

No. 7793

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Alexander H. Richards

Postoffice address: Buist

County: Oneida State: Idaho

2. The quantity of water claimed is 3 1/5 cubic feet per second.

3. Source of water supply: Cedar Creek 1 6/10 sec. ft. Bull Canyon 1 6/10 sec. ft.

County of Oneida State of Idaho

4. Location of point of diversions: NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, and SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, Tp 13 S.R. 33 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 160 acres

(b) In the following legal subdivisions: SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 20, the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 29, in Tp. 13 South of Range 33 East of the Boise meridian

6. Estimated cost of works: \$300.00

7. Description of works for diversion:

I. Kind of works: Reservoir and ditches

II. Dimensions of works:

(a) Height of dam 10 feet, length of dam at top 100 feet, length of dam at bottom 50 feet. Material used in construction: Earth

(b) Capacity of reservoir: 20 acre feet

(c) Size of headgate: Width 2 feet, height 2 feet.

(d) Conduit ditch, width at bottom 1 foot, width at water 2 feet, depth of water 8 inches. Average grade per mile is 30 feet. Length of conduit is 2 1/2 miles, and it crosses the following quarter sections: NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21, SE $\frac{1}{4}$ Sec. 20, and NE $\frac{1}{4}$ Sec. 28, and NE $\frac{1}{4}$ Sec. 29, Tp. 13 S.R. 33 E., 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 three years.

9. Time required for the complete application of the water to the proposed use is one additional year.

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.

Alexander H. Richards,

Applicant

JONES EUREKA LEAF. PAT. FEB. 7, 1905

HALLING 27 12103 87427

APPROVAL OF STATE ENGINEER.

The number of this permit is 5543.

Date of first receipt of application: 4.00 p.m. October 29, 1909

Returned to applicant for correction: October 29, 1909

Corrected application received : December 9, 1909

Recorded in Book 16. Page 5543. Approved December 9, 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 February 7, 1910, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 9, 1911.

The whole of said work to be completed on or before December 9, 1912.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to December 9, 1913.

Witness my hand this ninth day of December, 1909.

Jas., Stephenson, Jr.

State Engineer

Notice of proof of completion of work was received fixing December 7, 1912, as date and Malad City, Idaho, as place of proof.

Notice for publication mailed the Malad Enterprise October 30, 1912.

Deposition blanks mailed the holder, at Buist, and Mr. H. Holbrook, authorized to make examination of works.

Notice for publication being lost on the way, a new notice was sent fixing January 30, 1913, as date for making proof. Notice again failing to reach the paper, a third notice was sent by registered mail to the Malad Enterprise, fixing March 17, 1913, as date of proof.

Report of examining engineer received December 19, 1912.

Affidavit of publication, depositions and fee received April 7, 1913.

Certificate of completion of works issued April 12, 1913.

PERMIT NO. 5543

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

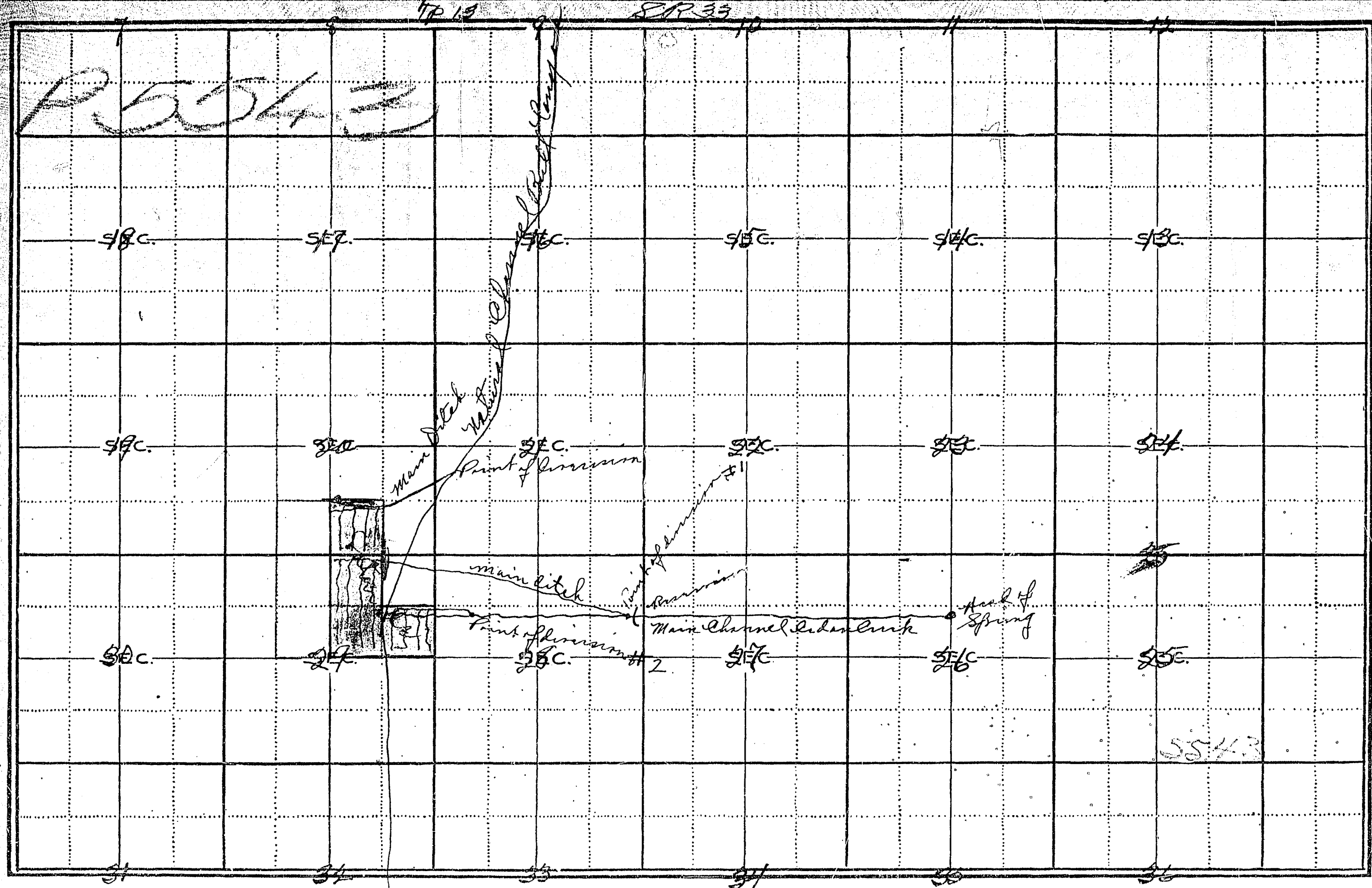
This is to certify that Alexander H. Richards, of Buist, County of Oneida, and State of Idaho, the holder of Permit No. 5543, issued upon Application No. 7793, bearing date of priority of October 29, 1909, authorizing the diversion of 1.6 second feet of the waters of Cedar Creek and 1.6 second feet of the waters of Bull Canyon, 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 3.2 second feet of the waters of Cedar Creek and Bull Canyon; that the points of diversion of said waters are as follows; from Cedar creek in the SE4 of NE4 and SW4 of NW4, Sec. 28; from Bull Canyon in the NW4 of SW4 Sec. 21, T. 13 S., R. 33 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW4 of SE4, Sec. 20, W2 of NE4 and SE4 of NE4, Sec. 29, T. 13 S., R. 33 E. B. M., containing 160 acres.

