and conditions of Permit No. 18160
 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 _____

Francis H. Lewis, Preston, Idaho, Route 3

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

The amount applied to beneficial use is 0.1 cubic foot per second

The place where said water is used ~~is the site of the proposed irrigation system for the~~

NW 1/4 NW 1/4 Section 3, Township 16 South, Range 39 East, B.M.

~~The source of the water is the~~

The right to take water from such works is based upon Permit No. 18160

The source of supply from which such water is diverted is Un-named stream (seepage water)

The date of priority which said user is prepared to establish is July 27, 1945

MARK R. KULP

State Reclamation Engineer.

18160

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. 18160

Date: June 26, 1956

Preston Citizen
Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **July 27, 1956** the date set for proof, the expense of the publication to be paid by the applicant, Francis H. Lewis of Rt. 3, 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, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

18160

J. N. LARSEN COMPANY

REAL ESTATE-TITLE INSURANCE-ABSTRACTS-FIRE INSURANCE-FARM AND CITY LOANS

RECEIVED
JUL 30 1956

Department of Reclamation

PRESTON, IDAHO

PHONE 62 BOX 466

July 27, 1956

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

Re: Permit No. 18160, Frances
H. Lewis

Dear Mr. Kulp:

In examining Mr. Lewis and his two witnesses I discovered that there is an error in the locating of the point of diversion of the land on which the water is used, so I have prepared a plat showing all of Section 3, Township 16, South, Range 39 East of the Boise Meridian, and on this plat I have shown the 5 acre tract owned by Mr. Lewis and I have shown the point of diversion of water from the drain. It seems as though who ever made this application for Mr. Lewis was confused in the Section, 3, section 3 is a short section, in fact Township 16, South, Range 39, is a short Township, and they named the land located in a quarter that is non-existent. It should have been named Lot 3 of Section 3.

I started to take my proof of application of water to beneficial use from the holder and before I got through with take this deposition, I discovered there was an error in the description and I had Mr. Lewis correct his answers, and I am herewith enclosing deposition of the two witnesses and the deposition of Mr. Lewis. The deposition as far as I can see is correct.

I told them that I did not know what you would require after you are given the facts, but the facts are that Mr. Lewis has been using the water on his 5 acre tract as described in the plat

In proving up his water right he is only proving up on the water that he is actually using, and diverted from the point actually named, and on the land that is described on the plat. Please advise what you will do about this matter.

Yours very truly,

J. N. LARSEN COMPANY

By

J. N. Larsen

Title and Trust Dept.

JNL/v
Encl.

18160

39 E.

SE-SW
Sec 34

15.5
16.5

TRIP LINE

LOT 4

LOT 3

LOT 2

LOT 1

35.80

35.65

35.50

35.35

1/2

Sec.
34

NE-SW

SW 1/4

SE 1/4

SCALE: 1/4 inches Equal 1 Mile. Draw Plan In Ink.

18160

July 31, 1956

RE: Permit No. 18160

J. N. Larsen Company
Preston
Idaho

ATTENTION: Mr. J. N. Larsen

Dear Mr. Larsen:

After considerable checking in our Department as to the point of diversion and the description of land to be used in the above captioned Permit we also find the point of diversion as being in the SW corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 15 South, Range 39 East.

The land as you have listed by meets and bounds we find to be as follows:- 3.4 acres in lot 3 and 1.6 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 15 South, Range 39 East, and with your permission we shall add this to your Beneficial Use proofs which you have already submitted.

Therefore, an Amendment to the point of diversion as well as an Amendment for the land list will be necessary and we are enclosing same to be filled out and signed by applicant and returned to this office for recording.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:cu
Enc.

18160

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 30 1956
Department of Reclamation

Permit No. 18160

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Francis H. Lewis, R.F., D. 3 Preston, Idaho, farmer

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. Not a corporation

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

Ans. 18160 October 23, 1935

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

Ans. In named stream is formed by seepage water, collected by a drain and is taken out of the drain in the Southwest corner of the Southeast quarter of the SW $\frac{1}{4}$ of Sec. 34, Tn. 15 South, Range 39 East of the Boise Meridian.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Earth Dam in drain and conveyed from dam to land that water is used on in an earth ditch, 1/2 rods South to the 5 acre tract owned by me.

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

Ans. Water is used on the 5 acre tract described as follows: Commencing at a point 1/2 rods South of the Northwest corner of Lot 3 in Section 3 Township 16, South, Range 39 EBM, thence running East 20 rods, thence South 40 rods, thence West 20 rods, thence North 40 rods to the place of beginning, containing 5 acres. Said land is cultivated land.

18160

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

Ans. none

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

Ans. one cubic foot per second of time

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. owner. Ownership was acquired by purchase.

