

# APPLICATION FOR PERMIT

## To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 30387  
 PERMIT No. 22642  
 DISTRICT No.

1. Name of Applicant: ERVIN A. VAN ORDEN

Postoffice address: Lewiston

County: Cache

State: Utah

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:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 2.5

cubic feet per second.

3. Source of water supply: Worm Creek

which is a tributary of Cub River

4. Location of point of diversion: About 85

feet distant from the S. E.

of NW $\frac{1}{4}$  NW $\frac{1}{4}$

corner of Section 25, T.16 S., R.39 E., B.M., and is in the NE $\frac{1}{4}$  NW $\frac{1}{4}$

of Section 25, T.16 S., R. 39 E., B.M., County of Franklin, Idaho

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: \$ 5,000.00

8. Kind of works: Electrical pumping plant and sprinkling system; possibly a catch basin.

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 feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is One (1) years.

13. The time required for the complete application of the water to the proposed use is One (1) additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: No appurtenant water right.

I have some stock in canal which I have other land to use it on.

16. (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 water of the State of Idaho as herein set forth.

ERVIN A. VAN ORDEN      *Applicant.*

By

*Agent.*

Date of first receipt at Department of Reclamation: 9:00 A. M. March 7, 1952

Returned to applicant for correction:

Corrected application received:

## Approval of State Reclamation Engineer

The number of this permit is 22642

Recorded in Book 81 Page 22642 Approved March 11, 1952

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 May 11, 1952 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 **September 11, 1952**

The whole of said work to be completed on or before **March 11, 1953**

Beneficial use of water appropriated in accordance herewith, to be made on or before March 11, 1954

WITNESS My hand this 11th day of March, 1952

MARK R. KULP

*State Reclamation Engineer.*

IN TESTIMONY WHEREOF, WE, LEN JORDAN

, Governor of the State of Idaho.

and IRA H. MASTERS

\_\_\_\_\_, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 11th

day of March, 19 52.

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS

Secretary of State.

By **LEN JORDAN**

Governor.

REMARKS: My purpose is to install a pumping plant on Warm Creek and pump water which is not being used by those above me, and is not being used below me, and to use this water to operate a sprinkling plant.

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. | 25   |     |     |     |     | 35  | 35  | 35  | 35  |     |     | 20  |     |     |     |     | 160 |        |
| <p style="text-align: center;">APPLICATION FOR AMENDMENT<br/>TO PERMIT TO APPROPRIATE THE PUBLIC WATERS<br/>OF THE STATE OF IDAHO, NO. 22642</p> <hr/>                                                 |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| Comes now Ervin Van Orden 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. 22642.                                                                                           |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| That the point of diversion is described in said permit as being located NE¼ NW¼ Section 25, Township 16 South, Range 39 East, E.M.                                                                    |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| That he now requests that the point of diversion be changed to a point SE¼ NW¼ Section 25, Township 16 South, Range 39 East, E.M.                                                                      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| That his reasons for desiring to make such change are as follows: That a mistake was inadvertently made in the application and there was no intention to falsify in any manner the point of diversion. |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| 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 5th day of October, 1953.                                                                                                                                                |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| Date of receipt at Department of Reclamation October 6, 1953.                                                                                                                                          |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| ERVIN VAN ORDEN                                                                                                                                                                                        |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

## 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. 22542. 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

Permit No. 22642

## CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that ERVIN A. VAN ORDEN of Lewiston, County of Cache, and State of Utah, the holder of Permit No. 22642, issued upon Application No. 30387 bearing date of priority of March 7, 1952, authorizing the diversion of 2.5 second feet of the waters of Worm Creek, a tributary of Cub River, County of Franklin, State of Idaho, for irrigation purposes has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.18 second feet of the waters of Worm Creek; that the point of diversion of said waters is in the 30<sup>th</sup> NW<sup>th</sup> Section 25, Township 16 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: North-west Quarter and NE<sup>th</sup> SW<sup>th</sup> Section 25, Township 16 South, Range 39 East, B.M.