Witness my hand this 12th day of April, A. D. 1913.

F. P. KING,

State Engineer of the State of Idaho.

License issued for 4.3 second-feet



State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.
STATE ENGINEER

Permit No 5543

Alexander H. Richards,
Buist, Idaho

Oneida Co

Boise, Idaho, December 29, 1909

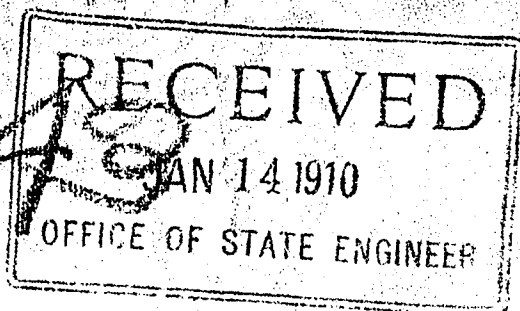
Dear Sir:

I enclosed 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.

5543

P5543



Burist Idaho Jan 12th 1910
James Stephenson Jr
State Engineer.

Dear Sir
about the last of Sep 1909
Mr J. H. Jones of Malad, Idaho
Application for permit for me
to appropriate the public waters
of Cedar Canyon creek also the
waist water of Bull Canyon Creek
on land situated in Section 29
Township 13 Range 33 Co Boise
meridian

P5543

I have not heard any thing
since regarding the matter
will you please let me
know whether my application
has been accepted.

I paid Mrs Jones the fees
which ^{he} asked if I have not paid
enough let me know & I will
pay the balance

Please let me know at your
earliest convenience

and greatly oblige yours

Respectfully

A. B. Richards

Mendon

Wash

5543

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.
STATE ENGINEER

Boise, Idaho, January 14, 1910.

Permit No. 5543.

A. H. Richards,
Mendon, Utah.

Sir:-

Replying to your letter of the 12th inst
would say, that on the 29th ult. your
permit was mailed to Buist Idaho, this be-
ing the address given in the application.

If you will communicate with the post
master at Buist you will no doubt discover
the permit.

Very truly yours,

State Engineer,

By _____

W/E

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE.

(Date)

September 30th 1912

(P. O.)

Burist, Nevada, Idaho.

To the State Engineer,
Boise, Idaho.

Dear Sir:-

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

Malad Enterprise of Malad City, Idaho published in the
county in which the works are situated.

Alexander S. Richards

(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

NOTICE OF PUBLICATION

Notice is hereby given that at 10 A.M., on the 7th day December 1912, at Graded City, County of P. Nevada, State of Idaho, before the County Clerk, proof will be submitted of the completion of works for the diversion of 3 1/5 cubic feet per second of the waters of Cedar Creek and 1/6 second ft. waters of Bull Creek 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 Alexander H. Richards

2. The postoffice address of such person or principal place of business of such corporation is Boise, County of P. Nevada, State of Idaho.

3. The number of such permit is 5543 and the date set for the completion of such work is November 10th 1912.

4. Said water to be used for ordinary, domestic and irrigation 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 3 1/5 and 1/6 cubic feet per second.

6. The amount of lands for which said water is available is 16.0 acres, particularly described as follows: S. 1/4 of Sec. 20, T. 42 N., R. 14 E., and the S. E. 1/4 of N. E. 1/4 of Sec. 29, T. 42 N., R. 14 E., and the S. E. 1/4 of N. E. 1/4 of Sec. 29, T. 42 N., R. 14 E., in Sp. 13 S. of R. 33 East of the Boise meridian.

State Engineer.

Rec I

Burist Sep 30 1912

O & Robinson

RECEIVED

SEAS 2 1912

You stated in your letter that before my proof can be accepted it would be necessary to have an examination made. I therefore suggest the name of Helber Holbrook of Holbrook Oneida County Idaho to be appointed to make the examination as he is well informed and a man of good judgment.

Will you please advise me in regards to the license that will be issued for the water that is actually in use.

Respectfully yours
A & Richards

5542

Rec'd

October 2, 1912.

Permit 5543

Alexander H. Richards,
Buist, Idaho.

Sir:-

Am in receipt of your letter of the 30th ult. enclosing notice of proof of completion of works under above permit. In reply would say that the notice for publication will be mailed to the Malad Enterprise in time for the required four weeks publication prior to December 7th, deposition blanks will be mailed to J. J. Evans, Clerk of the Dist. Court, and Heber Kolbrook will be authorized to make examination of works.

In reply to your letter relative to license would say that when the land is under cultivation and the final proof, or proof of beneficial use of water is made, license will be issued for the amount of water that has been actually used, allowing an inch to the acre.

Very truly yours,

State Engineer.

Br.

By...

5543

Office of the State Engineer

Butte, Idaho,

1912

Oct. 30,

Heber Holbrook,
Holbrook, Idaho

DEAR SIR:

.....A. H. Richards....., residing atButte,
County of, State ofIdaho....., has requested that
you make examination required under Permit No.5543..... 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.

5543

State of Idaho

A. E. ROBINSON,
STATE ENGINEER

ENGINEERING DEPARTMENT BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Alexander P. Richards,
Baist, Idaho

Boise, Idaho, Oct. 30, 1912.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under your permit No. 5543.

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 December 7th, 1912, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Malad City, before the County Clerk.

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, where amount claimed does not exceed 10 second feet. Where more than 10 second feet is claimed, the fee required is 30 cents per second foot. 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,

A. E. ROBINSON,
State Engineer.

5543

RECEIVED

NOV - 7 1912

OFFICE OF STATE ENGINEER

5343

Holbrook Ida 11/4/12

A. C. Robinson

State Engineer.
Boise, Ida.

