

# APPLICATION FOR PERMIT

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

1. Name of applicant: Heber A. Holbrook

Postoffice address: Holbrook

County: Oneida State: Idaho

2. The quantity of water claimed is 1/10 cubic foot per second.

3. Source of water supply: A Seeping Spring.

County of Oneida

4. Location of point of diversion: At the spring in NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 21, Tp. 14 S.R. 32 E.

5. To be used for: Watering cattle and irrigating and domestic use.

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 5 acres.

(b) In the following legal subdivisions: SW $\frac{1}{4}$  of NE $\frac{1}{4}$  Sec. 22, T. 14 S.R. 32 E.

6. Estimated cost of works: several hundred dollars.

7. Description of works for diversion:

I. Kind of works: It is proposed to conduct the water in a concrete pipe 2" in diameter.

II. Dimensions of works:

(a) Conduit 2 pipe 2" diameter. Diameter of pipe: 2" inches. Average grade per mile is 500 feet. Length of conduit is 3/4 mile, and it crosses the following quarter sections: the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  Sec. 21, S2 NW $\frac{1}{4}$  Sec. 22, to the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  Sec. 22, T. 14 S. R. 22 E.B.M., to land described in 5 I (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is two years.

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

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

Heber A. Holbrook,

Applicant.

Remarks: It is proposed by the applicant to finish constructing a concrete pipe line from this spring to the place of intended use. The said line, having been commenced by act of former permit, but on account of sickness was not completed, but it is intende to push the work forward so as to have completed by the time two years has expired, and as near as can be estimated there is ready and put in together about 1200 feet, besides the spring hole has nearly 200 feet of drain pipe placed therein.

4423

APPROVAL OF STATE ENGINEER.

The number of this permit is 4423.

Date of first receipt of application: 1.00 p.m. March 12, 1909.

Recorded in Book 12. Page 4423. Approved March 12, 1909.

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

Work to begin on or before May 11, 1909, 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 March 12, 1910.

The whole of said work to be completed on or before March 12, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to March 12, 1913.

Witness my hand this twelfth day of March, 1909.

Geo. Stephenson, Jr.

State Engineer.

Notice of proof of completion of works and beneficial use of water received January 14, 1911, fixing March 9th, 1911, as date, and Pleasant View, as place of proof.

Publication notice mailed American Falls Press, January 16, 1910

Deposition blanks mailed December 27, 1910, to Charles R. Thomas

J. O. Webster, Water Commissioner, notified January 16, 1911, to make examination and report.

Depositions and affidavit of publication received March 13, 1911

Report of Water Commissioner received May 29, 1911

Fees received March 13, 1911.

Certificate issued July 20, 1911

Permit No. 4423

#### CERTIFICATE OF COMPLETION OF WORKS

To All Whom it May Concern:

This is to certify that ROBERT A. HOLBROOK, of Holbrook, County of Oneida, and State of Idaho, the holder of Permit No. 4423, issued upon Application No. 6333, bearing date of priority of March 12, 1909, authorizing the diversion of 1/10 of one second-foot of the waters of a Spring, County of Oneida, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1/10 of one second-foot of the waters of a spring, that the point of diversion of said waters at the spring is at a point in the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ), Section 21, Township 14 South, Range 32, East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$ ), Section 22, Township 14 South, Range 32, East of Boise Meridian.

Witness my hand this 20th day of July, A. D. 1911.

A. E. Robinson,

State Engineer of the

State of Idaho

License issued for 1/10 second-foot

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State of Idaho  
ENGINEERING DEPARTMENT  
BOISE

JAS. STEPHENSON, JR.,  
STATE ENGINEER

Permit No. 4423  
Heber A. Holbrook,

Boise, Idaho, March 18, 1909

Holbrook, Idaho

Dear Sir:

I enclose herewith above numbered permit. Be sure to note limitations and conditions of same as given under approval of State Engineer on the third page.

JAS. STEPHENSON, Jr.,  
State Engineer.

4423

State of Idaho  
ENGINEERING DEPARTMENT  
BOISE

D. G. MARTIN  
STATE ENGINEER

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Heber A. Holbrook,

Holbrook, Idaho

Boise, Idaho, December 1, 1910

Dear Sir:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 4423

This form should be filled out and mailed to the State Engineer at least 60 days before the date upon which it is to be submitted, which proof MUST be on or before March 12, 1911

Upon receipt of the blank properly filled out, notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a Notary Public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the 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

D. G. MARTIN

State Engineer.

4423

Hollbrook Ida, 12/8/1910

RECEIVED

DEC 16 1910

J. H. Martin

State Engineer

Boone Idaho

Dear Sir: Notice for completion  
of Work received for Permit 4423  
but before fill out same I desire  
a little information

1<sup>st</sup> How do you measure the water to find  
out how many Cubic feet per second?  
2<sup>nd</sup> Shall the witnesses sign the notice  
as well as <sup>my</sup> self?