Witness my hand this 6th day of October, A.D.1953.

MARK R. KULP  
State Reclamation Engineer

Proof of Completion of Works made November 22, 1952.  
Certificate of Completion of Works issued October 6, 1953.

PERMIT ISSUED FOR 2.18 SEC. FT.

*pp. 515*

Form No. 6

[illegible]

**SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.**

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
FOISE

Permit No. 22642

Date March 13, 1952

We enclose herewith the above numbered permit. BE SURE AND  
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the  
State Reclamation Engineer, on the fourth page.

Mr. Ervin A. VanOrden  
Lewiston  
Utah

MARK R. KULP  
State Reclamation Engineer

Enc. Departmental receipt No. 24240 for \$5.50 filing fee.

22642

LICENSED  
ABSTRACTER

P. M. CONDIE  
ATTORNEY AT LAW  
PRESTON, IDAHO

RECEIVED  
JUL 28 1952

Department of Reclamation

July 25, 1952.

Department of Reclamation,  
Boise, Idaho.

Gentlemen:

Ervin Van Orden wishes me to advise you that he is now ready to make proof of completion of works and of application of water to beneficial use under the permit recently issued to him. I am sorry, but he did not bring in the permit so I do not have the number.

Very truly,

P. M. Condie

22642

Wm. W.

22642

✓  
July 29, 1952

RE: Permit No. 22642

Mr. P. M. Condie  
Attorney at Law  
Preston, Idaho

Dear Mr. Condie:

We are in receipt of your letter of July 25, 1952, advising that Mr. Ervin Van Orden is ready to make proof of completion of works and beneficial use under Permit No. 22642.

Notice should be made in duplicate on Form 36 enclosed, setting time and place and naming the Notary Public before whom proof is to be made.

Both copies of Form 36 to be returned to this department together with Form 11 which is authorization for us to have the notice published at his expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

22642

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)..... September 22, 1952.

(P. O.)..... Lewiston, Utah.

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.

You are authorized to make any needed change  
in the enclosed notice.

Erwin A. Van Orden  
By R.M. Condie Attorney

(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.

22642

October 3, 1952

RE: Permit No. 22642

Mr. P. M. Condie  
Attorney at Law  
Preston, Idaho

Dear Mr. Condie:

We are sending to the Preston Citizen notice of completion of works and beneficial use proof to be made on Permit No. 22642 on November 22, 1952, with instructions to publish it once a week for four consecutive weeks prior to that date and to send the affidavit of publication together with statement of costs to the permit holder, Mr. Ervin Van Orden.

We have made one change in the notice, as the priority is March 7, 1952, the date the application was filed in this department.

We enclose the necessary forms of deposition for making these proofs, consisting of one for the permit holder and one for each of two witnesses, and at the time set Mr. Van Orden 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 depositions.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

22642

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Re: Permit No. 22642

Date: October 3, 1952

Preston Citizen

Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **November 22, 1952** the date set for proof, the expense of the publication to be paid by the applicant, **Ervin Van Orden** of **Lewiston, Utah**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

**MARK R. KULP**

State Reclamation Engineer

By

Chief Clerk

22642

NOTICE OF PROOF OF COMPLETION OF WORKS  
and  
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at ten o'clock A. M., on the 22nd day of November, 19 52, at Preston, County of Franklin State of Idaho, before P. M. Condie, Notary Public, proof will be submitted of the completion of works for the diversion of 2.5 cubic feet per second of the waters of Worm Creek and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 22642 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Ervin Van Orden, Lewiston, Utah.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 2.5 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.5 cubic feet per second.

4. The place where said water is used is NE $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and NE $\frac{1}{4}$  SW $\frac{1}{4}$ , of Section 25, Tp. 16 S., R. 39 East of Boise Meridian.