Dear Sir: Papers duly received
of A. N. Richard of Burist Ida.
will examine work as soon as
same is reported complete which
will be in the near future under
Permit # 5343.

Please send me blanks for filling
on spring and flood waters for a party
here.

Very respy

H. A. Holbrook

Holbrook

Idaho.

5533

RECEIVED

DEC 31 1912

OFFICE OF STATE ENGINEER

Mendon Dec 1

• Robinson St

Dear Sir last September in
 October I mailed you notice
 of final proof on certain waters
 of Cedar Creek & Bull Canyon
 to be converted on certain parcels
 located in Nevada Co. S. 1/4 & 2 1/4 sec
 as W. 1/4 N. 1/4 S. 1/4 T. 1/4 R. 1/4 Sec 29

Which I understood you would
 have published in the Idaho
 Enterprise for some time
 To Dec 7 1912 I received a copy
 of the Idaho Enterprise dated Nov 20
 1912 I can find no such notice
 Can you give me any information
 on this matter or what shall I
 do on this proof

Respectfully yours

A. H. Richards

Mendon creek co Utah

5533

December 3, 1912.

Permit 5543

A. H. Richards,
Mendon, Utah.

Sir:-

In reply to your letter of the 1st inst. would say that the notice for publication was mailed to the Malad Enterprise on October 30th. As we have not received notice from the paper that same was received, it must have been lost in the mails. It will, therefore, be necessary for you to set another date for proof and a new notice will be sent to the paper. I am today writing the publisher of the Malad Enterprise in regard to the matter and, upon receipt of his reply, you will be notified as to same.

Very truly yours,

State Engineer.

By...

5543

December 3, 1912.

Permit 5543-A.H.Richards

Publisher Malad Enterprise,
Malad City, Idaho.

Sir:-

On October 30th we mailed you a notice for publication for proof of completion of works under above permit, proof to be made December 7th. I have just received a letter from Mr. A. H. Richards, the holder of the permit, stating that he had failed to find the notice published. As the coupon attached to our letter to the publisher of the paper has not been returned, I presume the notice was lost in the mails. Will you please advise me at your earliest possible convenience whether or not this notice was published the required four weeks.

Very truly yours,

State Engineer.

By....

UTHER JONES, P. M.

NETTIE JONES, Asst.

United States Postoffice

MALAD CITY, IDAHO.

Dec. Third

State Engineer
Boise Idaho

RECEIVED
DEC 3 1912
OFFICE OF STATE ENGINEER

Dear Sir.- A Mr. Richards called at our office to get the affirmative of Publication, on an notice supposed to have been printed in our paper. Now if this notice has ever been sent to this office it has been lost and not published, but I have no recollection of ever receiving it. If you will send copy at once we will publish.

Respt.

IDAHO ENTERPRISE

By

Uther Jones
mgr.

5542

December 5, 1912.

Permit 5543

A. H. Richards,
Mendon, Utah.

Sir:-

I am just in receipt of a letter from the publisher of the Idaho Enterprise in which he states that the notice had not been published. It will, therefore, be necessary to set another date for making the proof and, if you will advise me as to same, a new notice will be sent to the paper.

Very truly yours,

State Engineer.-

By...

5543

5-543

The Idaho Enterprise

A WEEKLY NEWSPAPER

J. M. & B. L. JONES
PUBLISHERS

Malad City, Idaho

Dec. 8, 1912

RECEIVED

DEC 9 1912

OFFICE OF STATE ENGINEER

A. E. Robinson,
State Engineer,
Boise, Idaho.

Dear Sir:

Replying to yours of Dec. 3rd with regard to notice of completion of works of A. H. Richards, will say that no such notice has been received at this office. Mr. Richards was in inquiring about it the first of the week.

Respectfully,

J. M. Jones, Mgr

5543

REPORT OF ENGINEER.

5343

1. State name of applicant and number of permit: *Alexander H. Richards No. 7777*
2. State source of water supply: *Cedar Creek 1 1/2 feet and Bull Canyon 1 1/2 feet*
3. Location of point of diversion: *N. W. 1/4 S. W. 1/4 sec 21 and S. E. 1/4 N. E. 1/4 and A. W. 1/4 N. W. 1/4 of sec 28 T. 13 S. R. 33 E. B. M.*
4. State whether or not the works of diversion are fully completed and in accordance with the terms of permit: *The Reservoir is not quite complete for summer*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *14 inches*
 - (b) Width at water line: *2 ft*
 - (c) Depth of water: *2 1/2 feet*
 - (d) Grade per mile: *30 feet*
 - (e) Capacity of ditch: *second feet.*
6. State whether or not water has been turned into works of diversion; and if so, to what extent: *Has been used along all ditches last spring*
7. Give exact location of lands to be irrigated. Give ~~exact number of acres~~ *extension* in each forty-acre tract: *S. W. 1/4 S. E. 1/4 of sec 20 the W. 1/2 of N. E. 1/4 and the south east 1/4 of N. E. 1/4 of sec 29 in T. 13 South of Range 33 East of the Boise Meridian*
8. Submit map on enclosed plat, showing source of supply, point of diversion, route of ditch or ditches and cross-hatch lands to be irrigated.

Remarks: *The waters which are being used under this permit are not permanent the grain around except a portion of Cedar Creek but usually runs to the middle of July or about that time. The Reservoir is 20 ft wide on top center of 100 ft and is about 8 ft high instead of ten feet so really some work has been done than ask for in permit.*

Robert H. Shook

STATE OF IDAHO

County of *Oneida* ss.