The work of piping the water is already  
complete, but after reaching the steep  
part of the Mountain I found it was  
only a waste of money to put in  
as large a pipe as 2<sup>in</sup>. so have put  
up 2<sup>in</sup>

in a smaller pipe of Galz. Iron. which  
would easily carry twice the water that  
there is. the fall being much greater than  
at first anticipated. Now will this make  
any difference in submitting the proof  
of work if present pipe line is all  
that is needed to carry the spring?  
Also the spring is now used for  
House hold purposes, and Watering of  
stock is that sufficient for proof also  
of application of water so both proofs  
can be submitted at once?

Very respy

Heber A. Holbrook  
Holbrook  
Idaho.

2/4/23

December 17, 1910.

Permit 4423

Heber A. Holbrook,  
Holbrook, Idaho.

Sir:-

In reply to your letter of the 8th inst. would say the blank you should be filled out for the amount of water in the permit, one-tenth of a second foot. If the works will not carry this amount the water commissioner's report will state such to be the case at the time proof is made. If you intend using the water on the five acres for garden or other purposes in the spring you can make both proofs at this time, as the amount of water is so very small. I am inclosing herewith blank for the final proof which should be filled out and returned with your notice of proof of completion of works. It is not necessary to have the witnesses sign these notices. Deposition blanks will be sent later for them.

Very truly yours,

State Engineer.

F121

By...

4423

# Notice of Proof of Completion of Works

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

RECEIVED

JAN 14 1911

OFFICE OF STATE ENGINEER

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

(P. O.) Holbrook Idaho.

(Date) Jan 6<sup>th</sup> 1911

DEAR SIR: Notice is hereby given that at 1:30 P. M. on the 9<sup>th</sup> day of March, 1911, at Pleasantview, County of Oneida, State of Idaho, before Chas. R. Thomas proof will be submitted of the completion of works for the diversion of One tenth cubic feet per second of the waters of Seeping Spring in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is

Heber A. Holbrook

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

Holbrook County of Oneida State of Idaho.

3. The number of such permit is 4423, and the date set for the completion of

such work is March 12, 1911

4. Said water to be used for Irrigation and Domestic purposes.

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

6. The amount of lands for which said water is available is 5 acres acres, particularly described as follows: South East corner of Sec. 22, T. 14 N. R. 32 E. 12 N.

(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 above notice are true.

Engineer.

I desire that the above notice be published, according to law, in the American Falls Press of American Falls published in the county in which said works are situated; the expense of which publication will be borne by Heber A. Holbrook

(Signature)

Heber A. Holbrook

Witness

Frank Briggs  
Joseph Bennett

112-16-21-195-32 E

C. R. Thomas,

Probate Judge

Oneida County, Idaho

RECEIVED

JAN 14 1911

OFFICE OF STATE ENGINEER

Malad City, Idaho, Jan 11th 1911

L. G. Martin Esq.

State Engineer

Boise Idaho

Dear Sir please find notice of proof  
of Heber A. Holbrook?

Completion of work on water Main, or pipe line

Please send me all necessary Blank?  
and information for this proof.

Also all fees required, as this is something we  
do not have much of - at this place

The Check for Advertising will be sent  
as soon as we know what it will need

And Oblige yours. truly  
Charles R. Thomas

Probate Judge

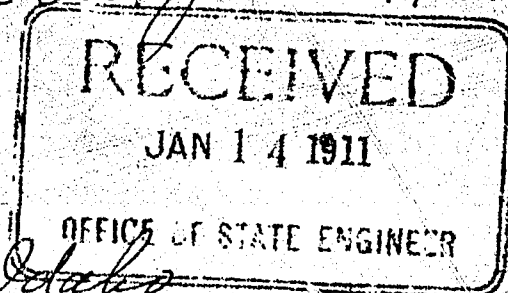
4422

Holbrook Ida Jan. 6<sup>th</sup> 1911.

D. G. Martin

State Engineer

Boise Idaho



Dear Sir, - I enclose notice of Proof of Completion of Work on Permit # 4423, and check to cover the expense of Publishing same will be sent as soon as I know what to send. I believe I had better wait another two years to make other proof as I then can present it in better shape. Trusting this may reach you safely.

Very resp'y

Heber A. Holbrook  
Holbrook  
Idaho.

January 16, 1911.

Permit 4423-Heber A. Holbrook

Charles R. Thomas, Probate Judge  
Malad City, Idaho.

Sir:-

- Yours of the 11th inst., inclosing notice of proof of completion of works under above permit, to hand. I am inclosing you herewith deposition blanks which should be filled out by Heber A. Holbrook and his two witnesses on the 9th of March. I am sending our circular letter with these blanks, which will give you the necessary instructions.

The notice for publication will be mailed in due time to the American Falls Press and Mr. J.O. Webster, water commissioner of the 1st division, will be notified to make the required examination and report.

I shall be pleased to send any further instructions which you may require, upon request.

Very truly yours,

State Engineer.

DBPC

By...

4423

# State of Idaho

## ENGINEERING DEPARTMENT

BOISE

D. G. MARTIN,  
ENGINEER

### INSTRUCTIONS.

#### Proof of Completion of Works

Boise, Idaho,

December 27, 1919.

Heber A. Holbrook  
c/o Charles R. Thomas, Probate Judge  
Dear Shoshone City, Idaho

I enclose herewith the following forms to be used in connection with proof of completion of works under your permit No. .... 4423.

Deposition of Permit Holder,

Depositions of Two Witnesses.