5. The date of priority which said user is prepared to establish is September 1, 1952.

March 7

MARK R. KULP

State Reclamation Engineer

22642

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

Alon 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

October 23, 1952 and ending

with the issue of November 13, 1952

Alon E. Smith

Fees \$ 14.50

Subscribed and sworn to before me this 22nd day

of November 19 52

Notary Public, Residing at Preston, Idaho

My Commission Expires Nov. 29 - 1954

## NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at ten o'clock A. M., on the 22nd day of November, 1952, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, proof will be submitted of the completion of works for the diversion of 2.5 cubic feet per second of the waters of Worm Creek and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 22642 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Ervin Van Orden, Lewiston, Utah.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 2.5 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.5 cubic feet per second.

4. The place where said water is used is NE $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 25, Tp. 16 S., R. 39 East of Boise Meridian.

5. The date of priority which said user is prepared to establish is March 7, 1952.

MARK R. KULP,  
State Reclamation Engineer  
43-46c

22642

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
NOV 24 1952  
Department of Reclamation

Permit No. 22642

**Proof of Application of Water to Beneficial Use**  
**and Completion of Works**  
**Deposition of Holder**

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

Ans. Ervin A. Van Orden, Lewiston, Utah, farmer, Lewiston, Utah.

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

Ans. -

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

Ans. No. 22642, dated March 11, 1952, priority date March 7, 1952.

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

Ans. Horn Creek. Point of diversion: About 100 feet distant from the SE. corner of NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 25, Tp. 16 S., R. 39 E. B. M. and is in NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 25, Franklin County, 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. 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.

Ans. Electrical pumping plant and sprinkling system, pump directly from Creek. Have a culvert laid in stream back into bank about forty feet.

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 of 160 acres: 35 acres in each forty of NW $\frac{1}{4}$ , and 20 acres in SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , of Section 25, Tp. 16 South, Range 39 E. B. M.

22642

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. 2.5 cubic feet per second.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. -

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

Ans. Used water from June to September, 1952, and in future will want to use from May to September of each year; full 2.5 second feet was used during season of 1952 on the land described.

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. Have some other water and used on other land.

(Sign) Erwin T. Ordan

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 22nd day of November, A. D. 1952,

J. H. Condie

My commission expires Nov. 22, 1954.

22642

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 22642

## Proof of Application of Water to Beneficial Use

### Deposition of Witness and Completion of Works

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. Glendon A. Nelson, forty one years, farmer, Lewiston, Utah.

Have business in Preston, Idaho, also.

Ques. 2. Are you acquainted with Ervin A. Van Orden, the holder of Permit No. 22642? How long have you known him and where does he reside? Yes, have known him since 1936.

Ans. \_\_\_\_\_

Ques. 3. Have you read or heard read said Permit No. 22642, 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. Worm Creek, Point of diversion: About 100 feet Distant from SE. corner of NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 25, Tp. 16 S., R. 39 E. B. M. and is in NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 25, in Franklin County, Idaho.

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. two and one-half second feet

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. 35 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 35 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 35 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; and 35 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; and 25 acres in NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , of Section 25, Tp. 16 S., R. 39 E. B. M. have seen this water used on the said land during the season of 1952. It is all cultivated. It has now raised fairly good crops and would have done better if applied earlier in the season. Grain, hay and sugar beets grown.

22642

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. Irrigation. Red clay land. Requires 2.5 second feet for proper irrigation.

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. From about June to September, at different times. Sprinklers going practically all the time.

(Signed) Glendon A. 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 22 day of November,  
A. D. 1952.

J. M. Condie  
Notary Public.

My commission expires Nov. 29, 1954.

22642

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 22642

## Proof of Application of Water to Beneficial Use

### Deposition of Witness and Completion of Works

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. Lee W. Hall, age 26 years, residence, Lewiston, Utah mail address;  
reside in Fairview, Franklin County, Idaho. Farmer.

