

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

Application No. 26598
Permit No. 19160
District No.

1. Name of Applicant: DOUGLAS F. GRIFFITH
Postoffice address: Weston 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: three cubic feet per second.

3. Source of water supply: Deep Creek (& wash water in creek) which is a tributary of & drains in Bear River during high water.

4. Location of point of diversion: 800' feet distant from the NW CORNER OF SE 1/4 NW 1/4 corner of Section 17, T. 15S, R. 39 E, B. M., and is the SE 1/4 NW 1/4 of Section 17, T. 15 S, R. 39 E, B. M., County of Franklin

5. Water is to be used for: irrigation

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: \$ 200.00

8. Kind of works: dam and ditch

9. Height of dam 6 feet; length of dam at top 20 feet; length of dam at bottom 15 feet; material used in dam: Concrete and plank

10. Size of headgate: Width 3 feet; height 2 feet.

11. Ditch: Width at bottom 2 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 3 feet.

12. The time required for the completion of such work is 4 years.

13. The time required for the complete application of the water to the proposed use is 4 additional years.

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

15. (a) Is reservoir to be used? 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.

DOUGLAS F. GRIFFETH
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: May 3, 1941; 11:00 A. M.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 19160

Recorded in Book 69 Page 19160 Approved June 10, 1941

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 Aug. 9, 1941

and to continue diligently and uninterruptedly to completion,

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

One-fifth of the work above specified to be completed on or before June 10, 1943

The whole of said work to be completed on or before June 10, 1945

Beneficial use of water appropriated in accordance herewith, to be made on or before June 10, 1949

Witness my hand this 10th day of June, 1941.

E. V. BERG.

Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We Chase M. Clark Governor of the State of Idaho, and Geo. H. Curtis Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and have caused the Great Seal of the State of Idaho to be hereunto affixed, this 10th day of June 19 41

Countersigned:

STATE OF IDAHO

(SEAL

By

By

Secretary of State.

Governor.

Remarks: Applicant desires to file on the water of Deep Creek--it has been used on place for years. Drainage and seepage waters furnish the main flow for Deep Creek and it is this water that is filed on, also such water as naturally flows through place and is unused.
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	
13	39	17																40	
ASSIGNMENT For value received, I hereby assign all my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 19160, to Melvin Griffeth, of Preston, Idaho. STATE OF IDAHO) County of Franklin) ss. On this 8th day of June, 1945, before me, a Notary Public for the State of Idaho, residing at Preston, Idaho, personally appeared Douglas F. Griffeth and Thelma P. Griffeth, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same. In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written. My commission expires Feb. 28, 1948 (SEAL) Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9:00 A. M. June 12, 1945. MARK R. KULP State Reclamation Engineer A. APPROVAL OF STATE RECLAMATION ENGINEER I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 19160, to June 10, 1946. Witness my hand this 12th day of June, 1945. MARK R. KULP State Reclamation Engineer, Douglas F. Griffeth Permit Holder Thelma P. Griffeth Wife of Permit holder <																			

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

No. 19160

Comes now MELVIN P. GRIFFETH, 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. 19160, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

The land situated in Franklin County, Idaho, and described as follows, to-wit: The East Half of the Southwest quarter, the Southeast quarter of the Northwest quarter of Section 17, Township 15 South, Range 39 East of the Boise Meridian, Idaho, containing 120 acres, less 12 acres which is described as follows:

"Commencing at the Northwest corner of the Northeast quarter of the Southwest quarter of Section 17, Township 15 South, Range 39 East of the Boise Meridian, Idaho; thence North 330 feet; thence East 449 feet; thence South 1,156 feet; thence West 449 feet; thence North 826 feet to the place of beginning; containing 12 acres, more or less." making a total of 108 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 14th day of March, 1946.

MELVIN P. GRIFFETH

Date of receipt at Office of Department of Reclamation, March 19, 1946.

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. 19160. 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

Permit No. 19160

Certificate of Completion of Works

To All Whom it May Concern:

This is to certify that MELVIN P. GRIFFETH, of Preston, County of Franklin, and State of Idaho, the holder of Permit No. 19160, issued upon Application No. 26598, bearing date of priority of May 3, 1941, authorizing the diversion of three (3) second feet of the waters of Deep Creek, a tributary of Bear River, County of Franklin, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws 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 three (3) second feet of the waters of Deep Creek; that the point of diversion of said waters is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17, 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: E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17, Township 15 South, Range 39 East, B.M., containing 120 acres, less 12 acres described as follows: "Commencing at the Northwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ said Section 17; thence North 330 feet; thence East 449 feet; thence South 1,156 feet; thence West 440 feet; thence North 826 feet to place of beginning".

Witness my hand this 22nd day of March, A. D. 1946.

Proof of completion of works made February 21, 1946
Certificate of completion of works issued March 22, 1946.

MARK R. KULP
State Reclamation Engineer

RECEIVED FOR 1.5 SEC. FT.

P.4360

State of Idaho
DEPARTMENT OF RECLAMATION No. **17815**

Boise, Idaho,

May 5, 193*4*

REC'D FROM *Douglas F. Griffith* of *Western Ada* \$ *5.50*
Three & 50/100 DOLLARS

FOR

Carey Act Trust Fund

Application for Permit No. *26598*

Proofs

Certified Copy

Recording Deed

Certificate

Total

\$

\$

\$

\$

\$

\$

\$

5.50

5.50

19160

E. V. Berr

Commissioner of Reclamation

By

Raymond Thompson

19160

May 13, 1941

Mr. Douglas F. Griffith
Weston, Idaho

Dear Mr. Griffith:

We received your application for permit to file on the water of Deep Creek, which is a tributary of Bear River.

As you know, Bear River is already over appropriated and especially this year is very short of water. Unless you can show that the waters you are attempting to file on are not tributary to Bear River, it would seem that your filing would not be valid.

Under the circumstances, please let us know whether you will attempt to go ahead with your application for permit.

Very truly yours,

19160

E. V. BERG
Commissioner of Reclamation

EVB:abj

May 22, 1941

Re: Application no. 26598.

Mr. Douglas F. Griffith
Weston, Idaho

Dear Mr. Griffith:

We have not received a reply to our letter of May 13th regarding your application #26598 for three second feet of the waters of Deep Creek. Please notify us if you want us to issue a permit.

Very truly yours,

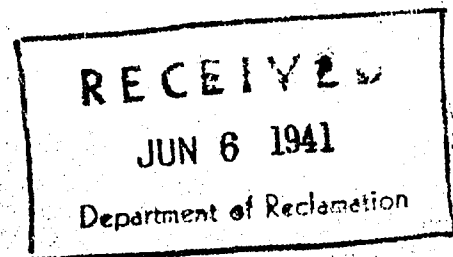
E. V. BERG.
Commissioner of Reclamation.