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

Ans. In the year 1935. I conveyed one cubic foot per second of time. form an unnamed stream in a drain at a point on the SW Cor. of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34, Twp. 15, SR. 39 ERM.

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. Water has been used by me on the 5 acres tract described since 1935 in the amount of one cubic foot per second of time and diverted from certain drain as above mentioned and there are not other appropriation or claims from this drain.

(Sign) Francis H Lewis

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 27th day of July, A. D. 19 56,

My commission expires May 1, 1957.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 30 1956
Department of Reclamation

PERMIT NO. _____

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Richard E. Owen, age 42, Preston, Idaho, Farmer, Preston, Idaho

Ques. 2. Are you acquainted with Francis E. Lewis, the holder of Permit No. 18160? How long have you known him and where does he reside?

Ans. All my life. Preston, Idaho

Ques. 3. Have you read or heard read said Permit No. 18160, 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. Taken from drain located on the SW Cor of the SE-SW of Sec. 34, Twp 15 S. R. 39 ERM. Diverted through an open 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 cubic foot per second of time.

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

Ans. The water is used for the purpose of irrigating and watering stock the water is conveyed to the following described tract of land: Commencing at a point 42 rods south from the northwest corner of the Lot No 3 of section 3, Twp, 16, S. R. 39 ERM, and running th E 20 rds, th S 40 rods, thence West 20 rods, thence North 40 rods to the place of beginning Covering 5 acres of land, the land is under cultivation and is being irrigated each year.

18160

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

Ans. water is just used for irrigation purposes.

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

Ans. 5 acres of land of Sandy Loam. I would judge it takes about one cubic foot per second of time of water.

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

Ans. none

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

Ans. I have witnessed him using this water since 1935 conveying the water 1/2 rods South from the place where he takes it from the drain. It is used to flood irrigate.

(Signed) _____

Notary Public

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 _____

County of Franklin, State of Idaho, on this 27th day of July,

A. D. 19 56.

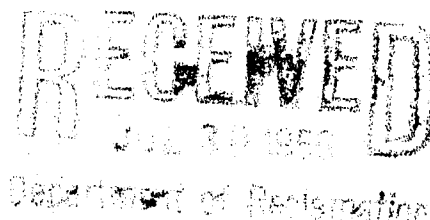
[Signature]
Notary Public
Franklin

[Signature]
Richard M. Owens

Notary Public

My commission expires May 1, 1957.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 18160

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. Van E. Nelson, age 40, Preston, Idaho, farmer, Preston, Idaho

Ques. 2. Are you acquainted with Francis E. Lewis, the holder of Permit No. 18160? How long have you known him and where does he reside?

Ans. All my life. Preston, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18160, 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. Taken from drain located on the SE Cor of the SE 1/4 of Sec. 34-15-39 EBM. Diverted through an open 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 cubic foot per second of time.

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

Ans. The water is used for the purpose of irrigating and watering stock
The water is conveyed to the following described tract of land: Commencing
at a point 42 rods south from the northwest corner of the Lot No. 3
of Section 3, Twp. 10, S.P. 39 EBM, and running th E 20 rods, th S 40
rods, thence West 20 rds, thence N 40 rds to the place of beginning.
covering 5 acres of land, the land is under cultivation and is
being irrigated each year.

18160

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

Ans. water is just used for irrigation purposes.

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

Ans. 5 acres of land of Sandy Loam. I would judge it takes about one cubic foot per second of time of water.

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

Ans. none.

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

Ans. I have witnessed him using this water since 1935 conveying the water 42 rods South from the place where he takes it from the drain. It is used to flood irrigate.

(Signed)

Yon E. Nelson

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 27th day of July,
A. D. 19 56.

My commission expires May 1, 1957

Notary Public.

[Signature]

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

Walter E. Smith

, being duly sworn.

deposes and says:

That he is the Publisher of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for four consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

July 5 1956 and ending

with the issue of July 26 1956

Walter E. Smith

Fees, \$ 17.52 pd

Subscribed and sworn to before me this 10th day

of August 1956

Walter E. Smith

Notary Public, Residing at Preston, Idaho

My Commission Expires May 8 1956.

RECEIVED
AUG 13 1956

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 9:00 A. M. on the 27th day of July, 1956, at Preston, County of Franklin, State of Idaho, before J. N. Larsen, Notary Public, proof will be submitted of the application to beneficial use of 0.1 cubic foot per second of the waters of an un-named stream (seepage water) in accordance with the terms and conditions of Permit No. 18160 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 Francis H. Lewis, Preston, Idaho, Route 3.

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

The amount applied to beneficial use is 0.1 cubic foot per second.

The place where said water is used: NW1/4 NW1/4 Section 3, Township 16 South, Range 39 East, B. M.

The right to take water from such works is based upon Permit No. 18160.

The source of supply from which such water is diverted is Un-named stream (seepage water).