Ques. 2. Are you acquainted with Ervin A. Van Orden, the  
holder of Permit No. 22642? How long have you known him and where does  
he reside?

Ans. Yes; all my lifetime.

Ques. 3. Have you read or heard read said Permit No. 22642, 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 con-  
veying water from point of diversion to place of use.

Ans. Warm Creek. Point of diversion: About 100 feet distant from SE corner  
of NW1 of NW1 Section 25, Tp. 16 S., R. 39 E. B. M. and is in NE1 NW1  
of said Section 25, in Franklin County, Idaho.

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

Ans. two and one-half second feet

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 im-  
provements which have been made as a direct result of said use.

Ans. Irrigation. 35 acres in NE1 NW1, 15 acres in NW1 NW1, 35 acres in  
SW1 NW1, and 15 acres in SE1 NW1, and 25 acres in NE1 E. 1/4, of Section  
25, Tp. 16 South, Range 39 E. B. M. have seen this water used on said land  
during the season of 1952. It is cultivated land and raises fairly good  
crops of grain, hay and sugar beets.

22642 -

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. Irrigation. Red clay land. Requires 2.5" second feet for proper irrigation.

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. From June to September. Live across street from land and I have seen the sprinklers going almost all the time during the irrigation season.

(Signed) Lee W. Hall

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 22 day of November,  
A. D. 1954.

A. M. Condie

Notary Public.

My commission expires Nov. 29, 1954

22642

✓  
November 24, 1952

RE: Permit No. 22642

Mr. Ervin A. Van Orden  
Lowiston  
Utah

Dear Mr. Van Orden:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Preston Citizen, all submitted in proof of completion of works and beneficial use on Permit No. 22642.

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 you 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

A:fg

22642

1953  
August 19, ~~1953~~

RE: Permit No. 22642

Mr. Ervin A. Van Orden  
Lewiston  
Utah

Dear Mr. Van Orden:

I intend to make inspection, as required by law, in connection with your Permit No. 22642 some time during the week of August 23rd.

This inspection is required by Idaho State Law.

Please be prepared to accompany me on the inspection or have some one familiar with your water system do it for you.

I cannot state the exact day, but will try to contact you, probably by telephone, before making any inspection.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