W. H. A. Hallmark, 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 *17* day of *December* 191*2*

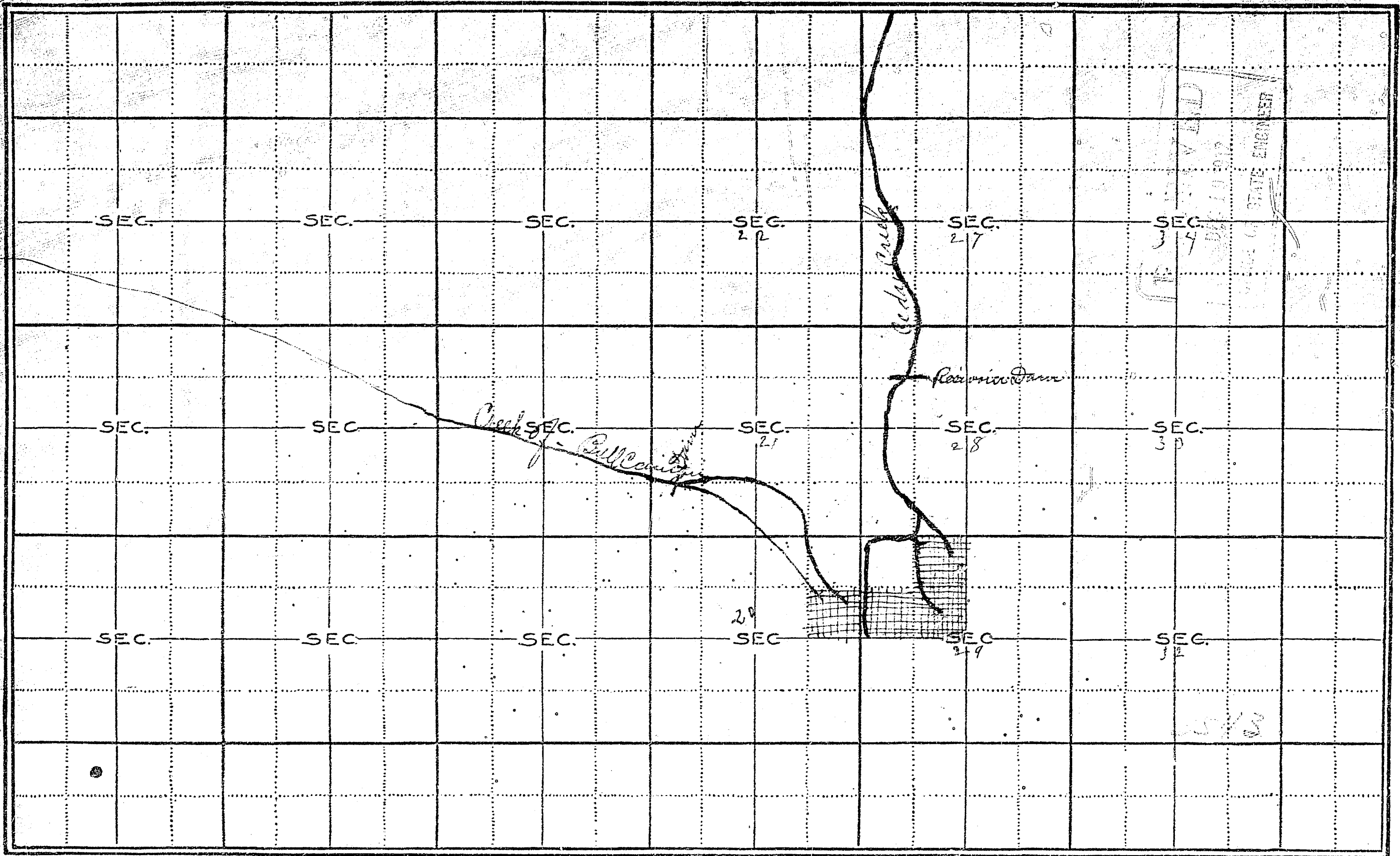
E. J. Davis

My Commission Expires *12/17/13*

Notary Public.

5343

Name of Applicant *Alexander H. Richards*



RECEIVED
JUL 10 1909
STATE ENGINEER

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

OFFICE OF
SAMUEL D. DAVIS
ATTORNEY AT LAW

State Engineer,

MALAD CITY, IDAHO.

12/18/12.

Boise, Idaho.

Dear Sir:-

Enclosed find report in the matter of the Permit of
Heber A. Holbrook,

I am very respectfully,

Yours Truly,

S. D. Davis

RECEIVED

DEC 19 1912

OFFICE OF STATE ENGINEER

55/3

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON
STATE ENGINEER

December 19, 1912.

Permit 5543

A. H. Richards,
Mendon, Utah.

Sir:-

I am today in receipt of the report of Heber A. Holbrook on completion of works under above permit. In regard to this proof I would say that as yet we have received no reply from you as to the date upon which proof is to be made. The date should be given us as soon as possible in order that a new notice may be sent to the Malad Enterprise for publication.

Very truly yours ,

A. E. Robinson
State Engineer.

By *CPB*

5543

Mendon Dec 27th 1912

A. G. Robinson

State Engineer

I would like you to have
Published in the weekly Enterprise
the notice for proof to be made
on Jan 30th 1913 - at 10 o'clock a.m.

Respectfully yours

A. G. Richards

RECEIVED

JAN 2 1913

OFFICE OF STATE ENGINEER

A. G. Richards

5543

Notice of Publication

Notice is hereby given that at 10 A. 30th of January,
3 Malad City M., on the day of Oncida
 1911, at the Clerk of the District County of Oncida, State of Idaho,
 before 1.6 proof will be submitted of the completion of work
and 1.6 cu. ft. of the waters of Bull Canyon,
 for the diversion of cubic feet per second of the waters of

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 ~~to whom~~ holding said permit is Alexander H. Richardson

2. The post office address of such person or principal place of business of such corporation is Oncida

5543 County of Oncida, State of Idaho.

~~December 9, 1912~~ Permit is irrigation and domestic, and the date set for the completion of such work is

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 160 cubic feet per second.

6. The amount of lands for which ~~said water~~ is available is 160 acres, particularly described as follows:

Sec. 29, Tp. 13 S., R. 33 E. B. M.

A. E. Robinson

A. E. ROBINSON, State Engineer

December 30, 1912.

Permit 5543

A. H. Richards,
Mendon, Utah.

Sir:-

Per your request the 27th inst., I am today sending notice of proof for publication to the Malad Enterprise. You will, therefore, appear before the County Clerk on January 30th and fill out the deposition blanks furnished you. The report of Heber A. Holbrook is now on file here.

Very truly yours,

State Engineer.

By C. Brown

5543

RECEIVED

5543

Mendon Jan 22 - 1913

A. E. Robinson State Engineer

Dear Sir I received
a letter from you dated Dec 30¹⁹¹²
in which you stated you had
sent notice of proof for publication
to the Malad Enterprise, and
Requested me to appear before the
County Clerk. on Jan 31 1913.

I sent word to Malad to find if
the notice was published. The
man by whom I sent word
phoned me this morning that
no notice had been published
now what shall I do. My
witnesses have been notified to
appear on Jan 30 - 1913. I have no
time to get word to them. The
mail is so uncertain. Some
times takes a letter a month.

to get to them.

On Dec 7 1912 when I should have made proof. My witnesses had to travel seventy-five miles. They feel pretty bad.

Any early reply from you what to do. will be greatly appreciated.
Respectfully

A. H. Richards

Permit 5543

5543

January 24, 1913.