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

1. On ..... the date set for proof of completion of works, the enclosed ~~deposition~~ <sup>March 9, 1911,</sup> forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at ..... Pleasantview,

before Probate Judge, Charles R. Thomas.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$5.00. When these have been received, together with report of the examining engineer if everything is properly executed, Certificate of Completion of Works will issue.

Yours truly,

D. G. MARTIN,

State Engineer.

4423

# NOTICE OF PUBLICATION

Notice is hereby given that at 1.30 P.M., on the 9th day of March,  
1911, at Pleasantview County of Oneida State of Idaho,  
 before Charles R. Thomas, Probate Judge proof will be submitted of the completion of works  
 for the diversion of .1 of 1 cubic ~~foot~~ per second of the waters of Seepage  
spring, in accordance with the terms and conditions of a  
 certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person ~~or corporation~~ holding said permit is

Heber A. Holbrook

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

Holbrook County of Oneida State of Idaho.

3. The number of such permit is 4423, and the date set for the completion of such work is

March 12, 1911.

4. Said water to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and  
 the amount of water which said works are capable of conducting to the place of intended use, in ac-  
 cordance with the plans accompanying the application for such permit, is .1 of 1 cubic ~~foot~~  
 per second.

6. The amount of lands for which said water is available is 5 acres,  
 particularly described as follows: southeast corner of SW4 of NE4 Sec. 22,

Tp. 14 S., R. 32 E. B.M.

D. G. MARTIN

State Engineer.

4423

January 16, 1911

Permit 4423

J.O. Webster,  
Water Com. 1st Div.,  
Idaho Falls, Idaho

Sir:

Heber A. Holbrook, of Holbrook, Canada county,  
desires to make proof of completion of works on one-  
tenth of a second foot of the waters of seepage springs  
on March 9th.

Very truly yours,

State Engineer.

Inc.

By...

4423

(Place)...

(Date)...

State Engineer, Boise.

Dear Sir:

I have your letter of Jan 14 enclosing Notice of  
Completion of Works under Permit No. 4423 which will be published as  
you request, beginning with our issue of Jan 21 - 1910

RECEIVED  
JAN 21 1911  
OFFICE OF STATE ENGINEER

American Falls Press

4423

PERMIT NO. ....

## Proof of Completion of Works

RECEIVED

MAR 13 1911

OFFICE OF STATE ENGINEER

## DEPOSITION OF HOLDER

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

Ans. Heber A Holbrook 43, Holbrook  
Tanner Holbrook Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. For myself, on my Mother's Estate

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

Ans. For myself on my Mother's Estate  
44231, March 12<sup>th</sup> 1909, 1 cubic foot per second, sleeping Springs  
N.E. 1/4 of S.E. 1/4 Sec 21 T. 14 N. R. 32 E. B. M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation and domestic purposes  
5 Acres S. E. Corner of S. 1/4 of T. 14 N. Sec 21  
1/4 South R 32 E. B. M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes August 1910

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

Ans. Yes Galvanized iron instead of concrete

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

Ans. Galvanized iron instead of concrete it was found  
that they did not need to be so large as stipulated  
in permit, telescoped from 4 inch to 3/4 pipe

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

Ans. Concrete  
200 feet 4 inch pipe \$26.00 200 feet 2 inch galvanized  
pipe \$45.00 150 ft 1 1/2 pipe \$33.00 150 ft 1 1/4 \$27.00  
1000 ft 1 inch pipe \$115.00 1800 ft 3/4 inch \$176  
total \$422

(Sign here.)

Heber A. Holbrook

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Malad, County

of Blaine, state of Idaho, on this 9<sup>th</sup> day of

March

A. D. 1911

Chas Thomas  
Probate Judge

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

PERMIT NO. 4423

# Proof of Completion of Works

## DEPOSITION OF WITNESS

RECEIVED

MAR 13 1911

OFFICE OF STATE ENGINEER

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

Ans. Joseph Bennett, 58, Holbrook, Farmer  
Holbrook Idaho

Ques. 2 Are you acquainted with Heber A. Holbrook, the  
holder of Permit No. 4423, authorizing the diversion of 1/20 Cubic second-feet of the waters of  
Sleeping Springs, at Holbrook  
for irrigation purposes? How long have you known him, and where does he reside?

Ans. 4 years, Holbrook

Ques. 3. Have you read or heard read said Permit No. 4423, and are you familiar with its terms and conditions?

Ans. Yes

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

Ans. Yes S E Corner of S. 1/4 of T. 11, Sec 22, R. 14 S. Range 32 Co B. M. Clay loam  
10 times the amount you he has

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes, all water, in the Springs

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

Ans. Concrete and Galvanized iron pipe  
Capacity for more than all the water

(Sign here.)

Joseph Bennett

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Malad, County

of Blanca, State of Idaho, on this 9th day of  
March A. D. 1911

Chas. H. Hanger  
Pro. State Judge

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

PERMIT NO. 4423

# Proof of Completion of Works

## DEPOSITION OF WITNESS

RECEIVED

MAR 13 1911

OFFICE OF STATE ENGINEER

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

Ans.