BY: Chief Clerk.

ml.

19160

BEN B. JOHNSON
ATTORNEY AT LAW
PRESTON, IDAHO



June 3, 1941

Mr. E. V. Berg
Commissioner of Reclamation
Department of Reclamation
Boise, Idaho

Re: Douglas Griffith Filing

Dear Mr. Berg:

Reference is made to the above captioned matter regarding the application of Douglas Griffith for the permit to appropriate water from Deep Creek. The property involved has had water from Deep Creek used on it for many, many years. In fact, Deep Creek runs through it and is the last place through which it runs before it enters the river.

Mr. Griffith probably could continue to use the water as has been done in the past but he was anxious to file on the water so that there wouldn't be any question about it.

He would like to have his filing completed as applied for.

Very truly yours,

Ben B. Johnson
Ben B. Johnson

BBJ/h

19160

June the Ninth
Nineteen-forty-one

RE 19160
MR. DEW B. JOHNSON,
Attorney at Law,
Preston, Idaho

Dear Mr. Johnson:

Re: Application Douglas Griffith - Deep
Creek Waters

We have your letter of June 5th regarding the application of Douglas Griffith for Permit to appropriate the Waters of Deep Creek. I am a little in doubt as to whether it would be better for Mr. Griffith to bring his water under a prescriptive right or a use right or through a permit filed at the present time. We can issue him a permit which would be of the present date and, of course, any prior filings or previous use would be prior to this filing and it might have the effect of cutting his water.

A survey is being made of the Bear River Water System and no doubt, Deep Creek will receive some consideration.

I believe it would be a good idea for Mr. Griffith's own protection, for him to make a statement as to the length of time and approximate quantity of water he has used and substantiate it by two witnesses.

Very truly yours,

E. V. DEWE
Commissioner of Reclamation

EVB:s

19160

NAME OF APPLICANT

Douglas F. Griffith

FORM No. C

N
↑
S

Deep Creek Dam ditch

Ditch

4.5 acres enclosed in
red to be irrigated

Sec 17. - Tract 1580. R. 39 E.

Permit No. 19160

As Approver

JUN 4 1916

E. V. BERG

Commissioner of Public Lands

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. ~~19160~~

Boise, Idaho,

Dear Sir:

June 15, 1941

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.

fourth
Mr. Douglas E. Griffith
Watson, Idaho
RECEIPT # 17315, \$5.50

E. V. BERG.
Commissioner of Reclamation.

19160

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Douglas F. Griffith

Boise, Idaho

Boise, Idaho **April 3, 1945**

Dear Sir:-

Under the terms of your permit No. 19160 you are required to complete your diversion works on or before June 10, 1945. 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,

MARK R. KULP

State Reclamation Engineer

19160

Independent School District No. 11

RECEIVED

JUN 1

Department of Sanitation

CLIFTON, IDAHO

Preston Idaho
May 25 1945-

State Dept. of Reclamation
Mr. Mark B. Kulp.
Dear Sir.

I Melvin Griffith have purchased this property from Douglas H Griffith whose name appears on this instruction sheet, and up to now it has been impossible for me to secure help from engineers and labor to complete this project.

There for I would like to have an extension of time for at least six months or a year. I am now using the water with temporary head gates and locks.

Returning instruction and Permit No. sheet to better explain my condition.

Respectfully
Melvin Griffith

19160

June 2, 1945

Re: Permit No. 19160

Mr. Melvin Griffith
Preston, Idaho

Dear Mr. Griffith:

We are in receipt of your letter of May 25th, advising that you have purchased Water Permit No. 19160 from Douglas F. Griffith, and that you would like to obtain an extension of time for making proof of completion of works as called for therein.

Since the original application only called for four years time within which to complete the works, and the statutes allow a maximum of five years, you may be allowed an additional year for making this proof.

We enclose herewith a form of application for such extension which you may execute and return to this office for approval.

It will, however, be necessary to have recorded in this department evidence of the change of ownership. This can be done by having Douglas Griffith execute the enclosed form of assignment, and returning to this department, with a fee of fifty cents for recording same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19160

ASSIGNMENT

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 19160 to Melva Griffith of Preston Idaho

Douglas F. Griffith
Permit holder.

Thelma P. Griffith
Wife of Permit holder.

State of Idaho)
County of Franklin ss

On this 8th day of June, 1945, before me, a Notary Public for the State of Idaho, residing at Preston Idaho, personally appeared Douglas F. Griffith and Thelma P. Griffith known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

Richard J. Mearns
Notary Public, residing at

My commission expires Feb 28, 1948

Filed and recorded for record in the Department of Public Lands at Boise, Idaho, at

9:00 A.M. June 12 1945
Mark R. Kuep

Permit No.

Application for Extension of Time
FOR COMPLETION OF WORKS

Melvin P. Griffith, of *Preston Idaho*

State of, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. *19160*

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by *June 10*, 19*45*.

That he has heretofore performed the following work described under said permit:

*have surveyed and completed ditch
the distance of about two miles to all
parts of the land, have built a dike
about 400 feet long 4 feet high
put in four steel and concrete culverts
costing \$ *300.00* for road and crossings*

That he is unable to complete the remainder of the work within the required time, for the fol-
lowing reasons, to-wit:

*unable to secure engineers
and labor, water is too high
at present*

State Reclamation Engineer

WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ extend the time for the comple-
tion of works under said permit to *June 10*, 19*46*

Subscribed and sworn to before me this

day of

19*45*

My commission expires

Feb 28, 1948

Notary Public.

Date of receipt at office of Department of Reclamation

June 12, 1945

STATE RECLAMATION ENGINEER

APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

State Reclamation Engineer

I, *Mark R. Kulp*

~~Commissioner of Reclamation~~ of the State of Idaho, hereby extend the time for the com-

pletion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. *19160* to

June 10

19*46*

Witness my hand this

12th

day of

June

19*45*

Mark R. Kulp

State Reclamation Engineer



CHARLES C. GOSSETT
GOVERNOR

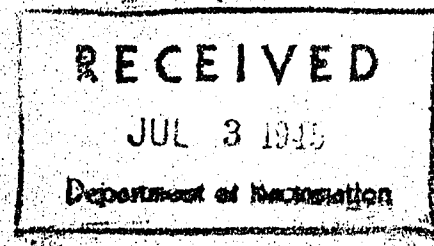
STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

June 12, 1945

Re: Permit No. 19160



Mr. Melvin Griffith
Preston, Idaho

Dear Mr. Griffith:

We acknowledge receipt of the assignment of the above numbered permit from Douglas F. Griffith and wife to yourself, and also your application for extension of time for proof of completion of works, both of which will be approved and duly recorded.