The date of priority which said user is prepared to establish is July 27, 1945.

MARK R. KULP
State Reclamation Engineer
27-30

18160

September 20, 1956

Re: Permit No. 18160

J. N. Larsen Company
Box 466
Preston, Idaho

ATTENTION: Mr. J. N. Larsen
Title and Trust Dept.

Dear Mr. Larsen:

We acknowledge receipt of the depositions of Mr. Lewis, the holder of the Permit and two witnesses, also affidavit of publication in the Preston Citizen, all submitted in proof of beneficial use on Permit No. 18160.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact Mr. Lewis at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
cc: Francis Lewis
Rt.#3
Preston, Idaho

18160

March 29, 1957

Re: Permit No. 18160

Mr. Francis H. Lewis
Route #3,
Preston, Idaho

Dear Mr. Lewis:

An inspection is required by law on any permit being brought to license in the State of Idaho.

I intend to make inspection in connection with your above captioned permit early Wednesday morning, April 10.

You may contact me at the Johnson Hotel at Preston the nite of April 9th in the event you wish to as I intend to stay there a couple of days.

Please be prepared to accompany me on the inspection or arrange for someone to go with me who is familiar with the irrigation system.

Yours very truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey, Deputy
State Reclamation Engineer

ENH:ab

18160

RECEIVED
SEP 12 1956
Department of Reclamation

J.N. LARSEN COMPANY

REAL ESTATE - TITLE INSURANCE - ABSTRACTS - FIRE INSURANCE - FARM AND CITY LOANS

PRESTON, IDAHO

PHONE 62 BOX 466

September 10, 1956

Department of Reclamation
State House
Boise, Idaho

Re: Permit No 18160
Francis H. Lewis

Gentlemen:

Some time ago we sent in an amended application for Mr. Lewis, asking to please advise as to whether or not certificate of authority as been issued to Mr. Lewis. Awaiting an early reply we are:

Yours very truly,

J.N. LARSEN COMPANY

By

J.N. Larsen

Title and Trust Dept.

JNL/v

18160

September 13, 1956

RE: Permit No. 18160
Francis H. Lewis

J. N. Larson Company
P.O. Box 466
Preston, Idaho

ATT: J. N. Larson

Gentlemen:

In connection with your letter of August 2nd, also September 10th, 1956,

We wish to state in connection with your Permit No. 18160, that the Amendments were received and have been properly recorded on the Permit of Mr. Francis H. Lewis and the same are being returned to you herewith to be placed with Mr. Lewis's Permit No. 18160.

We wish to thank you for your letter of September 10th, for bringing this matter to our attention. After said Amendments were recorded the original Amendments should have been returned to you, but inadvertently placed in the file.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:vm
Enc.
cc. Francis H. Lewis

18160

J. N. LARSEN COMPANY

REAL ESTATE-TITLE INSURANCE-ABSTRACTS-FIRE INSURANCE-FARM AND CITY LOANS

RECEIVED
SEP 17 1956
Department of Reclamation

PRESTON, IDAHO
PHONE 62 BOX 466

September 14, 1956

Mr. Mark R. Klup
State Reclamation Engineer
State House
Boise, Idaho

Re: Permit no 18160
Francis H. Lewis

Dear Mr. Klup:

This will acknowledge receipt of yours of the 12th, just received, together with the contents therein named, namely: Application for amendement to permit to appropriate the public waters of the State of Idaho, No 18160, received by you August 6, 1956, and application for amendement to permit to appropriate the public waters of the State of Idaho, No 18160, received by you August 6, 1956.

I would like to ask you another question, and that is will Mr. Lewis have to file any other papers before this permit will be issued, showing that he has the right to appropriate the waters asked for. Awaiting an early reply we are:

Yours very truly,

J. N. LARSEN COMPANY

By

J. N. Larsen
Title and Trust Dept.

JNL/v

18160

September 18, 1956

RE: Permit No. 18160
Francis H. Lewis

J. N. Larsen Company
Box 466
Preston, Idaho

ATTENTION: Mr. J. N. Larsen
Title and Trust Dept.

Dear Mr. Larsen:

This is to acknowledge receipt of your letter of September 14, in which you request to know if there is anything further that Mr. Lewis has to file in this department before receiving his license.

We wish to state that everything has been taken care of as far as Mr. Lewis is concerned. As soon as an inspection is made by our field engineer to determine the facts in connection with the application, you will be notified as to the payment of additional costs, then at that time, a License will be issued Mr. Lewis.

It seems that this Permit has been held up longer than was necessary due to the amendments filed in connection with the permit.