Frank L. Briggs 27. Holbrook  
Holbrook? Idaho

Ques. 2 Are you acquainted with Heber H. Holbrook, the

holder of Permit No. 4423, authorizing the diversion of 1/8 cubic second-feet of the waters of

Sleeping Springs, at Holbrook

for Irrigation and domestic purposes? How long have you known him, and where does he reside?

Ans.

Yes, 10 years

Ques. 3. Have you read or heard read said Permit No. 4423, and are you familiar with its terms and conditions?

Ans.

Yes

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

Ans.

Yes, 5 Acres S. E. Corner S. R. 1/4 N. E. 1/4  
Sec 22 T. 14 S. Range 32 E. B. M.  
Clay. 5 times the amount of these Springs

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans.

Yes, Sufficient to Carry these Springs

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

Ans.

Concrete And Galvanized pipe  
More than All the water in the Sleeping  
Springs

(Sign here.)

Frank L. Briggs

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Malad, County

of Blaine, State of Idaho, on this 9th day of

March A. D. 1911

Chas. Thomas  
Probate Judge

C.R. Thomas,  
Probate Judge  
Oneida County, Idaho

RECEIVED

MAR 13 1911

OFFICE OF STATE ENGINEER

Malad City, Idaho, March 12<sup>th</sup> 1911

Hon L. G. Martin  
State Engineer  
Boise, Idaho

Dear Sir

Please find Enclosed, proof for the Heber  
A Holbrook, Water permit

together with \$5- fee

You will further find that the proof was  
made at my home at Pleasant View

but have named my office at Malad County seat  
this proof was made at my house on act of the  
Conditions of roads this time of the year

It saved him 10 mile of very bad road it would  
cost him 2 or 3 days if he had to come to Malad

hoping this will be satisfactory

I beg to remain

As ever yours

C.R. Thomas

# AFFIDAVIT OF PUBLICATION.

RECEIVED

MAR 13 1911

OFFICE OF STATE ENGINEER

STATE OF IDAHO, )

County of Oneida, ) ss.

I, C. H. BARRER, do solemnly swear that I am the Imman publisher and printer of the **American Falls Press**, a weekly newspaper of general circulation published once each week at American Falls, Oneida county, Idaho; that the notice attached hereto, and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper 5 consecutive weeks, first publication having been made on the 21 day of January 1901; that said notice was published in the regular and entire issue of every number of paper during the period and times of publication; and that the notice was published in the newspaper and not in a supplement.

Notice of Publication.  
Notice is hereby given that at 1:30 p. m. on the 9th day of March, 1911, at Pleasantview, County of Oneida, State of Idaho, before Charles R. Thomas, Probate Judge, proof will be submitted of the completion of works for the diversion of .1 of 1 cubic foot per second of the waters of Seepage spring, in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person holding said permit is Heber A. Holbrook.
2. The postoffice address of such person is Holbrook, County of Oneida, State of Idaho.
3. The number of such permit is 4123 and the date set for the completion of such work is March 12, 1911.
4. Said water to be used for irrigation and domestic purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is .1 of 1 cubic foot per second.
6. The amount of lands for which said water is available is 3 acres, particularly described as follows: southeast corner of SW 1/4 of NE 1/4, section 22, township 14 south, range 42 east, Boise Meridian.

D. G. Martin,  
State Engineer.

C. H. BARRER

Sworn and subscribed to before me this 12

day of March A. D., 1901

H. W. Kieffer

NOTARY PUBLIC,  
ONEIDA COUNTY, IDAHO,  
My Commission Expires Nov. 18, 1913

I, HENRY W. KIEFFER, Register, do hereby certify that a notice, a printed copy of which is hereunto annexed, was by me posted in a conspicuous place in my office for a period of thirty days, I having posted said notice on the        day of       

1901

Register.

4423

March 13, 1911

Permit 4423

C. R. Thomas, Probate Judge  
Malad City, Idaho

Sir:-

I am today in receipt of depositions, a fidavit of publication and fee for proof of completion of works under above permit. Am inclosing you herewith receipt for fee.

The depositions are satisfactory and upon receipt of report of the water commissioner the matter of issuing the certificate of completion of works will be taken up.

Very truly yours,

State Engineer.

R3351

By...

# Report of Engineer

1. State name of applicant and number of permit: Heber A. Holbrook- Permit 4423
2. State source of water supply: Seepage springs
3. Location of point of diversion: NE4 SE4 Sec. 21, Tp. 14 S., R. 32 E.B.M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Pipe is galvanized iron instead of concrete as stated in permit
5. Describe works as they exist, giving dimensions of same as follows:
  - (a) Width of conduit at bottom: .....
  - (b) Width at water line: .....
  - (c) Depth of water: .....
  - (d) Grade per mile: about 500 ft
6. State whether or not water has been turned into works of diversion and if so, to what extent: Has run water continuously for Ten Months
7. Give exact location of lands to be irrigated. ~~Give exact number of acres under cultivation in each~~  
~~forty acre tract:~~ S. W. 4 N. E. 4 Sec 22 Twp 14. S. R. 32. E. B. M.
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: .....

*Heber A. Holbrook*  
*Water Com. Dist. No. 1*

STATE OF IDAHO,

County of .....

} ss.