Permit 5543

A. H. Richards,
Mendon, Utah.

Sir:-

In reply to your letter of the 22nd inst. would say that the second notice for publication was mailed to the Mailad Enterprise December 30th, and, as the latter has not been returned to this office, I am at a loss to know why same was not received at the newspaper office. There is nothing to do but to set another date for making proof and send a new notice to the paper. This notice will be sent by registered mail. Upon receipt of further information from you as to the date upon which you can make proof, the notice for publication will again be sent to the paper.

Very truly yours,

State Engineer.

By C. Brown

Mendon Feb 10 / 1913
A. G. Robinson
Boise Idaho

Dear Sir:

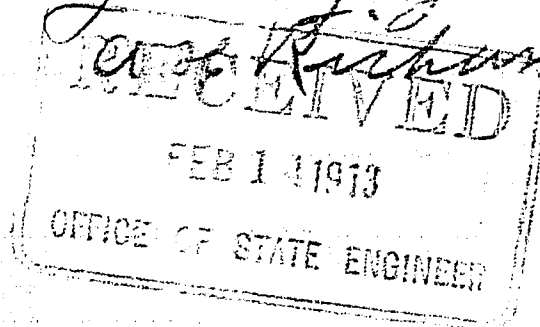
In your letter of Jan
you said there must be another
notice sent to the Malad Enterprise
for publication.

Will you please notify the Enterprise
to set the date for proof to be given
on March 15 or 17 - 1913 which day
you see proper.

In a few days I will write
Mr Jones and find out if the notice
has been published.

Very Truly Yours
A. G. Richards

Permit 5543



5543

State of Idaho

A. E. ROBINSON
STATE ENGINEERENGINEERING DEPARTMENT
BOISEMalad Enterprise,
Malad, Idaho

Boise, Idaho, Feb. 14, 1913

Dear Sirs:

Enclosed find Notice for Publication of Proof of Completion of Works under Permit No. 5543 which please publish once a week for four consecutive weeks in your paper in accordance with provisions of Sec. 4, House Bill No. 146, laws of the Seventh Session of the Legislature. The expense of this publication will be paid by Alexander K. Richards, of Mendon, Utah, to whom you will please furnish proof of publication of this notice on or before March 17th.

Please promptly acknowledge receipt of this notice, and kindly mail me your first issue containing its publication that I may compare it with my records.

Yours truly,

A. E. ROBINSON,
State Engineer.

(P. O.)

(Date)

State Engineer, Boise.

Dear Sir:

I have your letter of _____ enclosing Notice of Proof of Completion of Works under Permit No. _____ which will be published as you request, beginning with our issue of _____

5543

Notice of Publication

Notice is hereby given that at 10 A. M., on the 17th day of March, 1913, at MAIER CITY, County of ONEIDA, State of Idaho, before the County Clerk, proof will be submitted of the completion of works for the diversion of 1.5 cubic feet per second of the waters of Cedar Cr. & 1.5 cu. ft. from Hall Canyon 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 XXXXXXXX

Alexander W. Richards
2. The postoffice address of such person or principal place of business of such corporation is XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Buist, County of Oneida, State of Idaho.

3. The number of such Permit is 5543 and the date set for the completion of such work is

Dec. 9, 1912.

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 3.2 cubic feet per second.

6. The amount of lands for which said water is available is 160 acres, particularly described as follows:

SF4 of SF4 Sec. 50, W2 of N24 and SF4 of N24 Sec. 29, T.14 S., R. 33 EBM

A. E. ROBINSON, State Engineer

Post Office Department

OFFICIAL BUSINESS

Original Reg. No.

23 24

RETURN TO:

Mr. State Engineer
(Name of sender.)

Street and Number
or Post Office Box

Post Office at

County

State

The postmaster who delivers the registered article must see that this card is properly signed, legibly postmarked, and mailed to the sender, without envelope or postage.

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



Boise, Idaho

25543 REGISTRY RETURN RECEIPT.

Form 154B.

Received from the postmaster registered article, the original number of which appears on the reverse side of this card.

Date of delivery _____, 191
(To be filled in by person signing receipt.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

John R. Jones
(Signature of addressee.)

(Signature of addressee's agent.)

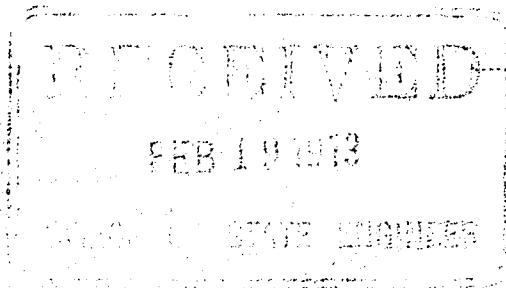
Registered matter, the delivery of which has not been restricted by the sender or the addressee, is deliverable to any responsible person who customarily receives the ordinary mail of the addressee. (See amended sec. 838, P. L. 100-109.) When the above receipt has been properly filled, it must be postmarked with the name of delivery office and actual date of delivery and mailed to the addressee, without envelope or postage.

(P. O.) *Malad City, Idaho*
(Date) *Feb. 17, 1913*

State Engineer, Boise.

Dear Sir:

I have your letter of *2/15/13* enclosing Notice of Proof
of Completion of Works under Permit No. 5543 which will be published
as you request, beginning with our issue of *Feb. 20, 1913*



The Idaho Enterprise
By Jas. B. Jones

5543

5543

RECEIVED

MAR 1 1913

PAID ENGINEER

Mendon Feb 27 - 1913

A. R. Robinson

State Engineer

Dear Sir

I wrote you some time ago asking you to notify the Malad Enterprise to publish notice of my proof to be given before J. J. Evans County Recorder on 15 or 17 of March 1913.

I wrote the Malad Enterprise on Feb 18 asking if such notice had been published but as yet have not had any reply. Can you give me any information on the matter respectfully yours A. J. Richards Esq.

March 1, 1913.

A. H. Richards,
Menden, Utah.

Sir: Re Permit #5543

In reply to your letter of the 27th ult. would say that we are in receipt of a letter from the Idaho Enterprise stating the notice for publication had been received and would appear in their issue of February 20th. You should, therefore, appear before the County Clerk on March 17th, with two witnesses, and fill out the deposition blanks which have been sent him.

Very truly yours,

State Engineer.

By C Brown

March 1, 1913.

Clark of Court,
Mald City, Idaho.

Sir:-

Re Permit #5543-Richards

I am herewith inclosing you deposition blanks
for holder and witnesses to be filled out before
you on March 17th by A. H. Richards and his two
witnesses in the matter of proof of completion
of works under above permit.

Very truly yours,

State Engineer.