Hoping this answers your inquiry, we are,

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:hll

18160

J. N. LARSEN COMPANY

REAL ESTATE-TITLE INSURANCE-ABSTRACTS-FIRE INSURANCE-FARM AND CITY LOANS

PRESTON, IDAHO
PHONE 62 BOX 466
June 16, 1956

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No 18160
Francis R. Lewis
Route No. 2
Preston, Idaho

RECEIVED
DEPARTMENT OF RECLAMATION

Gentlemen:

Would you please advise as to whether or not Mr. Lewis has complied with all of the requirements under permit No. 18160, and if certificate of Authority to use this water has been issued. If so please give the date of issuance and if not please advise what other papers are necessary.

Awaiting an early reply we are:

Yours very truly,

J. N. LARSEN COMPANY

By

J. N. Larsen
J. N. Larsen
Title and Trust Dept.

JNL/v

Copy made 12-24-1950 for O.I. Co. Certificate Jan 2, 1946
for purpose due Aug 24, 1946

5 acres NW 1/4 Sec 3, T16N, R2E
Francis R. Lewis
Re: Preston, Idaho

18160

June 18, 1956

Re: Permit No. 18160

J. N. Larsen Company
P. O. Box 466
Preston, Idaho

Dear Mr. Larsen:

We acknowledge receipt of your letter of June 16, 1956, re the status of the above captioned Permit in the name of Frances H. Lewis.

Completion of Works on same was made December 24, 1940 and Certificate of Completion of Works was issued January 2, 1941, for 0.1 cubic foot per second.

Beneficial Use Proof was due August 24, 1946, but to date has not been made.

Before these proofs are made, the statutes require publication of a notice once a week for four weeks in a county newspaper. This notice should be made in duplicate on Form 10, enclosed, setting the time and place and naming the notary public before whom the proofs are to be made.

The proofs may be made at any place convenient for you and your two witnesses but the date must be set far enough ahead to allow for four weeks publication.

Both copies of Form 10 to be returned to this department together with Form 11 which is your authorization for us to have the notice published at your expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the forms of deposition to be executed by yourself and two disinterested witnesses in making these proofs.

Very truly yours,

MARK R. K.ULP

18160

J. N. LARSEN COMPANY

REAL ESTATE-TITLE INSURANCE-ABSTRACTS-FIRE INSURANCE-FARM AND CITY LOANS

RECEIVED
JUN 25 1956

PRESTON, IDAHO
PHONE 62 BOX 466
June 21, 1956

Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No. 18160
Frances H. Lewis

Gentlemen:

This will acknowledge receipt of yours of the 18th inst. Mr. Lewis came to the office and signed form No. 11 which we are herewith returning. I notice on the face of the form it says "must be made in duplicate", you only sent us one form. You sent, however, from No. 10 in duplicate. We are returning these three forms.

We have not filled in anything on form No. 10 as you have a copy of the permit and will be able to fill this in and also the date. Mr. Lewis said that he would prefer the time being set at 9:00 A.M., you will, however, set the date of the hearing. It will be before J.N. Larsen, Notary Public, Preston, Idaho.

Trusting that we have handled this matter satisfactory we are:

Yours very truly,

J. N. LARSEN COMPANY

By

J. N. Larsen
J. N. Larsen
Title and Trust Dept.

JNL/v
Encl.

18160

June 26, 1956

RE: Permit No. 18160

J. N. Larsen Company
Box 466
Preston, Idaho

ATTENTION: Mr. J. N. Larsen

Dear Mr. Larsen:

We have your letter of June 21, 1956, enclosing notice for beneficial use proof on Permit No. 18160 of Francis H. Lewis requesting that we complete same. We have set the date for making proof as 9:00 A.M. July 27, 1956, at Preston, Idaho, before you as Notary Public.

We shall send a copy of the notice to the Preston Citizen with instructions to publish it once a week for four weeks prior to that date and to send Mr. Lewis the affidavit of publication together with statement of costs.

At the time set, Mr. Lewis should appear before you together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.
cc - Mr. Francis H. Lewis
Route 3
Preston, Idaho

18160

J. N. LARSEN COMPANY

REAL ESTATE-TITLE INSURANCE-ABSTRACTS-FIRE INSURANCE-FARM AND CITY LOANS

PRESTON, IDAHO
PHONE 62 BOX 466

August 2, 1956

Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Re: Permit No. 18160

Dear Mr. Kulp:

This will acknowledge receipt of yours of the 31st inst. enclosing application for amendment to permit to appropriate the public waters of the State of Idaho, and application for amendment to permit to appropriate the public waters of the State of Idaho. Both of these have been filled out with the correct description, and I procured the signature of Mr. Lewis on the First day of August.

In checking your letter I noticed when you described the land where the water is to be used you have Township 15 South, and it should be Township 16 South. The Point of diversion is in Section 34, and Township 15 South, being the Township adjoining on the North of Township 16 South. I think this is now all that you will require, so we are ready now to receive the certificate. If you will please mail it to me together with your charges, I will collect and remit.