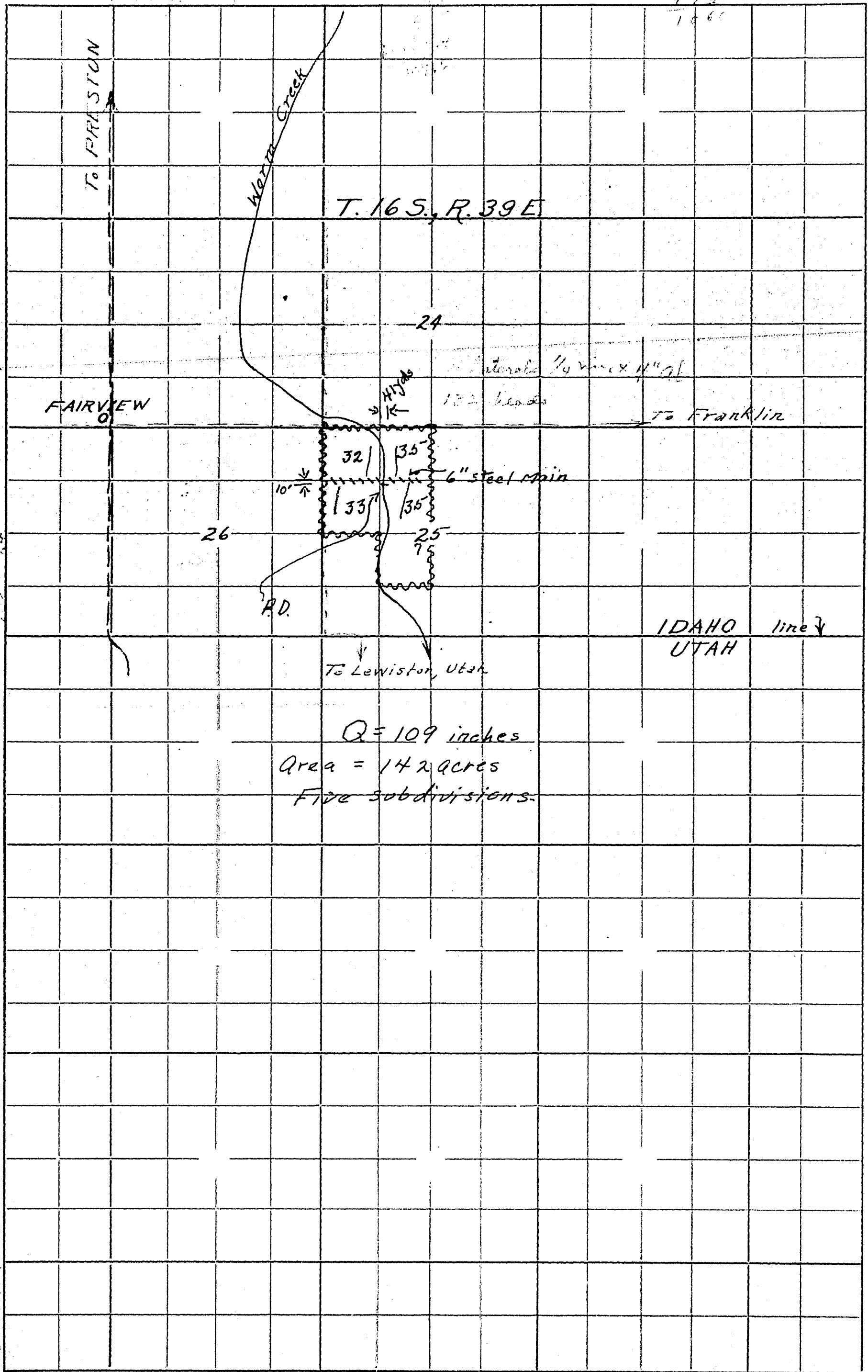
E.N. HUMPHREY  
Deputy State Reclamation Engineer

ENH:pj

22642

1451 7 22 1060

1451 7 22 1060



Q = 109 inches  
Area = 142 acres  
Five subdivisions.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO  
**REPORT OF ENGINEER**

Permit No. 22642

This proof is for Completion of Works and Beneficial Use In Water District No. \_\_\_\_\_

1. Name of applicant Ervin A. Van Orden, Lewiston, Utah

2. Source of water supply: Worm Creek

3. Location of point of diversion: Is in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 25 of Section \_\_\_\_\_

T. 16 S. R. 39 E. County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: This is a sprinkler system pumping water from Worm Creek. 15" diameter steel pipe has been laid from the stream to the pump. Lift is approximately 18'. Fairbanks Morse Motor, 40 h.p., 220 V. 99 amps. 60 cycle

3 phase, No. P.N. 5354. Pump is also Fairbanks Morse oil lubrication turbine. P.N. 3354.

Approximately 1/2 mile of 6" steel main mostly buried. There are four 4 inch by 1/4 mile aluminum laterals. There are 132 sprinkler heads size 3/32 by 11/64. Operating pressure is 45 lbs. Q = 109 inches.

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):

NE $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 25, Township 16 South, Range 39 East, B. M.

See Map.

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

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

Remarks: Sprinkling has improved the crop production on this farm tremendously.

This examination was made on the 26th day of August, 19 53

(Signed) E. M. Humphrey Examiner.

22642

September 1, 1953

RE: Permit No. 22642

Mr. Ervin A. Van Orden  
Lewiston  
Utah

Dear Mr. Van Orden:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on your Permit No. 22642.