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

Subscribed and sworn to before me this ..... day of ..... 191 .....

My Commission Expires .....

Notary Public.

4423

Tract 14 S. Range 32

21

SEC.

Spring

22

SEC.

Pipe Line

RECEIVED  
MAY 20 1911

1453

August 4, 1911

Permit 4423

Heber A. Holbrook,  
Holbrook, Idaho

Sir:-

- Am inclosing herewith certificate of completion  
of works under above permit.

Very truly yours,

State Engineer.

CCW

By...

4423

## NOTICE FOR PUBLICATION

## Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 12 noon on the 12<sup>th</sup> day of March, 1913, at Malad, County of Blaine, State of Idaho, before Sam J. Davis (Notary), proof will be submitted of the application to beneficial use of 40 of one cubic feet per second of the waters of A Spring, in accordance with the terms and conditions of Permit No. 4423 heretofore issued by the State Engineer of the State of Idaho.

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

Heber A. Holbrook, Holbrook, Idaho

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

3. The amount applied to beneficial use is 40 of one cubic foot per second

4. The place where said water is used is [if for irrigation, give full and accurate description of the lands irrigated]

South west quarter of the North east quarter (S.W. 1/4, N.E. 1/4), Section 22, Township 14 South Range 32 East of Boise Meridian

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

Pipe Line

6. The right to take the water from such works is based upon Permit No. 4423

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

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

March 12, 1909

A. E. ROBINSON, State Engineer.

*[Handwritten signature]*

6 K  
M

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE.

(Date)

Dec. 28/912

(P. O.)

Holbrook, Idaho

To the State Engineer,

Boise, Idaho.

Dear Sir:

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

Rockland Times

, of

Rockland Idaho

, published in the

county in which the works are situated.

Heber A. Holbrook

(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

Mr. C. L. Switzer, Holbrook Idaho, will act as inspector of water systems and as Engineer is to be set here. I have also notified the paper of Publication.

Very respectfully,  
H. A. Holbrook  
4422

Office of the State Engineer

Butte, Idaho, Jan. 31 1912 3

C. H. Sweeten,  
Holbrook, Idaho

DEAR SIR:

.....H. A. Holbrook....., residing at .....Holbrook.....  
County of ....., State of .....Idaho....., has requested that  
you make examination required under Permit No. ....4123..... Will you  
therefore, arrange with the holder of said Permit to make such examination as will  
enable you to answer the questions on the enclosed blank? Also, make a sketch on  
the enclosed blank plat showing source of supply, point of diversion, route of ditch  
and place of use. You should, also, arrange with the holder of said Permit for the  
payment of your fee for your services, and such proper expenses as you will incur in  
making this examination and report.

Please advise me promptly of receipt of this communication, and whether or not  
you will be able to make the examination and report as required.

Very truly yours,

A. E. ROBINSON,  
State Engineer.

4423

State of Idaho  
ENGINEERING DEPARTMENT  
BOISE

JAS. STEPHENSON, JR.,  
ENGINEER

INSTRUCTIONS.

Heber A. Holbrook,  
c/o S.T. Davis,

Proof of Beneficial Use.

Malad, Idaho

Boise, Idaho, Jan. 29, 1913.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your permit No. 4423.

Deposition of Permit Holder,  
Depositions of Two Witnesses.

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

1. On March 12th, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and two each for two witnesses) should be filled out and sworn to, at Malad, before S.T. Davis, N.P.

2. To complete the proof, it is also necessary that an examination be made of the works as constructed, which examination must be under the authority of the State Engineer. It is the desire to make this expense as light as possible to the permit holder. Will you therefore give me the name of a competent engineer, or surveyor, in your neighborhood who could do this work with as little expense as possible to you. Upon receipt of name of such engineer or surveyor I will authorize him to do the work. The examination should be made on or before the date set for the proof.

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

Yours truly,

JAS. STEPHENSON, Jr.,

State Engineer.

44-23

## REPORT OF ENGINEER

1. State name of applicant and number of permit: Heber A. Holbrook 4423
2. State source of water supply: a seeping spring
3. Location of point of diversion: NE 1/4 SE 1/4 Sec 21 T 14 S R 32 E B.M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: yes except galz. pipe has been used.
5. Describe works as they exist, giving dimensions of same as follows:
  - (a) Width of conduit at bottom: Pipe line is four inches at spring
  - (b) Width at water line: & telescopes down to 3/4" at out-let
  - (c) Depth of water:
  - (d) Grade per mile: about 500 ft
  - (e) Capacity of ditch: Pipe line to second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent: yes Has run for three years.
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: SW 1/4 of NE 1/4 Sec 22 T 14 S R 32 E B.M.

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

Remarks: In the substitution of galz. pipe for the concrete pipe named in permit I believe has been more favorable to faithful perform the work and every thing indicates a complete carrying out of the permit.

C. H. Sweetser

STATE OF IDAHO,

County of Owyhee

R. A. Sweetser

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

Subscribed and sworn to before me this 20 day of February 1913

My Commission Expires 11/14/13

C. H. Sweetser  
Notary Public.

Friday at Holbrook, Arizona

-SEC.

SEC

-S E C-

-SEC

SEC

-SEC-

SEC

SEC.