Yours very truly,

J. N. LARSEN COMPANY

By

J. N. Larsen

Title and Trust Dept.

JNL/v
Encl.

RECEIVED
AUG 6 1956

Department of Reclamation

18160

U U AUG 6 1956
Department of Reclamation

To Permit to appropriate the Public Waters
of the State of Idaho, No. 18160

Comes now Francis H. Lewis, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 18160, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

That the point of diversion shall be as follows: The NW Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 15 N. R. 39 E. And that the land upon which water is used is described as follows: 3.4 acres in Lot 3 and 1.6 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 16 South, Range 39 East of the Boise Meridian.

making a total of five acres.

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

Signed at Preston, Idaho this 1st day of August, 19 56

Francis H Lewis

Date of receipt at office of Department of Reclamation August 6, 1956.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18160. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R Kulp

18160

State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 18160

RECEIVED
AUG 6 1956

Department of Reclamation

Comes now Francis H. Lewis and represents to the State
Reclamation Engineer of the State of Idaho;

That he is the owner and holder of Permit to appropriate the Public
Waters of the State of Idaho, No. 18160.

That the point of diversion is described in said permit as being
located SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 15 South, Range 30 EBM.

That he now requests that the point of diversion be changed to a
point located SW Corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Twp. 15 S.R. 39 EBM.

That his reasons for desiring to make such change are as follows:
That an error was made in original application

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

Signed at Preston, Idaho, this 1st day of August 19 56

Francis H. Lewis

Date of receipt at Department of Reclamation August 6, 1956.

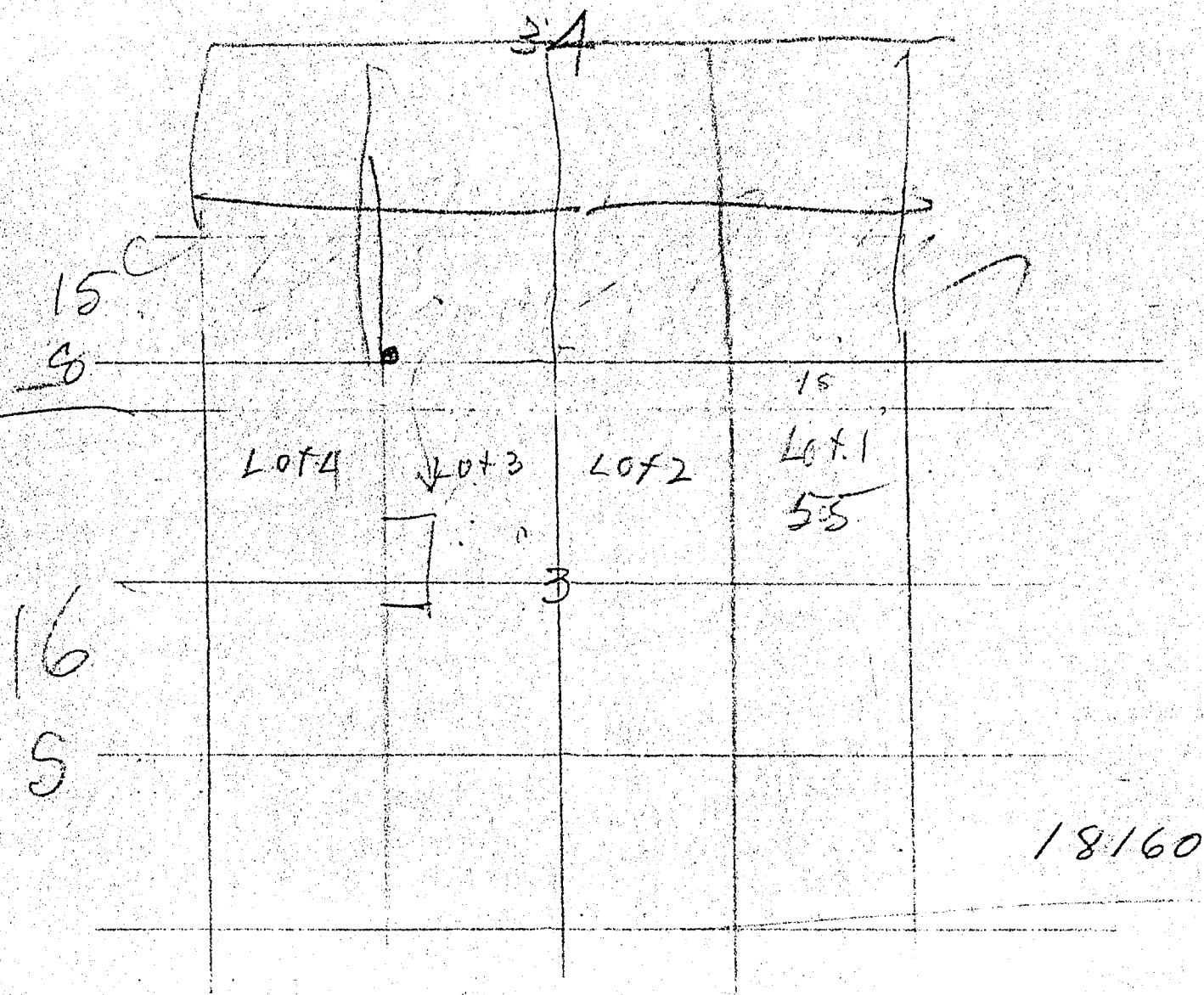
APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho,
hereby approve the above and foregoing application for amendment to Permit to
appropriate the Public Waters of the State of Idaho, No. 18160. This
approval constitutes a new permit and is issued as an amendment to the original
permit, to which it refers and of which it becomes a part, and said application
is approved only insofar as the rights of others will not be adversely affected
thereby.