However, we do not understand your enclosure of \$5.00, as the fee for recording the assignment is only fifty cents, as mentioned in office letter of June 2nd.

We are, therefore, returning the \$5.00 in currency enclosed with the above instruments, in order that you may substitute therefor the statutory fee of fifty cents.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannette L. Anderson
Chief Clerk

A
Encl.

19160

*Dear Sir,
Enclosed find \$5.00, thanking
you very much.
Melvin Griffith*

July 5, 1945

Re: Permit No. 19160

Mr. Melvin P. Griffeth
Preston, Idaho

Dear Mr. Griffeth:

We have duly recorded the assignment of
Permit No. 19160 from Douglas F. Griffeth to
yourself, and enclose herewith Receipt No.
18917 for the 50 cent fee.

We also enclose the approval of the State
Reclamation Engineer of your application for
extension of time for completion of works under
this permit to June 10, 1946.

This should be attached to the original permit,
of which it now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19160

Preston Idaho
Dec. 4, 1945

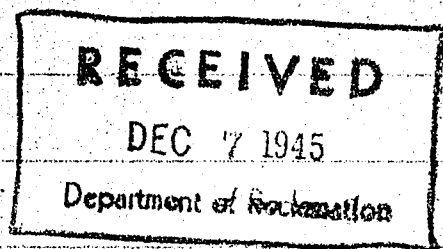
State Dept. of Reclamation
Mr. Mark R. Kulp
Dear Sir,

Inclosed find letters explaining
Permit No. 19160 and previous
Correspondance.

All work is now completed
on this project, so what next?

Respectfully
Melvin Griffith

19160



19160
Arnold Williams
~~XXXXXXXXXX~~

December 7, 1945

Mr. Melvin Griffith
Preston, Idaho

Dear Mr. Griffith:

We acknowledge receipt of your letter of December 4th, in which you state that the works called for in Permit No. 19160 have been completed.

We enclose a form of affidavit in proof of completion of works, which should be executed by you before a Notary Public, and returned to this department with the statutory fee of \$5.00, in accordance with form letter addressed to Douglas F. Griffith on April 3rd, which is returned herewith. Upon approval of this proof, a certificate of completion of works will be issued.

Since an extension was allowed until June 10, 1946, this proof can be submitted at any time between now and then.

The next and last step will be to make proof that the water has been beneficially applied- that is, for the irrigation of the land described in the permit. This proof must be made on or before June 10, 1950, and before making this proof notice must be published once a week for four consecutive weeks, at your expense, in a newspaper in the county where the water is located. The necessary forms will be sent you upon request.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19160

Arthur W. Hart
PROSECUTING ATTORNEY
PRESTON, IDAHO

PHONE
OFFICE NO. 4
RESIDENCE 7-J

January 11, 1946

Department of Reclamation
State House
Boise, Idaho

Re: 19160 Permit

Gentlemen:

I am enclosing herewith proof affidavit of the holder of permit above mentioned. He is now prepared to finish up this business which is extended until 1950, at which time he will send you the fees and ask for a final adjudication of this water under this permit.

He is also enclosing herewith \$5.00 which bill you sent him some time ago, and you may, if you will, send to the Preston Citizen a notice for publication under this permit of the water he claims.

He wishes to make his final proof before a Notary Public and has named the writer hereof, Arthur W. Hart, Preston, Franklin County, Idaho, as Notary Public before whom he wishes to submit his proof.

If you will kindly arrange the blanks and the notices and send the same to the newspaper here in Preston containing the information suggested, he will make his proof in due time accordingly.

It may be that you will need the names of his witnesses of the complaint. If so, kindly write him a letter addressed at Preston, Idaho.

Yours very truly,


ARTHUR W. HART

AWH:ah

Enclosures - 2

19160

January 15, 1946

Re: Permit No. 19160

Mr. Melvin Griffith
Preston, Idaho

Dear Mr. Griffith:

We acknowledge receipt from Mr. Arthur B. Hart of your affidavit in proof of completion of works under the above numbered permit, and also \$5.00 in currency to pay the statutory fee in connection with this proof.

We are returning the affidavit herewith for the following corrections:

1. In Paragraph 3 the point of diversion should be given definitely as to sub-division, section, township and range.

2. In Paragraph 8 the description of the land to be irrigated does not agree with the description given in the permit, which describes 40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17, Township 15 South, Range 39 East, B.M.; whereas the affidavit describes a small tract of land (approximately 20 acres) lying in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of the section, while you state in one place that the water is available for 160 acres, and in another 120 acres.

This should conform to the original permit, unless there has been a change in the place of use, in which case an application for amendment should be made on a form which we will furnish you.

We also note that the affidavit gives your address as Preston, whereas correspondence in the file gives it as Weston. Please advise which is correct.

We shall hold the \$5.00 fee to your credit awaiting return of the corrected affidavit; and when this has been done, we shall send the necessary forms for making your proof of beneficial use.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.
CC to Arthur W. Hart

19160

February 8, 1948

Re: Permit No. 19160

Mr. Melvin Griffith
Preston, Idaho

Dear Mr. Griffith:

We have had no reply to office letter addressed you on January 15th, returning your proof of completion of works under the above numbered permit, for correction.

It is important that this matter be attended to promptly, if the permit is to be continued in good standing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19160

Newel G. Daines

ATTORNEY AND COUNSELOR AT LAW

CACHE VALLEY BANK BUILDING

LOGAN, UTAH

February 23, 1946

RECEIVED

FEB 25 1946

Department of Reclamation

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

Dear Sir:

Enclosed find Affidavit of Melvin Griffeth for
filing in Permit No. 19160 under proof of completion
of works.

Very truly yours,

Newel G. Daines

Newel G. Daines

NGD/lj

Encl: 1

19160

Permit No. 19160

STATE OF IDAHO

Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

State of Idaho)
) ss.
County of Franklin)

Melvin Griffeth, 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. 19160, and that his postoffice address is PRESTON, IDAHO State of Idaho.

Second: That the name of the stream from which said water is to be directed is DEEP CREEK.

Third: That the point of diversion of said water is COMMENCING AT A POINT 450 FEET SOUTH OF THE NW CORNER OF THE S/E QUARTER OF THE NW QUARTER OF SECTION 17, TOWNSHIP 15 SOUTH, RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 10, 1946.