DBW

By G. Brown

55

• Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Alexander H. Richards, 61 years, Buist, Idaho, farmer,
Buist, Oneida County, 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. -----

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

Ans. No. 5543 December 9th, 1909, 3-1/5 cubic feet per second,

Cedar Creek and Bull Canyon Creek, NW 1/4 sec. 21, SE 1/4 NE 1/4 and SW 1/4 NW 1/4
28 Tp. 13 S. R. 53 E.

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, 160 acres, SW 1/4 SE 1/4 sec. 20, W 1/4 NE 1/4,

and SE 1/4 NE 1/4 sec. 29 Tp. 13 S. R. 53 E. T. 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, May, 1910, continuously since May, 1910 during the irrigating season, of each year.

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, yes

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. Works of diversion do comply with all the terms of my permit.

RECEIVED

APR - 4 1913

OFFICE OF STATE ENGINEER

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

Ans. Reservoir, dam and ditches, Reservoir, 8 acre, feet, dam, 200

feet long at top, 50 feet long at bottom, 10 feet high, ditches, 2-1/2 miles long, 2 feet wide at top and 1 1/2 feet wide at bottom and 1 1/2 feet deep.

(Sign here.)

Alexander H. Richards

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

Oneida, State of Idaho, on this 17th day of

March, A. D. 1912.

My Commission expires

Clerk of the District Court.

Notary Public

5543

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

Permit No. ~~2793~~ 2543**PROOF OF COMPLETION OF WORKS****DEPOSITION OF WITNESS**

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

Ans. Wallace S. Haws, 36 years, Buist, Idaho, Farmer, Buist,
Oneida County, Idaho.Ques. 2. Are you acquainted with Alexander H. Richards, the
holder of Permit No. 5543, authorizing the diversion of 3-1/5 second-feet of the
waters of Cedar Creek and Bull Canyon Creek, at Buist, Idaho
for ... Irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes, 32 years, Buist, Oneida County, Idaho.

Ques. 3. Have you read or heard read said Permit No. ... 5543 ..., 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 irri-
gated 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, ... SW 1/4 SE 1/4 Sec. 20, W 1/2 NE 1/4 and SE 1/4 NE 1/4 Sec. 29, Tp. 13 S..
R. 33 E. B. M. clay loam, level, 3-1/5 cubic feet per second.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.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their
capacity.Ans. Dam, Reservoir and Ditches, 8 acre feet, 4 cubic feet per
second.**RECEIVED**

APR - 4 1913

OFFICE OF STATE ENGINEER

(Sign here.)

Wallace S. Haws

I hereby certify that the foregoing testimony was read to the above subscriber before its sign-
ing; 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 City, County of
... Oneida, State of Idaho, on this 17th day of
... March, A. D. 1913.

My Commission expires.

Clerk of the District Court.

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

Permit No. 5543
7725**PROOF OF COMPLETION OF WORKS****DEPOSITION OF WITNESS**

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

Ans. Eugene Richards, 33 years, Buist, Idaho, Farmer, Buist,
Oncida County, Idaho.Ques. 2. Are you acquainted with Alexander H. Richards, the
holder of Permit No. 5543, authorizing the diversion of 3-1/5 second-feet of the
waters of Cedar Creek and Bull Canyon Creek, at Buist, Idaho,
for Irrigation purposes? How long have you known him, and where does he reside?

Ans. yes, 32 years, Buist, Oncida County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 5543, 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 irri-
gated 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, SW 1/4 Sec. 20, T14N, R14E, and SW 1/4 Sec. 29, Tp. 15, R. 14,
33 E.B.M. clay loam, level, 3-1/5 cubic feet per second.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.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their
capacity.Ans. Dam, Reservoir and Ditches, 8 acre feet, 4 cubic feet per
second.**RECEIVED**

APR - 4 1913

OFFICE OF STATE ENGINEER

Eugene Richards

I hereby certify that the foregoing testimony was read to the above subscriber before its sign-
ing; 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 Buist, Idaho, County of
Oncida, State of Idaho, on this 17th day of
March, A. D. 1913.

My Commission expires

Notary Public

John J. Edwards
Clerk of the District Court.

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON
STATE ENGINEER

March 17, 1913.

Clerk of Court,
Malad City, Idaho.

Sir:- Re Permit #5543-Richards

I am herewith inclosing you deposition blanks
for holder and witnesses to be filled out before
you on March 17th by A. H. Richards and his two
witnesses in the matter of proof of completion
of works under above permit.

Very truly yours,

State Engineer.

DBW

By W. J. Brown

RECEIVED

APR - 4 1913

OFFICE OF STATE ENGINEER

557

6K-8W

AFFIDAVIT OF PUBLICATION

NOTICE OF PUBLICATION

Notice is hereby given that at 10 A. M., on the 17th day of March, 1913, at Malad City, County of Oneida, State of Idaho, before the County Clerk, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of the waters of Cedar creek, and 1.6 cubic feet from Bull Canyon, 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 Alexander H. Richards

2. The postoffice address of such person is Burst, County of Oneida, State of Idaho.

3. The number of such permit is 5543 and the date set for the completion of such work is December 9, 1912.

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 3.2 cubic feet per second.

6. The amount of lands for which said water is available is 160 acres, particularly described as follows: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ sec. 20, W $\frac{1}{4}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ sec. 29, township 13 south range 33 east Boise meridian.

E. A. ROBINSON
State Engineer.

I, Wm. R. Jones
Manager, of the
IDAHO ENTERPRISE, published weekly, at Malad
City, 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 four consecu-
tive issues commencing with the issue dated
Feb 21, 1913, and ending with
the issue dated March 4, 1913

RECEIVED

APR - 4 1913

to before me this 17th day of March, 1913

OFFICE OF STATE ENGINEER

Wm. R. Jones
Clipping Attached

Paid \$8.00

5543

Permit 5543

April 7, 1918

Mr. A. R. Richards,
Ellettsville, Idaho.

Sir:-

Your papers in the matter of proof of completion of works have been checked and are satisfactory. The certificate of completion of works will, therefore, be issued and mailed to you in a few days. Am inclosing you herewith receipt for fee.

Very truly yours,

F. P. KING,

State Engineer.

R5397

By _____

May 1, 1913.

Permit 5543

Alexander H. Richards,
Buist, Idaho.

Sir:

Am herewith enclosing you certificate of
completion of works.

Very truly yours,

F. P. ZING,

State Engineer.

CCW

By _____

State of Idaho

ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

Alexander H. Richards
Boise, Idaho.

Boise, Idaho, Sept. 2, 1913.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. 5543 which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

F. P. KING,

State Engineer.

5543

APPLICATION FOR EXTENSION OF TIME TO MAKE

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE.