Mark R. Kulp

State Reclamation Engineer

18160



RECEIVED

JUL 20 1956

Department of Reclamation

NW 1/4 SW

NE 1/4 SW

SW 1/4 SW

SE 1/4 SW

TO PRESTON

NE

Section Line between Sec. 34-15-39 and Sec. 3-16-39

34 15

4 3

3 2

Point of Diversion
35.80

35.65

35.50

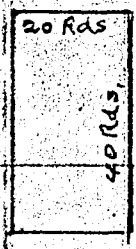
35.35

Lot 4.

Lot 3.

Lot 2.

Lot 1



(3)

NE 1/4 SW

A 67.30 acre

SW

SE

This is a correct map.

67.30
Apr 1956

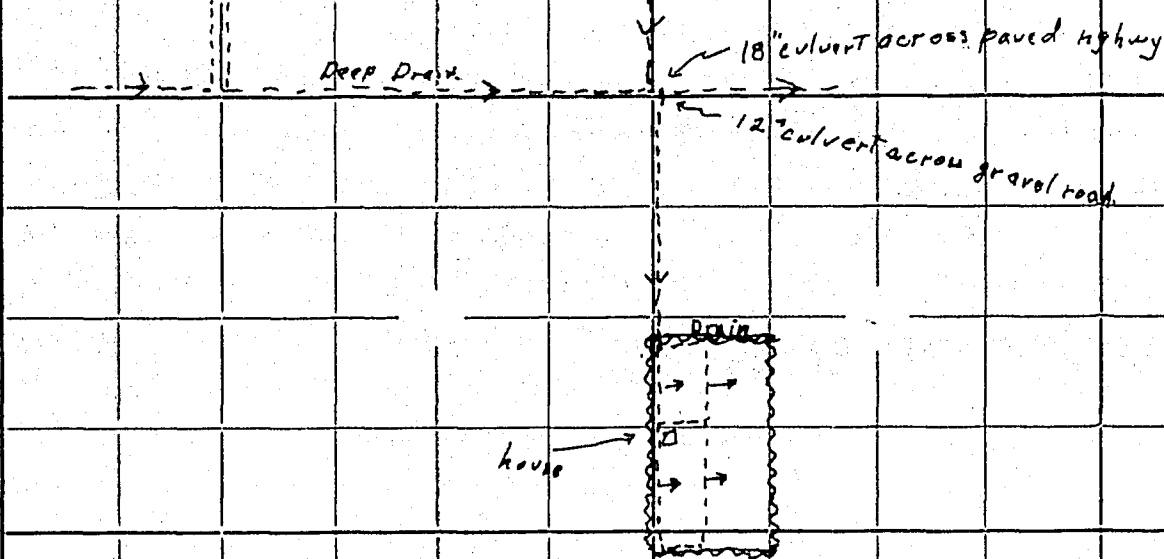
Scale 40 rds. one inch.

Sec. 3 is a shot section due to correct on N. 1/4 line

7.16 4 - 5

18160

T 16 S R 39 E.



See map rec'd 9y 30, 56

Two subdivisions
Area = 5 acres.

Q = 5 inches.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18160

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Francis H. Lewis
2. Source of water supply: un-named stream formed by seepage water collected by a drain
3. Location of point of diversion: Is in the SW corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34
T. 15 S. R. 39 E., B.M. County of Franklin
4. Describe works as they exist, giving dimensions and capacities of same: This is an all gravity system. water is taken from a small drain ditch and run in a ditch along the East side of the road to Mr. Lewis' place. Ditches are 12" to 18" w. in bottom and 12" to 18" deep. Banks are all well sodded. outlet are thru pipe type headgates.
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 other than irrigation): (Lot 3)
3.4 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 1.6 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3., Twp. 16 S., Rge. 39 E., B.M.

At present time there is 5 to 10" of water flowing past the diversion point.
It apparently is all seepage and drain water but furnishes Mr. Lewis a satisfactory supply.