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 fully completed and consisted of the following:

- I. Kind of works: CONCRETE WORKS INCLUDING HEADGATE.
- II. Dimensions of work: EAST WALL, 20' long, 4' high, 8" thick. SOUTH WALL, 16' long, 4' high, 8" thick, CONCRETE FLOOR.
 - (a) Height of dam 4 feet, length of dam at top 13 feet, length of dam at bottom 13 feet. Material used in construction CONCRETE.
 - (b) Capacity of reservoir 15 acre feet.
 - (c) Size of headgate: width 13 feet, height 4 feet.
 - (d) Conduit 2 ditches, width at bottom 3 feet, width at water line 3 feet, depth of water 1 1/2 feet; diameter of pipe (DITCH) inches, average grade per mile is 9 feet. Length of conduit is 1 mile and 1/2 mile respectively.

Seventh: That said works are capable of conducting to the place of intended use 4 second feet of water.

Eighth: That water appropriated under said permit is available for 120 acres of land described as follows: The east half of the SW quarter, the SE quarter of the NW quarter of Section 17, Township 15 South, Range 39 East of the Boise Meridian, Idaho, containing 120 acres, less 12 acres which is described as follows:

Commencing at the NW corner of the NE quarter of the SW quarter of Section 17, Township 15 South, Range 39 East of the Boise Meridian, Idaho; thence North 330 feet; thence East 449 feet; thence South 1,156 feet; thence West 449 feet; thence North 326 feet to the place of beginning, containing 12 acres, more or less.

Permit No. 19160 STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

State of Idaho)
County of Franklin) ss.

Melvin Griffeth, 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. 19160, and that his postoffice address is PRESTON, IDAHO State of Idaho.

Second: That the name of the stream from which said water is to be directed is DEEP CREEK.

Third: That the point of diversion of said water is COMMENCING AT A POINT 450 FEET SOUTH OF THE NW CORNER OF THE S/E QUARTER OF THE NW QUARTER OF SECTION 17, TOWNSHIP 15 SOUTH, RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 10, 1946.

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 fully completed and consisted of the following:

I. Kind of works: CONCRETE WORKS INCLUDING WEADGATE.

II. Dimensions of work: EAST WALL, 20' long, 4' high, 2" thick, SOUTH WALL, 16' long, 4' high, 8" thick, CEMENT FLOOR.

(a) Height of dam 4 feet, length of dam at top 13' feet, length of dam at bottom 13' feet. Material used in construction CONCRETE.

(b) Capacity of reservoir 15 acre feet.

(c) Size of headgate: width 15 feet, height 4 feet.

(d) Conduit 2 ditches, width at bottom 3' feet, width at water line 3' feet, depth of water 1 1/2 feet; diameter of pipe (LITCH) inches, average grade per mile is 9 feet. Length of conduit is 1 mile and 1/2 mile respectively.

Seventh: That said works are capable of conducting to the place of intended use 4 second feet of water.

Eighth: That water appropriated under said permit is available for 120 acres of land described as follows: The east half of the SW quarter, the SE quarter of the NW quarter of Section 17, Township 15 South, Range 39 East of the Boise Meridian, Idaho, containing 120 acres, less 12 acres which is described as follows:

Commencing at the NW corner of the NE quarter of the SW quarter of Section 17, Township 15 South, Range 39 East of the Boise Meridian, Idaho; thence North 330 feet; thence East 449 feet; thence South 1,156 feet; thence West 449 feet; thence North 326 feet to the place of beginning, containing 12 acres, more or less.

CONTINUED: Permit No. 19160

Ninth: Remarks: That the total acres sought to be irrigated under this permit are 120 acres.

19160-2106

Melvin Griffith

Subscribed and sworn to before me this 21 day of February, 1948.

David H. Davis
Notary Public

My commission expires *August 1st*, 1948.

19160

February 26, 1946

Re: Permit No. 19160

Mr. Melvin P. Griffeth
Preston, Idaho

Dear Mr. Griffeth:

We have received from Mr. Newel C. Daines, Attorney at Law, of Logan, Utah, an affidavit executed by you in proof of completion of works under the above numbered permit.

However, the description of the land to be irrigated as given in this affidavit still does not agree with the land description as given in the permit itself, as was mentioned in office letter addressed you on January 15th.

The permit describes only 40 acres of land in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17, Township 15 South, Range 39 East, B.M. If the additional acreage in the E $\frac{1}{2}$ SW $\frac{1}{2}$ of this section, as described in the affidavit, is to be added to the original land description, it will be necessary for you to execute the enclosed form of Application for Amendment, and return to this Department.

This must be done before the proof of completion of works can be approved, and also before publication can be started in connection with proof of beneficial use, as referred to in letter from Attorney Hart, of Preston, in his letter of January 11th.

Please give the matter your early attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A.
Encl.

19160

**Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. 19160**

Comes now Melvin P. Griffeth, State Reclamation Engineer of the State of Idaho, and represents to the Commissioner of Reclamation of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 19160, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

The land situated in Franklin County, Idaho
and described as follows to-wit:

The East half of the Southwest quarter, the southeast
quarter of the Northwest quarter of Section 17, Township 15
south, range 39 east of the Boise Meridian, Idaho,
containing 120 acres, less 12 acres which is described as
follows:*

"Commencing at the Northwest corner of the North-

east quarter of the Southwest quarter of section 17, township
15 South, Range 39 East of the Boise Meridian, Idaho; thence North
330 feet; thence East 449 feet; thence south 1,156 feet; thence West
449 feet; thence North 826 feet to the place of beginning, contain-
ing 120 acres more or less.

Date of receipt at Office of Department of Reclamation March 19, 1946

State Reclamation Engineer
APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

I, Mark R. Kulp, State Reclamation Engineer, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 19160. 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
~~COMMISSIONER OF RECLAMATION~~
State Reclamation Engineer

(Over)

19160

Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. 19160

State

Comes now Melvin F. Griffeth, and represents to the ~~Commissioner~~
 Reclamation Engineer
~~of Reclamation~~ of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 19160, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

The land situated in Franklin County, Idaho
and described as follows to-wit:

The East half of the Southwest quarter, the southeast
quarter of the Northwest quarter of Section 17, Township 15
south, range 39 east of the Boise Meridian, Idaho,
containing 120 acres, less 12 acres which is described as
follows:

"Commencing at the Northwest corner of the North-

, making a total of 108 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, this 14th day of March, 19 46

Melvin F. Griffeth

Date of receipt at Office of Department of Reclamation March 19, 1946

State Reclamation Engineer
 APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

I, Mark R. Kulp, ~~Commissioner of Reclamation~~ 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. 19160. 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
~~Commissioner of Reclamation~~
 State Reclamation Engineer

(Over)

19160

March 23, 1946

Re: Permit No. 19160

Mr. Melvin P. Griffeth
Preston, Idaho

Dear Mr. Griffeth:

We acknowledge receipt of your application for amendment to the land list under the above numbered permit, which has been duly approved and recorded.