State of Utah,

ss

County of Cache,

⋮

Affidavit of Alexander H. Richards

Alexander H. Richards, being duly sworn deposes and says that he is the holder of permit No. 5543 issued by the State Engineer of the State of Idaho on or about the 29th day of October 1909, and recorded in Book 16 at page 5543.

That affiant failed through excusable neglect and inadvertance to make proof of Application of the Water to Beneficial Use on or before Dec. 9th 1913 as required by said permit, particularly as follows:

That affiant is not famaliar with the law nor what is required to acquire title to water and depends wholly upon the advice of others for such information, and was informed and believed when he made his proof of completion of works that he had done all that was required of him to perfect his title to the water.

That on September 1913, affiant received blank Notice of Proof of Application of Water to Beneficial Use, from the Office of the State Engineer, and not understanding them took the papers immediately to two persons in Malad, Idaho, with whom he had previously done legal business and who affiant supposed fully understaed matters of this kind and they bot informed affiant that the papers were unnecessary that and that he was required to do any thing about them unless some one tried to "jump his water". And affiant relying upon the information given him by these parties did nothing further with the papers, and did not know that he had been misinformed until January 20th 1914, the date hereof.

WHEREFORE, petitioner asks that the time for making the proof be extended, and that he be allowed to make the proof at this time. And in this connection petitioner states that he has fully complied with the law in actually completing his works and applying the water to beneficial use.

Subscribed and sworn to before me this 20th day of January 1914.

Notary Public

My commission expires July 13th 1914.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Jan. 14th 1914.

(P. O.) Holbrook, Idaho.

To the State Engineer,
Boise, Idaho.

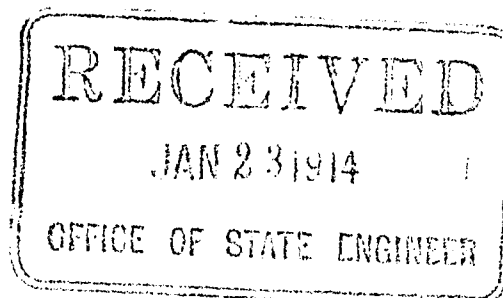
Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Idaho Enterprise, of Malad, Idaho, published in the
county in which the works are situated.

Alexander H. Richards
A. H. Richards

(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.



5548

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 28th day of February, 1914,
 at Malad, County of Oneida, State of Idaho,
 before John J. Evans, Clerk District Court, proof will be submitted
 of the application to beneficial use of 3 1/5 cubic feet per second of the waters of
 "City Creek and Bull Canyon", in accordance with the terms and conditions of Permit No. 5543
 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 is Alexander H. Richards,
Holbrook,
Oneida County, Idaho.

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

3. The amount applied to beneficial use is 3 1/5 second feet.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)
The South East quarter of the South East quarter of Section twenty (20);
the West half of the North East quarter and the South East quarter of
the North east quarter of Section twenty nine (29) in Township thirteen
(13) South, Range 33 East of the 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
The water is conducted on the land by means of a reservoir and private
ditches.

6. The right to take the water from such works is based upon Permit No. 5543

7. The source of supply from which such water is diverted is "City Creek" and "Bull Canyon"
1 6/10 second feet from each source, total 3 1/5 second feet.

8. The date of the priority which said user is prepared to establish is October 22nd 1909

RECEIVED

JAN 23 1914

OFFICE OF STATE ENGINEER

F. P. KING,
 State Engineer.

J. Z. STEWART, JR.
ATTORNEY-AT-LAW

Estates Probated
Collections
General Law Practice

LOGAN CITY, UTAH.

Jan. 20th 1914

Hon. State Engineer,

State of Idaho.--

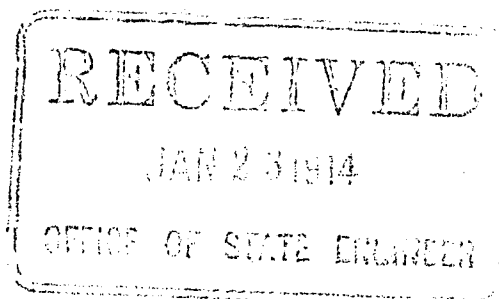
Dear Sir.-- Enclosed please find application of Alexander H. Richards to make proof of Application of Water to Beneficial use.

We have left the date of the proof blank and will ask you to insert the earliest date possible as Mr. Richards has made final proof and his papers are held up for want of the license. Also please make any other corrections or alterations in the Notice for Publication that you may consider best.

Mr. Richards, enclosed affidavit states the cause of his failure to make the proof at the time specified in the Permit.

Very Respectfully Yours,

Would be glad if you would send the necessary blanks to this office, as he desires me to assist him in the matter some.



53
January 24, 1914.

Permit 5543-A.H.Richards

J. Z. Stewart, Lawyer,
Logan City, Utah.

Sir:

Am today in receipt of your letter enclosing notices for proof of beneficial use of water under above permit. February 28th, 1914, has been set as date for making proof and the notice for publication has today been mailed to the Idaho Enterprise at Malad. Am enclosing you herewith deposition blanks. Another set of these blanks will be mailed to John A. Evans, Clerk of the Court at Malad, before whom proof is to be made.

In regard to this proof would say that, where final proof is made at a later date than specified in the permit, the date of priority is required to be brought down a length of time equal to the time lapsing between the date proof should have been made and the date proof is actually made. As this proof was required to be made December 9, 1913, the date of priority will have to be brought down eighty days from October 29, 1909, making said date of priority January 17, 1910. This change has been made in the notice for publication.

Very truly yours,

F. P. KING,

State Engineer.

DBU

By _____

State of Idaho

A. E. ROBINSON
ENGINEER

ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS.

Alexander H. Richards Proof of Beneficial Use.
c/o John J. Evans,
Clerk of Dist. Court,
Dear Sir: Malad, Idaho.

Boise, Idaho, January 30, 1914

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your permit No. 5543.

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.....February 28th.....the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Malad, before John J. Evans, Clerk of Dist. Court.

2. 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,

F. P. KING, ~~A. E. ROBINSON~~
State Engineer.

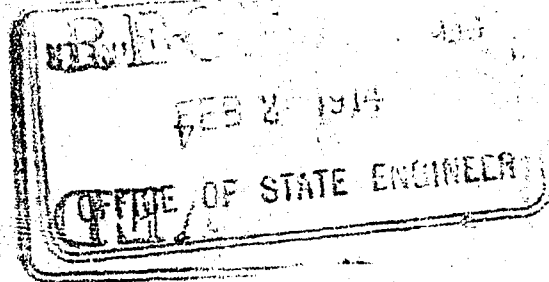
(P. O.) *Molad Idaho*
(Date) *January 26-14*

State Engineer, Boise.