This report shows that your point of diversion from Worn Creek is in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 25, Township 16 South, Range 39 East, B.M., instead of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said section as described in your permit.

It will therefore be necessary for you to file an application for amendment on the form enclosed and return same for approval and record in this department.

The report shows that you have irrigated 142 acres in the NW $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 25, and that you have used 109 inches of water.

Certificate of Completion of Works and License can be issued for 109 inches, or 2.18 cubic feet per second. The completion of works fee is \$5.00 and the License fee \$10.00, the latter being at the rate of \$2.00 for each 40 acre subdivision in which the land is located, making a total of \$15.00.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

22642

October 7, 1953

RE: Permit No. 22642

Mr. Ervin A. Van Orden  
Lewiston  
Utah

Dear Mr. Van Orden:

We enclose your application for amendment to the point of diversion in Permit No. 22642, which has been approved by the State Reclamation Engineer and recorded in this department.

We also enclose Certificate of Completion of Works and License and Certificate of Water Right issued under this permit, confirming your right to the use of 2.18 second feet of water from Worm Creek with priority of March 7, 1952, and point of diversion in the SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 25, Township 16 South, Range 39 East, B.M., for irrigation of land in the NW $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 25.

We also enclose departmental receipt No. 26254 for the \$15.00 fees in connection therewith.

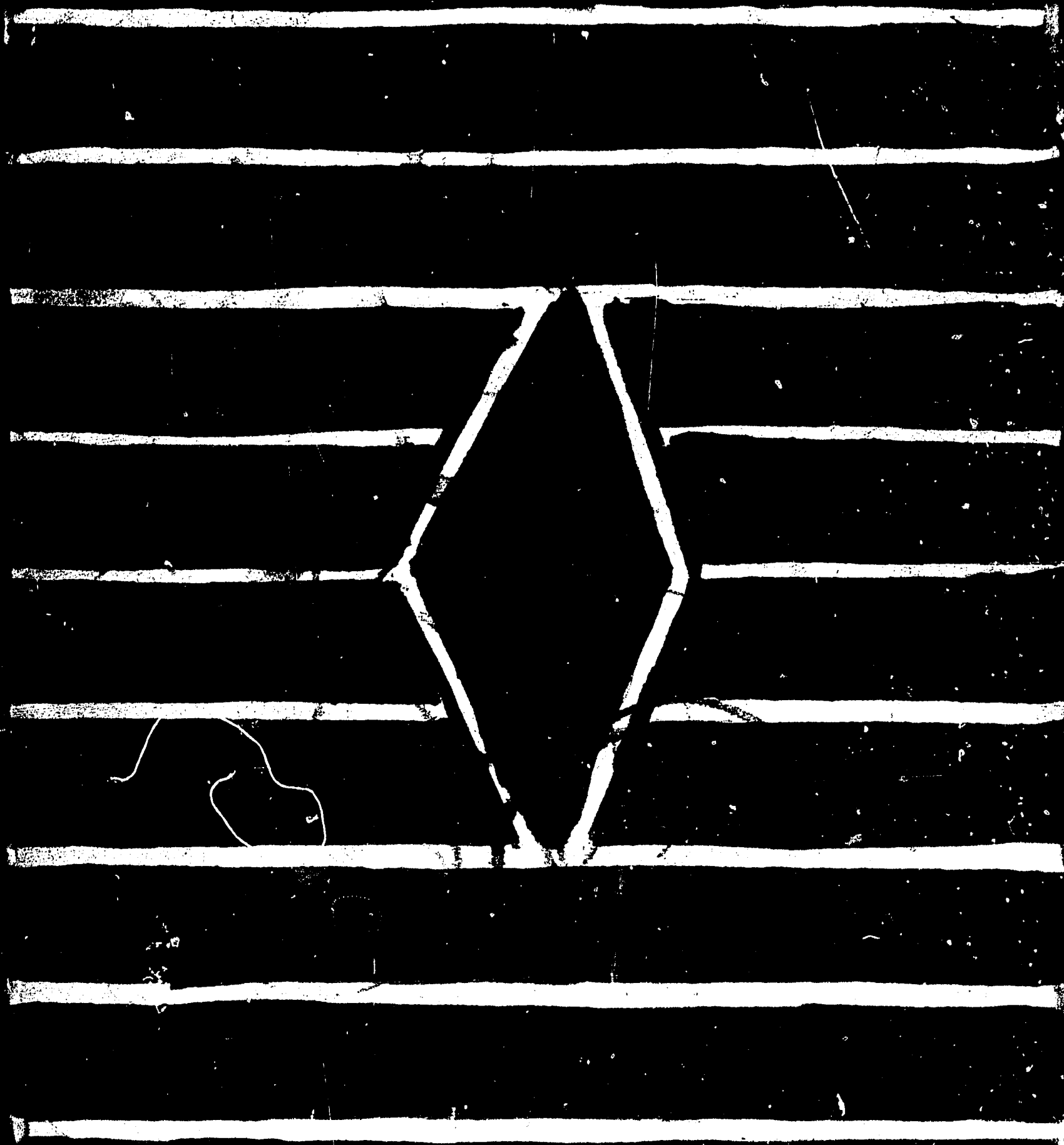
Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