In accordance therewith we enclose Certificate of Completion of Works issued in connection with this permit to appropriate three (3) second feet of water from Deep Creek, in Franklin County, for the irrigation of 108 acres of land as described.

We also enclose Departmental Receipt No. 19367 for the fee paid by you in connection with completion of works proof.

In the letter from Mr. Arthur W. Hart, dated January 11th, in which he enclosed your original proof, he stated that you wished to make final or beneficial use proof before him as Notary Public, and requested that we send the necessary form of notice.

We enclose such form made out in duplicate, but two items for you to fill in- namely the time at which you wish to make the proof- which must be sufficiently far ahead to allow for four week's publication; also the name of the canal or ditch (if any) by which the water is conducted to place of use.

Both copies of the notice are to be returned to this Department, together with Form No. 11, which is your authorization for us to have the notice published at your expense in the newspaper that you designate. Upon receipt of same, we shall send a copy of the notice to the newspaper with instructions in regard to publishing, and thereafter shall send the proper forms for proof to the Notary Public.

Very truly yours,

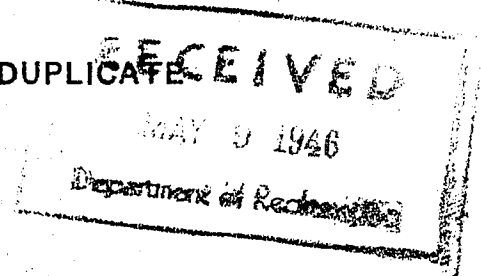
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19160

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE



(Date) 7th day of May, 1946

Preston, Idaho

(P. O.)

STATE RECLAMATION ENGINEER :

TO THE COMMISSIONER OF RECLAMATION:

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.

Melvin C. Griffith by
Lois Griffith

(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.

19160

May 10, 1946

Re: Permit No. 19160

Mr. Melvin P. Griffeth
Preston, Idaho

Dear Mr. Griffeth:

Notice of your intention to make beneficial use proof under the above numbered permit on June 7th, was not received in this department until late in the afternoon of May 9th, which was too late to reach the Preston Citizen in time for publication this week.

The earliest publication will, therefore, have to be on May 17th- making the fourth or last issue on June 7th.

We have therefore changed the date for making proof to June 8th, instead of June 7th.

A copy of the notice has been sent to the newspaper, with instructions to publish it once a week for the four weeks prior to that date, and to send you affidavit of publication together with statement of publication costs.

About ten days prior to the date set for proof we shall send to Mr. Arthur W. Hart, Notary Public, the necessary forms of deposition, consisting of one for you as holder and one for each of two witnesses, so that he may have them in ample time for the proof.

At the time set you should appear at Mr. Hart's office, together with two disinterested witnesses, who are familiar with the terms of the permit, and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
CC to Arthur W. Hart

19160

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: May 10, 1946

Re: Permit No. 19160

The Preston Citizen

Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 8 1946 the date set for proof, the expense of the publication to be paid by the applicant, Melvin P.

Griffeth of Preston, Idaho, to whom you should furnish affidavit 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,

MA K R. KULP

State Reclamation Engineer

By

Chief Clerk

Publications to be May 17, 24, 31 and June 7

19160

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

Notice is hereby given that at 9 A. M. on the 8th day of June, 1946,
at Preston, County of Franklin, State of Idaho, before
Arthur W. Hart, Notary Public, proof will be submitted of the
application to beneficial use of three(3) cubic feet per second of the waters of Deep Creek, a
tributary of Bear River in accordance with the terms and conditions of Permit No. 19160
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

Melvin P. Griffeth, Preston, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is three (3) cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) E $\frac{1}{2}$ SE $\frac{1}{2}$ and SE $\frac{1}{2}$ NW $\frac{1}{2}$ Section 17, Twp. 15 South, Range 39 East, B.M.,
containing 120 acres, less 12 acres described as follows: "Commencing at the Northwest
corner of the NE $\frac{1}{2}$ SE $\frac{1}{2}$ said Section 17; thence North 330 feet; thence East 449 feet;
thence South 1,156 feet; thence East 449 feet; thence North 826 feet to place of
beginning."

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

The right to take water from such works is based upon Permit No. 19160

The source of supply from which such water is diverted is Deep Creek, a tributary of
Bear River

The date of priority which said user is prepared to establish is May 3, 1941

MARK R. KULP

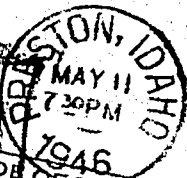
State Reclamation Engineer.

19160

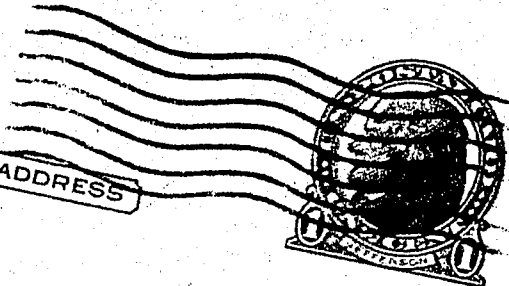
RECEIVED

MAY 14 1946

Department of Reclamation



THIS SIDE OF CARD IS FOR ADDRESS



State Dept. of Reclamation
Boise, Idaho

Just A Short Message From The Preston Citizen

Preston, Idaho

This is to notify you that we have
received your instructions relative
to Melvin P. Griffith Notice of Proof
for application of water.

19/60

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, May 28, 1946

Re: Permit No. 19160
Malvin P. Griffeth

Mr. 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. 19160

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On June 3, 1946, 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 Preston, Idaho before Arthur W. Hart, Notary Public

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

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

Yours truly.

MARK R. KULP
Commissioner of Reclamation.
State Reclamation Engineer

19160

✓
June 20, 1946

Re: Permit No. 19160

Mr. Arthur W. Hart
Notary Public
Preston, Idaho

Dear Mr. Hart:

We have not yet received the depositions
in proof of beneficial use under the above
numbered permit, in the name of Melvin P.
Griffeth.

These proofs were to be made on June 8th,
1946, and the forms were sent you under date
of May 28th.

Please advise if these proofs were made, as
advertised, and if so please forward us the
depositions.