- SEC

SEC.

SFC.

SEC

-SEC

SEC.

~~SECRET~~

SEC-

SE 6

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|---|----|---|---|----|---|----|
| J | 14 | S | R | 32 | E | BQ |
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9

212

445

*[Faint vertical text from reverse side]*

55

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

OFFICE OF  
SAMUEL D. DAVIS  
ATTORNEY AT LAW

MALAD CITY, IDAHO.

February 20th, 1913.

Hon. State Engineer,  
Boise, Idaho.

Dear Sir:-

Enclosed find the report of C. H. Sweeten in the matter  
of the Heaber A. Holbrook proof.

I am very respectfully,

Yours Truly,

S. D. Davis

RECEIVED

FEB 24 1913

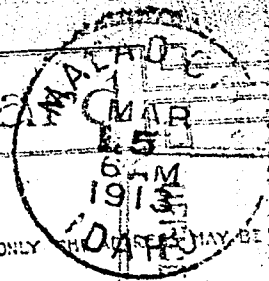
OFFICE OF STATE ENGINEER

44-28



We are off on  
a short trip.

# Post Card



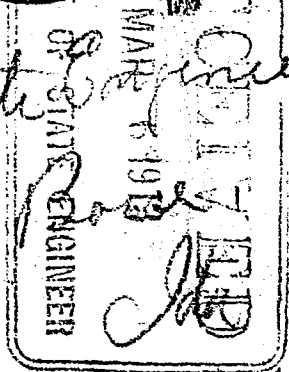
THIS SPACE FOR CORRESPONDENCE ONLY

of Ind. of Ala.  
 Mr. S. S. Davis has  
 not received paper yet  
 from you for final  
 proof of water  
 Hartbrook  
 Hartbrook  
 Ala.

© THE GIBSON ART CO., CIN. O.



State Engineer



4/4/13

March 8, 1913.

Mr. S. D. Davis,  
Malad City, Idaho.

Sir:-

Re Permit #4423

I am herewith inclosing you a set of deposition blanks for proof of beneficial use of water under above permit, per request of Mr. Holbrook. A set of blanks was mailed to S.T.Davis, at Malad, instead of S.D.Davis. This, no doubt, accounts for your not receiving same.

Very truly yours,

F.P.KING,

State Engineer.

DBU

By C. Brown

4/4/13

Permit No. 4423

# Proof of Application of Water to Beneficial Use

## DEPOSITION OF HOLDER

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

Ans. Heber A. Holbrook, 45 years of age, farmer, Holbrook, Idaho.

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

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

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

Ans. 4423, March 12, 1909.

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

Ans. A Seeping Spring; the NE 1/4 of the SE 1/4 of Sec. 21, Tp. 14 S. R 32, E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. A galvanized iron pipe line with a 4 inch head and a three-fourths inch outlet. As near as I can estimate one-tenth Cubic foot per Second.

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

Ans. For irrigation, domestic and stock watering purposes; it irrigates 5 acres in legal subdivision as follows: SW 1/4 NE 1/4 Sec. 22, Tp. 14 S. R. 32, E. B. M. The whole of the said 5 acres have been irrigated with said water

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

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

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

Ans. One-tenth cubic foot.

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

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

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

Ans. For the last three years, for irrigation, domestic and stock watering purposes, to the amount of one-tenth second foot.

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 is no other water other than the same mentioned above.

(Sign)

*Henry A. Holbrook*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Malad, County of

Oneida, State of Idaho, on this 12 day of March

A. D. 1903.

*J. A. Davis*

Notary Public.

Permit No.

Proof of Application of Water to  
Beneficial Use

DEPOSITION OF HOLDER

Amount of Water second foot

Source

County

Purpose

Place of use

Date of Priority

Received and filed

THE TRIBUNE POCATELLO, IDAHO

Permit No. 4423.....

**Proof of Application of Water to Beneficial Use****DEPOSITION OF WITNESS.**

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

Ans... Willford C. Hill, 32 years of age, farmer, Malad, Idaho.....

Ques. 2. Are you acquainted with..... Heber A. Holbrook....., the holder of Permit No. 4423.....? How long have you known him and where does he reside?

Ans.... I have known him for five years, and he resides at Holbrook, Idaho.....

Ques. 3. Have you read or heard read said Permit No. 4423....., and are you familiar with its provisions and conditions?

Ans... I have heard it read and am familiar with its conditions.....

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... A Seeping Spring, the NE 1/4 of the SE 1/4 of Sec. 21, Tp. 14 S. 32, E. B. M.....

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

Ans... One-tenth of a cubic foot per second, I have seen this amount.

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... For irrigation, domestic and stock water purposes, 5 acres in the SW 1/4 NE 1/4 of Sec. 22, TP. 14 S. R. 32 E. B. M. For gardening..... purposes... I have seen a lovely garden growing on the tract as a result of irrigating the tract with this water.....

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

Ans.....

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

Ans... The nature of the land reclaimed is a sandy loam and I estimate that it will take at least one-tenth of a cubic foot for its 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..... I have no interest whatever.....

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....In 1912 during the month of August, one-tenth cubic foot.....