22642



# State of Idaho

## License and Certificate of Water Right

Water License No. 22642Amount 2.18 second feet

Water District No. ....

Priority March 7, 1952

THIS IS TO CERTIFY that ERVIN A. VAN ORDEN  
 of Lewiston, Utah, made application for a permit to appropriate the  
 public waters of the State of Idaho, dated March 7, 1952; that Permit No. 22642  
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
2.18 second feet, was issued thereunder on October 6, 1953, showing that said works  
 were completed on the 22nd day of November, 1952; and that on the 22nd  
 day of November, 1952,

ERVIN A. VAN ORDEN

of Lewiston, State of Utah, made proof to the satisfaction of the  
 State Reclamation Engineer of Idaho, of the right to use the waters of Worm Creek  
 , a tributary of Cub River, for the purpose of irrigation  
 , under Use Permit No. 22642 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  
8 of Licenses at page 5150, on the 6th day of October, 1953;

The right hereby confirmed dates from March 7, 1952;

The Point of Diversion is located  
 in the SE 1/4 NW 1/4, Sec. 25, Tp. 16 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 2.18 cubic feet per second.

### Description and location of use:

| Twp.  | Range | Sec. | Forty-acre Tract                                              | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|-------|-------|------|---------------------------------------------------------------|----------------------------------|---------------------------------|
| 16 S. | 39 E. | 25   | NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 35                               | 35                              |
|       |       |      | NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 35                               | 32                              |
|       |       |      | SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 35                               | 33                              |
|       |       |      | SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 35                               | 35                              |
|       |       |      | NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> | 20                               | 7                               |
|       |       |      | Number of Acres Actually Irrigated -                          |                                  |                                 |

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  
6th day of October, 1953.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper. The top right corner has some faint, illegible marks that appear to be from a stamp or label. The bottom left corner shows a slight shadow, suggesting the paper is resting on a surface.