Very truly yours,

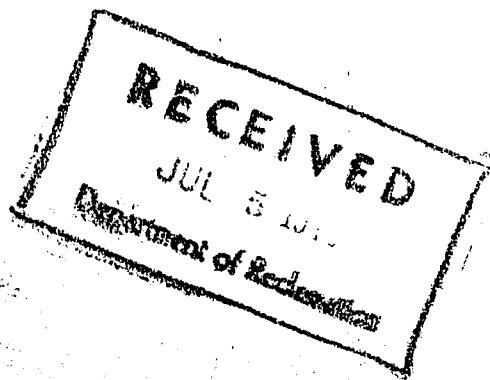
MARK R. KULP
State Reclamation Engineer
By

A
CC to Melvin P. Griffeth

Chief Clerk

19160

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 19160

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Melvin P. Griffeth, , Preston, Idaho, Farmer and School Teacher,
5th South 2nd East, Preston, Idaho. *Age 42*

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. None

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

Ans. #19160 issued Date of priority May 3, 1941.

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

Ans. Deep Creek, a tributary of Bear River, Point of diversion: Commencing
at a point 450 feet South of the Northwest corner of the Southeast
Quarter of the Northwest Quarter of Section 17, Township 15 South,
Range 39 East of the Boise Meridian, Idaho.

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. Concrete works including Headgate. Dimensions: East Wall, 20' long
4' high, 8" thick. South Wall, 16' Long, 4' high, 8" thick; Cement Floor.
Height of dam 4 feet, length of dam at top 13', length of dam at bottom
13'. Capacity of reservoir, 15 acre-feet. Size of headgate, width 13',
height 4'. Capable of conveying 4 second feet of water. Water conducted
by Deep Creek 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. Irrigation. The East Half of the SW $\frac{1}{4}$, the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17,
Tp 15 S. R 39 E of BM. Containing 120 acres irrigated with said water, less
12 acres described as follows: Commencing at the NW corner of the NE $\frac{1}{4}$ of the
SW $\frac{1}{4}$ of Section 17, Tp 15 S. R 39 E. of the BM; th N. 330 ft; th E 449 ft;
th S 1,156 ft; th W 449 feet; th North 826 ft to place of beginning.
Makes dry farm land into irrigated land.

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

Ans. None

19160

1941

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. Three (3) Cubic feet.

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. I am the person to whom the original permit was issued

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. The water has been used to irrigate beets, hay, and grains in the amounts mentioned in the permit and at the time the water was first appropriated.

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. There has been waters than those diverted under the above mentioned permit applied on the lands.

(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 8th day of June, A. D. 1946.

Arthur W. Hart, Notary Public

My commission expires February 28, 1949

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19160

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. Guy O. Woodward, 31, Preston, Idaho; Field Man Franklin County
Sugar Company; 176 East Oneida, Preston, Idaho.

Ques. 2. Are you acquainted with Melvin P. Griffeth, the holder of Permit No. 19160? How long have you known him and where does he reside?

Ans. I have known him for more than 2 years and he resides at
Preston, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19160, 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. Deep Creek, a tributary of Bear River. Diverted from a point 450
ft South of the NW corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 17, Tp 15S, R
39 E of BM Idaho. Works are of concrete.

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

Ans. Four second feet. I have seen about four second feet being con-
veyed.

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. Irrigation. The East half of the SW $\frac{1}{4}$, the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 17,
Tp 15S, R 39E. of BM. Containing 120 acres irrigated with said water, less
12 acres described as follows: Commencing at the NW corner of the NE $\frac{1}{4}$ of
the SW $\frac{1}{4}$ of Sec. 17, Tp 15S, R 39E. of the BMT; th N 330 Ft; th E 449 Ft;
th S 1156 Ft; th W 449 Ft; th N 826 Ft to place of beginning. Makes dry
farm land into irrigated land.

19/60

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

Ans. None

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

Ans. Land reclaimed is of a dry farm type and with approximately 3 cubic feet of water per second could be brought into profitable cultivation.

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 the water being used for irrigation on beets, barley, hay, and other crops.

(Signed)

Guy C. Woodward

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 8th day of June, A. D. 19 46.

Arthur W. Hart

Arthur W. Hart

Notary Public.

My commission expires

February 28, 1949

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19160

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. J. Alton Richards, 38, Preston, Idaho, Exchange Manager Mts. States
Telephone Co., 35 South State, Preston, Idaho

Ques. 2. Are you acquainted with Melvin P. Griffeth, the
holder of Permit No. 19160? How long have you known him and where does he reside?

Ans. I have known him for more than 5 Years. He resides at
Preston, Idaho

Ques. 3. Have you read or heard read said Permit No. 19160, 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. Deep Creek, a tributary of Bear River. Diverted from a point 450
feet South of the NW corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 17 Tp 15S, R
39E of BMT. Works are of concrete.

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

Ans. Four Second feet. I have seen about four second feet being
conveyed.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give
each subdivision in which water has been used and number of acres irrigated in each subdivision.)
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. Irrigation. The East Half of the SW $\frac{1}{4}$, the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 17,
Tp 15S, R 39E, or BMT. Containing 120 acres irrigated with said water,
less 12 acres ~~not~~ described as follows: Commencing at the NW corner of
the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 17, Tp 15S, R 39E, of the BMT; th N 330 Ft;
th E 449 Ft; th S 1156 Ft; th W 449 ft; th N 326 Ft to place of beginning.
Makes dry farm land into irrigated land.

19160

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

Ans. None

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

Ans. Land reclaimed is of a dry farm type and with approximately 3 Cubic feet of water per second, could be brought into profitable cultivation

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 seen the water being used on the land to irrigate crops.

(Signed)

J. Alton Richards

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 8th day of June, A. D. 1946

Arthur W. Hart

Arthur W. Hart

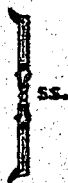
Notary Public.

My commission expires February 28, 1949

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin



W. H. Mae Knight
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

May 16, 1946 and ending with the issue of June 6, 1946.

W. H. Mae Knight
Fees, \$ 13.75

Subscribed and sworn to before me this 3 day of June, 1946.

Notary Public, Residing at Preston, Idaho

My Commission Expires Dec 17, 1948.

NOTICE FOR PUBLICATION

Notice of Proof Application of Water To Beneficial Use

Notice is hereby given that at 9 a. m. on the 8th day of June, 1946, at Preston, county of Franklin, State of Idaho, before Arthur W. Hart, Notary Public, proof will be submitted of the application to beneficial use of three (3) cubic feet per second of the waters of Deep Creek, a tributary of Bear River in accordance with the terms and conditions of Permit No. 19160 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 is Melvin P. Griffith, Preston, Idaho.