(Sign here.) *Wilford C. Hill*

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..... Kalad....., County of  
..... Oneida....., State of Idaho, on this ..... 12..... day of  
..... March..... A. D. 1913.

*A. J. Davis*

Notary Public.

My Commission expires 11/19/13.....

4423

Permit No.. 4423 .....

**Proof of Application of Water to Beneficial Use****DEPOSITION OF WITNESS.**

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

Ans... Lorenzo Olsen, 24 years of age, farmer, Holbrook, Idaho, .....

Ques. 2. Are you acquainted with..... Heber A. Holbrook....., the holder of Permit No.. 4423.....? How long have you known him and where does he reside?

Ans... I am acquainted with him, I have known him for 12 years, ....., Holbrook, Idaho, at his address.....

Ques. 3. Have you read or heard read said Permit No.. 4423....., and are you familiar with its provisions and conditions?

Ans... I have heard it read and I am acquainted with its conditions..

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... A Soaping Spring, the NE 1/4 of the SE 1/4 of Sec.. 21, Tp.. 14 S., R.. 32, E.. 1..

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

Ans... One-tenth of a cubic foot per second, I have seen this amount.

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... For irrigation, domestic and stock watering purposes, 5 acres in the SW 1/4 NE 1/4 of Sec.. 22, Tp.. 14 S., R.. 32, E.. 1.. for..... gardening purposes... I have seen a good garden growing upon this..... tract as a result of irrigating the same with this water.....

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

Ans.....

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

Ans... The nature of the land reclaimed is a sandy loam, it will take at least one-tenth of a cubic foot for the profitable cultivation... of this tract.

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

Ans..... I have 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 first saw the whole of this water used upon this tract three years ago, I saw it all used upon the tract two years ago, and the whole of the same used on the said tract for water a garden.....

(Sign here.)

*Henry Olsen*

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..... **Malad**....., County of  
..... **Oneida**....., State of Idaho, on this ..... **12**..... day of  
..... **March**..... A. D. 191**3**.

*J. D. Davis*

Notary Public.

My Commission expires **11/19/13**.....

4423

OFFICE OF  
SAMUEL D. DAVIS  
ATTORNEY AT LAW

Hon. State Engineer,  
Boise, Idaho.

MALAD CITY, IDAHO, March 12/1913.

Dear Sir:-

Enclosed find proof of application of water to beneficial use in the matter of the Permit No. 4425 of Heber A. Holbrook's, also find enclosed check for two dollars for the fraction of 40 acres to which the water has been applied.

The publisher of the notice has not forwarded me his affidavit of publication and I am writing to him today requesting him to forward it to me and as soon as it arrives I will mail it to you.

I am very respectfully,

Yours Truly,

*S. D. Davis*

RECEIVED

MAR 11 1913

STATE ENGINEER

4425

March 15, 1913.

Permit #4423 -Holbrook

S. D. Davis, Lawyer,  
Malad City, Idaho.

Sir:-

Am just in receipt of your letter enclosing depositions and fees for proof of beneficial use of water under above permit. Am herewith inclosing receipt. Upon receipt of the affidavit of publication, license will issue.

Very truly yours,

F. P. KING,

State Engineer.

R5363

By \_\_\_\_\_

4423

# AFFIDAVIT OF PUBLICATION

## NOTICE FOR PUBLICATION.

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 12 noon on the 12th day of March, 1913, at Malad, County of Oneida, State of Idaho, before Sam D. Davis, notary public, proof will be submitted of the application to beneficial use of one-tenth of one cubic foot per second of the waters of a spring, in accordance with the terms and conditions of Permit No. 4423 heretofore issued by the State Engineer of Idaho.

1 The name and postoffice address of the person holding said permit are Heber A. Holbrook, Holbrook, Idaho.

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

3 The amount applied to beneficial use is one-tenth of one cubic foot per second.

4 The place where said water is used is Southwest quarter of the Northwest quarter (SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) Section 22, Township 14 South, Range 32 East, Boise Meridian.

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

6 The right to take the water from such works is based upon Permit No. 4423.

7 The source of supply from which such water is diverted is a spring.

8 The date of priority which said user is prepared to establish is March 12, 1909.

A. E. ROBINSON,  
State Engineer

I, Clyde Hanson, publisher of THE ROCKLAND TIMES, published weekly at Rockland, County of *Nowor*, State of Idaho, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for *five* consecutive weeks, commencing with the issue dated *Feb 8*, 1913, and ending with the issue dated *March 5*, 1913. OF STATE ENGINEER

Subscribed and sworn to before me this *15* day of *Mar*, 1913

NOTARY PUBLIC

May 1, 1913.

Permit 4423

Hester A. Holbrook,  
Holbrook, Idaho.

Sir:

Am herewith enclosing you water license  
No. 4423.