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

8. What large stream would the water here appropriated finally reach?

Remarks:

This is a short section North & South.

Crops are hay, grain, pasture.

This examination was made on the 10 day of April, 1957

(Signed) E. H. Humphrey Examiner.

April 18, 1957

Re: Permit No. 18160

Mr. Francis H. Lewis
Route # 3
Preston, Idaho

Dear Mr. Lewis:

We have the Report made by our Field Engineer of proof of beneficial use on Permit 18160, thus, entitling this Permit to a License and Certificate of Water Right.

Upon receipt of the statutory fee of \$4.00 we can issue the License with a priority of July 25, 1945 for the right to the use of .1 second feet of water from an un-named stream formed by seepage water with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 16 South, Range 39 East B.M., for irrigation of 5 acres in the SW corner of Lot 3 and NW corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 16 South, Range 39 East B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER,nls

18160

May 20, 1957

Re: Permit No. 18160

Mr. Francis H. Lewis
Route # 3
Preston, Idaho

Dear Mr. Lewis:

Enclosed is License and Certificate of Water Right issued under Permit No. 18160 confirming the right with a priority of July 27, 1945, to your use of 0.1 second feet of the water of an un-named stream formed by seepage water with the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 15 South, Range 39 East B.M., for irrigation of 5 acres in Lot 3 and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 16 South, Range 39 E., B.M.

Also enclosed is departmental receipt No. 28583 for \$4.00 issued as receipt of payment of the License fee.

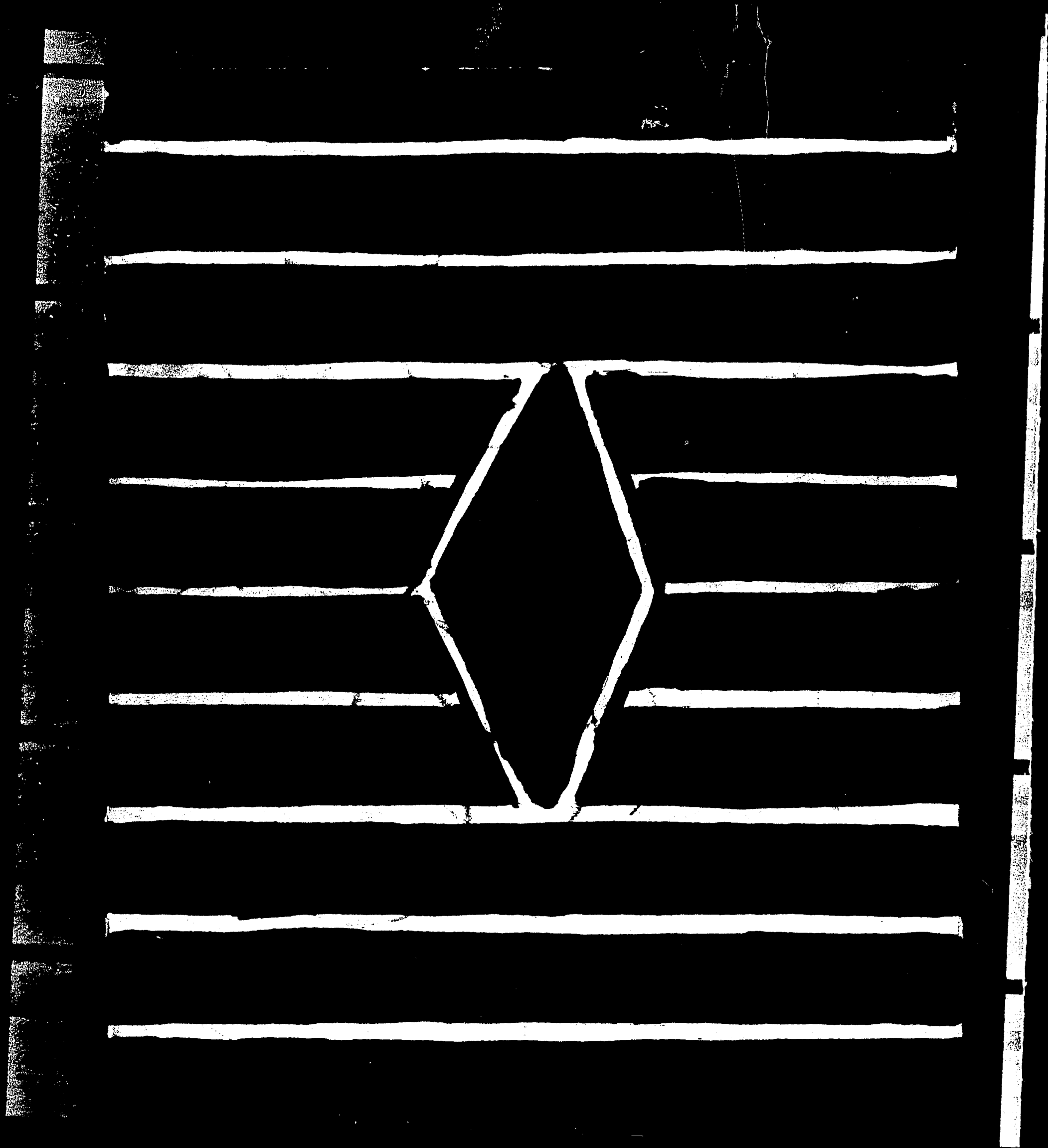
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:als
Enc:

18160



State of Idaho License and Certificate of Water Right

Water License No. 18160

Amount 1 c.f.s.

Water District No.

Priority July 27, 1945

THIS IS TO CERTIFY that FRANCIS H. LEWIS
of Preston, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 24, 1935; that Permit No. 18160
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.1 second feet, was issued thereunder on January 2, 1941, showing that said works
were completed on the 24th day of December, 1940; and that on the 27th
day of July, 1956, FRANCIS H. LEWIS

of Preston, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an un-named
stream ~~formed from~~ seepage water, for the purpose of Irrigation and domestic
purposes, under Use Permit No. 18160 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 5990, on the 20th day of May, 1957;

The right hereby confirmed dates from July 27, 1945;

The Point of Diversion is located
in the SE 1/4 SW 1/4, Sec. 34, Tp. 15 S. R. 39 E., B. M. County Franklin

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 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S.	39 E.	3	NE 1/4 SW 1/4 Lot 3	1.6 3.4	1.6 3.4
Total number of acres irrigated -				5	

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 State Reclamation Engineer, affixed at Boise, Idaho, this
20th day of May, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

PROPOSED FINDING OF WATER RIGHTS - WORM CREEK DRAINAGE

SOURCE: Miscellaneous Sources

13-2131

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE From To	AMOUNT ACRE FEET PER ANNUM	MAXIMUM RATE OF DIVERSION c.f.s.	POINT OF DIVERSION	PLACE OF USE and LANDS IRRIGATED	BASIS OF RIGHT and REMARKS
13-0272	PORTER, Sewell Rt. #3 Preston, Idaho	9-01-1933 9-01-1933	Irrigation Storage for Irrigation	4-1 11-1 11-1	228.0 15.0 <u>228.0</u>	1.3 --- <u>1.3</u>	SE $\frac{1}{4}$ SW $\frac{1}{4}$, S.18 T15S, R40E	Sec. 19 Lot 1 Lot 2 T15S, R40E	35.0 30.0 <u>65.0</u> Beneficial Use Unnamed Stream
13-0328	NELSON, S. Vern Rt. #3 Preston, Idaho	5-20-1936	Stockwater	1-1 12-31	0.7	0.02	NW $\frac{1}{4}$ SE $\frac{1}{4}$, S.5 T15S, R40E	Sec. 5 NW $\frac{1}{4}$ SE $\frac{1}{4}$ T15S, R40E	Beneficial Use Unnamed Spring
13-0275	REESE, William G. Rt. #3 Preston, Idaho	1-25-1939	Stockwater	1-1 12-31	1.4	0.02	SW $\frac{1}{4}$ NE $\frac{1}{4}$, S.21 T15S, R40E	Sec. 21 SW $\frac{1}{4}$ NE $\frac{1}{4}$ T15S, R40E	Beneficial Use Upper Spring Creek
13-0205	AUGER, Veri J. Rt. #3 Preston, Idaho	7-01-1943	Stockwater	1-1 12-31	0.4	0.02	SW $\frac{1}{4}$ NW $\frac{1}{4}$, S.2 T15S, R40E	Sec. 2 SW $\frac{1}{4}$ NW $\frac{1}{4}$ T15S, R40E	Beneficial Use Auger Spring
13-2131	BLACKBURN, Alva 835 W. Iris Visalia, Calif.	7-27-1945 7-27-1945	Irrigation Domestic	4-1 11-1 12-31	18.0 1.2 <u>19.2</u>	0.10 0.02 <u>0.10</u>	SE $\frac{1}{4}$ SW $\frac{1}{4}$, S.34 T15S, R39E	Sec. 3 Lot 3 NE $\frac{1}{4}$ SW $\frac{1}{4}$ T16S, R39E	3.4 1.6 <u>5.0</u> License Unnamed Drain
13-0256	CHADWICK, Grant S. 6/or Linda Lewiston, Utah	4-01-1948	Irrigation	4-1 11-1	200.0	1.14	SE $\frac{1}{4}$ SW $\frac{1}{4}$, S.25 T16S, R39E	Sec. 25 NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ T16S, R39E	19.0 38.0 <u>57.0</u> Beneficial Use Unnamed Drain