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

The amount applied to beneficial use is three (3) cubic feet per second.

The place where said water is used E½ SW¼ and SE¼ NW¼ Section 17, Typ. 15 South, Range 39 East, B. M., containing 120 acres, less 12 acres described as follows: "Commencing at the Northwest corner of the NE¼ SW¼ said Section 17; thence North 330 feet; thence East 449 feet; thence South 1,155 feet; thence West 449 feet; thence North 826 feet to place of beginning."

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

The right to take water from such works is based upon Permit No. 19160.

The source of supply from which such water is diverted is Deep Creek, a tributary of Bear River.

The date of priority which said user is prepared to establish is May 3, 1941.

Mark R. Kulp,
State Reclamation Engineer.
20-23.

19160

✓
July 9, 1946

Re: Permit No. 19160

Mr. Melvin P. Griffeth
Preston, Idaho

Dear Mr. Griffeth:

We acknowledge receipt of the depositions of yourself and two witnesses, and also the affidavit of publication in the Preston Citizen, all in connection with beneficial use proof under the above numbered permit.

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

We cannot say just when this examination will be made, since this department has but one field engineer, who makes examinations all over the State.

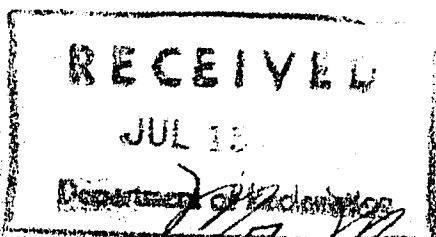
However, Mr. Tolman, Field Engineer for this department, will try to contact you at the time he makes the examination, so that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

19160



July 12, 1946

Mr. Mark R. Hulps
State Reclamation Engineer
Dear Sir.

During high water season a flood came down Deep Creek and washed out the head gates and dams, my ditches and land ~~is~~ are still in use and are receiving the benefits of the water.

There has been at least two irrigating streams and most of the time more in the Creek and has been used on the land for at least 30 years. This year the West Cache Irrigation Company enlarged their ditch about twice its regular ~~st~~ size and since June taken all the water.

Then when they don't need it are turn it out because of trouble along the ditch they flood at least 30 acres of my ground regardless of season or year and condition of ground.

I shall be happy to come up and talk this over at your convenience, Resp.
M. G.

✓
July 16, 1946

Re: Permit No. 19160

Mr. Melvin P. Griffeth
Preston, Idaho

Dear Mr. Griffeth:

Our Field Engineer has not yet made his inspection under your Permit No. 19160, but will contact you when he does. You can show him the evidence that he will require in connection with your proof.

This department seems to have no jurisdiction over damages caused by waste regulation by canals further up the stream, but our field engineer can report on conditions as he finds them at the time of his examination.

Very truly yours,

K:A

MARK R. KULP
State Reclamation Engineer

19160

OFFICERS

CYRIL K. MUNK, PRESIDENT
ARCHIE J. HARPER, MANAGER
RAY S. HANSEN, SECY. TREAS.

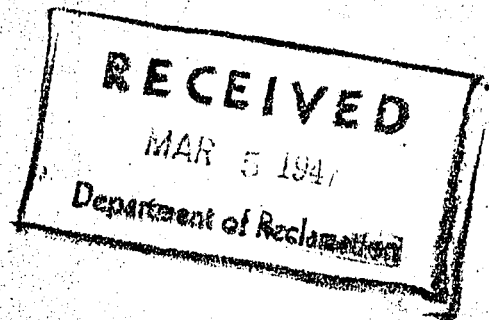
DIRECTORS

CYRIL K. MUNK
ALFONSO CHRISTENSEN
WM. H. CANTWELL
MOSES CHRISTOFFERSEN
L. M. CARDON

WEST CACHE IRRIGATION CO.

TRENTON, UTAH

March 3rd., 1947.



Idaho State Irrigation Engineer.

Boise, Idaho.

Dear Sir:

We have the understanding that Melvin Griffeth, is or has filed on some water on Deep Creek, in southern, Idaho, and Franklin County.

It is the writers understanding the the West Cache Irrigation Company, has a decreed right of 25 c.f.s. of the water of Deep Creek, and that there is another right ahead of us, and that this takes all of the water of Deep Creek.

Will you kindly give us what information you can about Mr Griffeth's filing, and in what way if any will it effect our rights, by return mail, thanking you we are,

Yours very truly,

West Cache Irrigation Co.,

Ray S. Hansen
By Ray S. Hansen, Secretary.

OFFICE ADDRESS

141 East 5th., North
Logan, Utah

19160

3 c.f.s. Deep Cr.

PS. SEHW 17-15-5398-

5-3-41-

See 108 cases -

19160

✓
March 5, 1947

Re: Permit No. 19160

West Cache Irrigation Company
141 East 5th North
Logan, Utah

Attention: Mr. Ray S. Hansen, Secretary

Dear Mr. Hansen:

Reference is made to your letter of March 3 in regard to filing on Deep Creek by Melvin Griffeth.

The records in this department show Permit No. 19160 in the name of Melvin Griffeth filed May 3, 1941 for 3 cubic feet per second of the waters of Deep Creek.

This permit, however, as all other permits issued by this department, is for unappropriated public waters only and is subject to all prior rights on the stream in question.