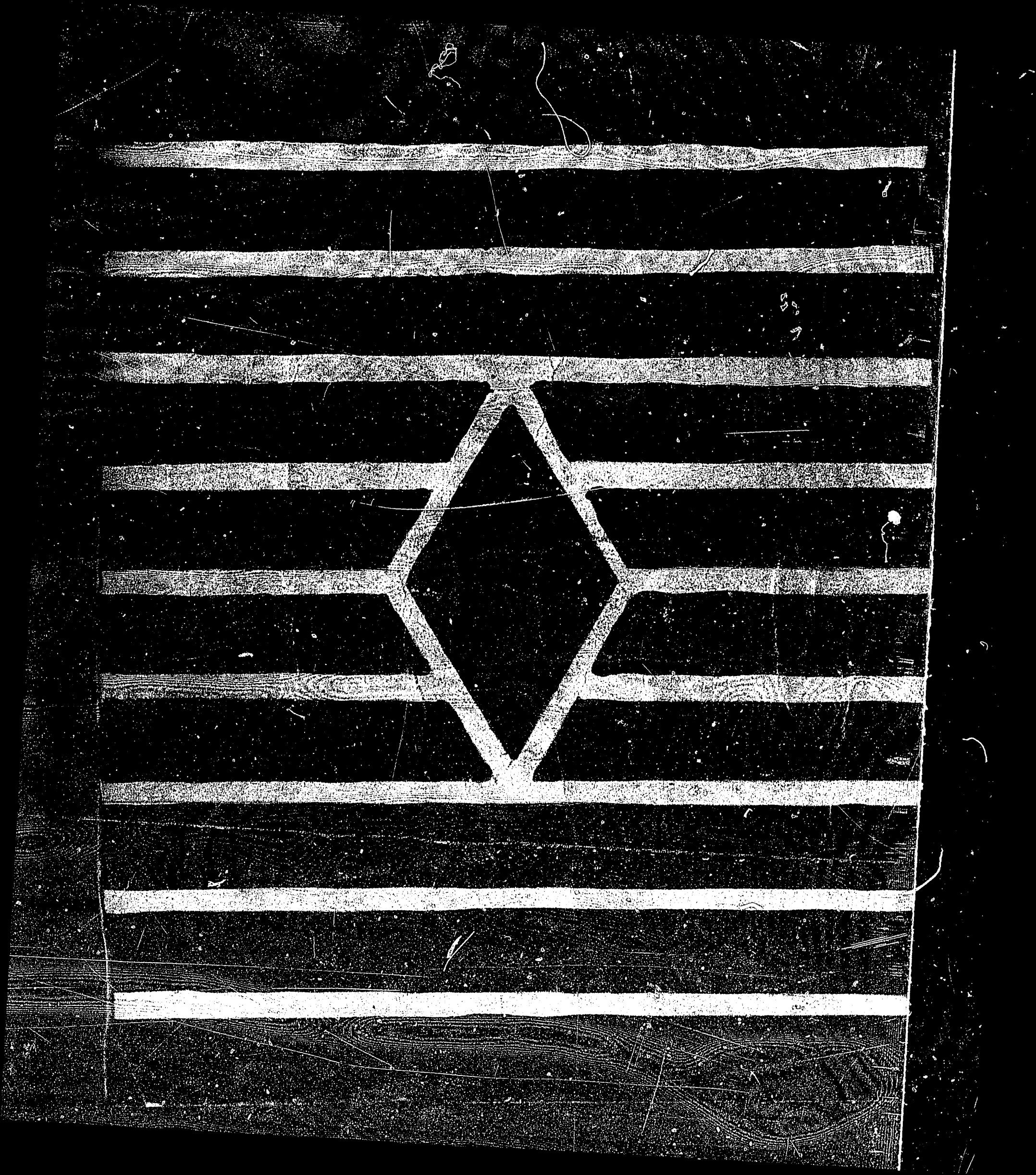
Very truly yours,

F.P.KING,

State Engineer.

L

By \_\_\_\_\_



County: Oneida  
Stream: Spring  
Amount: 1/10 sec.ft.  
Use: Irrigation  
Priority: 3/12/09

## STATE OF IDAHO

Water License No. 4423

WHEREAS, On the 12th day of March, A. D. 1909, HEBER A HOLBROOK,

of Holbrook, County of Oneida, State of Idaho, duly made application (No. 6333) to me for a permit to use 1/10th of one cubic foot per second of the waters of a Spring,

County of Oneida, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 12th day of March, A. D. 1909, Permit No. 4423 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 12th day of March, A. D. 1911 and for the application to beneficial use of said water on or before the 12th day of March, A. D. 1913, and,

WHEREAS, On the 9th day of March, A. D. 1911, HEBER A HOLBROOK,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1/10 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 4423, dated July 20, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1/10th of 1 cubic foot per second of said water, with date of priority of March 12, 1909, and

WHEREAS, On the 12th day of March, A. D. 1913, HEBER A HOLBROOK,

the holder of said permit, duly made proof of the application to beneficial use of 1/10th of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

HEBER A HOLBROOK,

of Holbrook, County of Oneida, State of Idaho, the holder and owner of said Permit No. 4423, a perpetual right, dating from March 12, 1909, to the use of 1/10th of 1 cubic foot per second of the waters of a Spring,

in the County of Oneida and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at the Spring in the NE4 of SE4 of Sec. 21, T. 14 S., R. 32 E. B. M.,

and conducted to and upon 5 acres in the SW4 of NE4 of Section 22, T. 14 S., R. 32 E. B. M.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 12th day of April, A. D., nineteen hundred and thirteen.

F. P. KING,

(Seal)

State Engineer.