PROPOSED FINDING OF WATER RIGHTS - WORM CREEK DRAINAGE

SOURCE: Worm Creek

29

13-2161

| IDENT. NO. | NAME AND ADDRESS                                                   | PRIORITY  | PURPOSE    | PERIOD OF USE<br>From To | AMOUNT<br>ACRE FEET<br>PER ANNUM | MAXIMUM<br>RATE OF<br>DIVERSION<br>c.f.s. | POINT OF<br>DIVERSION                                  | PLACE OF USE<br>and<br>LANDS IRRIGATED                                                                                                                                                                                                                         | BASIS OF RIGHT<br>and<br>REMARKS          |
|------------|--------------------------------------------------------------------|-----------|------------|--------------------------|----------------------------------|-------------------------------------------|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| 13-0269    | KENNINGTON, Mack H.<br>1113 North Park<br>Pomona, Calif. 91768     | 12-8-1927 | Irrigation | 4-1 11-1                 | 14.0                             | 0.08                                      | SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S.26<br>T15S, R39E | Sec. 26<br>SE $\frac{1}{4}$ NE $\frac{1}{4}$<br>T15S, R39E<br>4.0                                                                                                                                                                                              | Beneficial Use<br>Academy Hollow<br>Creek |
| 13-0143    | PRESTON WHITNEY<br>IRRIGATION COMPANY<br>Preston, Idaho            | 4-01-1929 | Irrigation | 4-1 11-1                 | 2135.0                           | 5.0                                       | SW $\frac{1}{4}$ SW $\frac{1}{4}$ , S.8<br>T15S, R40E  | Same as listed<br>under 13-0271                                                                                                                                                                                                                                | Decree<br>Larsen Springs                  |
| 13-0206    | DONEY, Wayne W.<br>&/or Marilyn L.<br>Preston, Idaho               | 4-01-1933 | Stockwater | 1-1 12-31                | 0.4                              | 0.02                                      | SW $\frac{1}{4}$ NW $\frac{1}{4}$ , S.24<br>T15S, R39E | Sec. 24<br>SW $\frac{1}{4}$ NW $\frac{1}{4}$<br>T15S, R39E                                                                                                                                                                                                     | Beneficial Use<br>Unnamed Spring          |
| 13-0266    | ALDER, Reo G.<br>&/or Karl G.<br>Rt. #1, Box 135<br>Preston, Idaho | 1-01-1940 | Stockwater | 1-1 12-31                | 0.7                              | 0.02                                      | SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S.26<br>T15S, R39E | Sec. 26<br>SE $\frac{1}{4}$ NE $\frac{1}{4}$<br>T15S, R39E                                                                                                                                                                                                     | Beneficial Use                            |
| 13-0227    | VAN ORDEN, Neal<br>&/or Ervin<br>Lewiston, Utah                    | 4-01-1943 | Irrigation | 4-1 11-1                 | 214.0                            | 0.5                                       | NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S.25<br>T16S, R39E | Sec. 25<br>NE $\frac{1}{4}$ NW $\frac{1}{4}$<br>NW $\frac{1}{4}$ NW $\frac{1}{4}$<br>SW $\frac{1}{4}$ NW $\frac{1}{4}$<br>SE $\frac{1}{4}$ NW $\frac{1}{4}$<br>NE $\frac{1}{4}$ SW $\frac{1}{4}$<br>T16S, R39E<br>37.0<br>35.0<br>38.0<br>35.0<br>7.0<br>152.0 | Beneficial Use<br>Unnamed Drain           |
| 13-2161    | VAN ORDEN, Neal<br>&/or Ervin<br>Lewiston, Utah                    | 3-07-1952 | Irrigation | 4-1 11-1                 | 532.0                            | 2.18                                      | SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S.25<br>T16S, R39E | Sec. 25<br>NE $\frac{1}{4}$ NW $\frac{1}{4}$<br>NW $\frac{1}{4}$ NW $\frac{1}{4}$<br>SW $\frac{1}{4}$ NW $\frac{1}{4}$<br>SE $\frac{1}{4}$ NW $\frac{1}{4}$<br>NE $\frac{1}{4}$ SW $\frac{1}{4}$<br>T16S, R39E<br>37.0<br>35.0<br>38.0<br>35.0<br>7.0<br>152.0 | License                                   |

The amount of water diverted using this right,  
13-0227, and 13-0314 shall not exceed 3.5 af/acre  
or 532.0 af/yr.