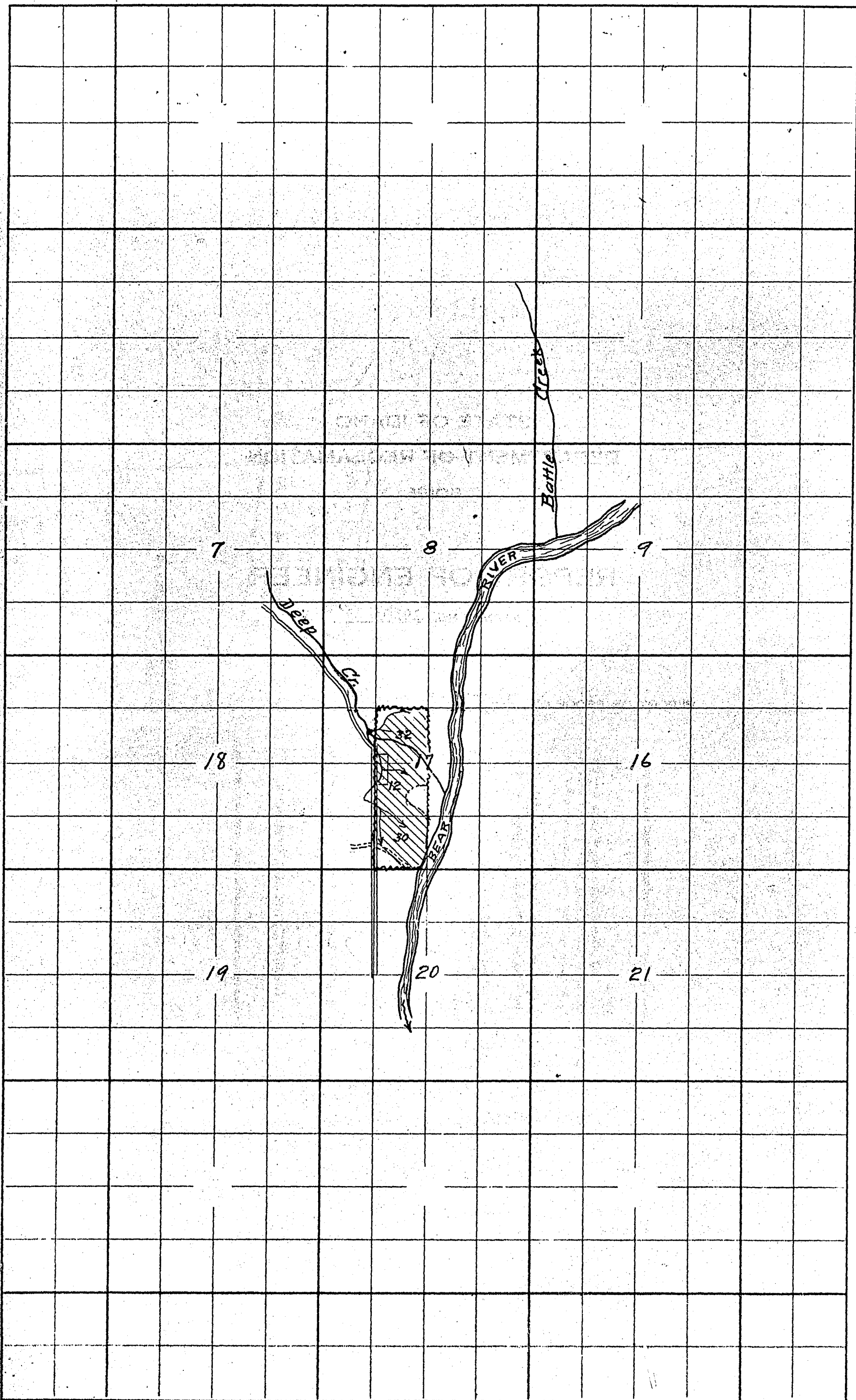
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FA

19160



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19160

This proof is for Beneficial use

In Water District No.

1. Name of applicant. Melvin P. Griffeth, Preston, Idaho
2. Source of water supply. Deep Creek, a tributary of Bear River
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17
T. 15 South R. 39 East, B.M. County of Franklin
4. Describe works as they exist, giving dimensions and capacities of same: Diversion works (at time of examination) consisted of a broken up concrete control dam and headgate, which were 16 feet wide X 4 feet deep until destroyed by a rather recent flush of water from above; Ditches are 2 feet wide and 1 foot deep.
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): E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17, Twp. 15 South, Range 39 East, B.M., less 12 acres thereof described by metes and bounds.

(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: Replacement of destroyed works was to be made this season.

This examination was made on the 9th day of August, 1946.

(Signed)

W. H. Nelson
Examiner.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

ARNOLD WILLIAMS
GOVERNOR

March 12, 1947

Re: Permit No. 19160

Mr. Melvin P. Griffeth
Preston, Idaho

Dear Mr. Griffeth:

We now have on file the report of our Field Engineer on examination for Beneficial Use under your Permit NO. 19160.

This report shows that you are irrigating 74 acres of land in the E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{2}$ NW $\frac{1}{4}$ Section 17, Twp. 15 South, Range 39 East, B. M.

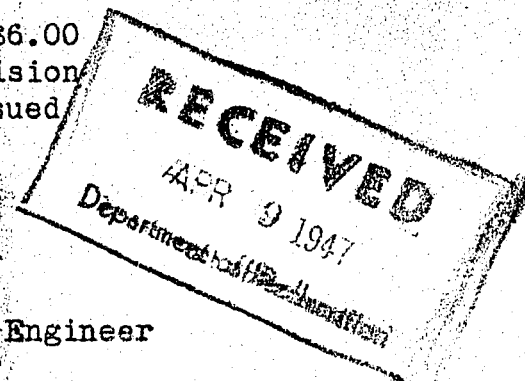
Therefore, upon receipt of a statutory fee of \$6.00 being at the rate of \$2.00 for each 40-acre subdivision in which the land is located, a license will be issued for 1.5 second feet of water from Deep Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannette L. Anderson
Chief Clerk



A:FA

Inclosed find \$6.00 for statutory fees

Respectfully

Melvin Griffeth

19160

C. A. Robins

April 15, 1947

Re: Permit No. 19160

Mr. Melvin P. Griffeth
Preston, Idaho

Dear Mr. Griffeth:

We enclose license and certificate of water right issued under Permit No. 19160 confirming your right to the use of 1.5 second feet of water from Deep Creek, a tributary of Bear River, with priority of May 3, 1941, for the irrigation of 74 acres of land in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 17, Township 15 South, Range 39 East, B. M.

We also enclose departmental receipt No. 19914 for the \$6.00 fee paid by you in connection with this final proof.

Very truly yours,

MARK R. EULP
State Reclamation Engineer
By

Chief Clerk

A:FA

Encl.

19160

State of Idaho License and Certificate of Water Right

Water License No. 19160Amount 1.5 second feet

Water District No. _____

Priority May 3, 1941

THIS IS TO CERTIFY that DOUGLAS F. GRIFFETH
of Weston, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 3, 1941; that Permit No. 19160
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3 second feet, was issued thereunder on March 22, 1946, showing that said works
were completed on the 21st day of February, 1946; and that on the 8th
day of June, 1946,

MELVIN P. GRIFFETH, Assignee,

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 Deep
Creek, a tributary of Bear River, for the purpose of irrigation
, under Use Permit No. 19160 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

7 of Licenses at page 4360, on the 12th day of April, 1947;

The right hereby confirmed dates from May 3, 1941;

The Point of Diversion is located

in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17, T₁₅ S., R. 39 E., B. M. Franklin County.

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 1.5 cubic feet per second.

Description and location of use:

Twsp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S.	39 E.	17	SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$		32 12 30
			Number of Acres Actually Irrigated -		74

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
12th day of April, 1947.

MARK R. KULP

State Reclamation Engineer

(SEAL)