Dear Sir:

I have your letter of *Jan 24* enclosing Notice of Proof
of Beneficial Use of Water under Permit No. *5543* which will be published
as you request, beginning with our issue of *January 29-14*

J. E. Pullon



5543

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Alexander E. Richards, 62 years, Holbrook, Idaho, 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. 5543, December 2th, 1909, January 17th, 1910.

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

Ans. Cedar Creek and Bull Canyon, NW $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 21, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 28 Tp. 18 S.R. 53 E.R.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. 3 main canals, 1 $\frac{1}{2}$ feet wide and 2 feet deep each, 5 second feet. none.

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 and domestic use, SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 20, 30 acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 29, 25 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 29, 35 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 29, 36 acres. cultivated land, alfalfa, bromo grass, oats, timothy.

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. 3-1/5 second feet

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

Ans. -----

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

Ans. May, 1911, by means of canals, dams, ditches, 3-1/5 second feet.
May and June, 1911, May and June 1912, and May and June 1913, 60 days
each year commencing with year 1911.

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. none

(Sign) Alexander J. Richard

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 City, County of Oneida, State of Idaho, on this 28th day of February, A. D. 1914.

Law J. Evans
Clerk of the District Court.

Permit No. 5543

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

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

Ans. Willard Richards, 36 years, Holbrook, Idaho, farmer, Holbrook, Idaho

Ques. 2. Are you acquainted with Alexander H. Richards, the holder of Permit No. 5543? How long have you known him and where does he reside?

Ans. yes, 36 years, Holbrook, Idaho.

Ques. 3. Have you read or heard read said Permit No. 5543, 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. Cedar Creek and Bull Canyon, NW $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 21, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 28 Tp. 13 S.R. 33 E.B.M. three main canals, 1 $\frac{1}{2}$ feet wide and 2 feet deep.

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. 5 second feet, 3-1/5 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 and domestic use. SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 20, W $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 29 Tp. 13 S.R. 33 E.B.M. SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 20, 30 acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 29, 25 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 29, 35 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 29, 38 acres. Cultivated land, alfalfa, oats, bromo grass, timothy.

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. Black clay loam and gravel, 3-1/5 second feet.

RECEIVED
MAR 21 1911
CLERK OF DISTRICT COURTS

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

Ans. no

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

Ans. May and June 1911. May and June 1912. May and June 1913. by means
of 3 main canals, dams and ditches, 3-1/5 second feet. May and June
1911. May and June 1912 and May and June 1913. 60 days each year.

(Sign)

Willard Richards

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Malad City, County of Oneida, State of Idaho, on this 28th day of February, A. D. 1914.

John J. Evans
Notary Public.
Clerk of the District Court.

My Commission Expires.....

Permit No. 5543

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

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

Ans. Eugene Richards, 34 years, Holbrook, Idaho, farmer, Holbrook, Idaho.

Ques. 2. Are you acquainted with Alexander H. Richards, the holder of Permit No. 5543? How long have you known him and where does he reside?

Ans. yes, 34 years, Holbrook, Idaho.

Ques. 3. Have you read or heard read said Permit No. 5543, 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. Cedar Creek and Bull Canyon, NW $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 21, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 28 Tp. 13 S.R. 33 E.B.M. three main canals $1\frac{1}{2}$ feet wide and 2 feet deep, each.

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. 5 second feet, $3\frac{1}{5}$ 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 and domestic use. SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 20, W $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 29 tp. 13 S.R. 33 E.B.M. SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 20, 30 acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 29, 25 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 29 35 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 29, 38 acres. Cultivated land, alfalfa, bromo grass, timothy and oats.

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

Ans. -----

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JAN - 9 1914

CHIEF OF STATE ENGINEER

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. Clay loam and gravel. $3\frac{1}{5}$ second feet.

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

Ans. no

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

Ans. May and June 1911, May and June 1912, May and June 1913, by
means of 3 main canals, dams and ditches, 3-1/5 second feet, May and
June 1911, May and June, 1912 and May and June 1913, 60 days each year.

(Sign) Eugene Richards

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

State of Idaho, on this 28th day of February, A. D. 1914.

John J. Evans
Notary Public.

Clerk of the District Court.

My Commission Expires.....

5548

AFFIDAVIT OF PUBLICATION

NOTICE FOR PUBLICATION

Notice of Proof of Application to Beneficial Use

Notice is hereby given that at 10 a. m. on the 28th day of February, 1914, at Malad, County of Oneida, state of Idaho, before John J. Evans, Clerk of the District Court, proof will be submitted of the application to beneficial use of 3 1-5 cubic feet per second of the waters of "City Creek" and "Bull Canyon", in accordance with the terms and conditions of Permit No. 5543 heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Alexander H. Richards, Holbrook, Oneida county, Idaho.

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

The amount applied to beneficial use is 3 1-5 second feet.

The place where said water is used is the south west quarter of the south-east quarter of section twenty (20); the west half of the north east quarter and the south east quarter of the northeast quarter of section twenty-nine (29) in Township thirteen (13) South, Range 33 East, Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is; The water is conducted onto the land by means of a reservoir and private ditches.

The right to take the water from such works is based upon Permit No. 5543.

The source of supply from which such water is diverted is "City Creek" and "Bull Canyon," 1.6 second feet from each source, total 3 1-5 second feet.

The date of the priority which said user is prepared to establish is January 17, 1910.

F. P. KING
State Engineer

1 29 126

I, A. H. Richards
business manager, of the

IDAHO ENTERPRISE, published weekly, at Malad City, 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.....consecu-

tive issues....., commencing with the issue dated Feb 29....., 1914., and ending with the issue dated Feb 26....., 1914.

before me this 28 day of Feb 1914

A. H. Richards
.....
Notary Public

March 9, 1914.

Permit 5543

Alexander H. Richards,
Holbrook, Idaho.

Sir:

Am today in receipt of depositions and affidavit
of publication for proof of beneficial use of water
under above permit. As soon as weather conditions
are more settled, an engineer from this office will
make the examination and, upon receipt of his report,
you will be notified as to fees required.

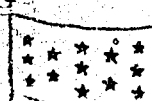
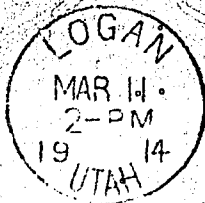
Very truly yours,

F. P. KING,

State Engineer.

By _____

THE SPACE BELOW MAY BE USED FOR CORRESPONDENCE.



POSTAL CARD

THE SPACE BELOW IS FOR THE ADDRESS ONLY.

Hon. State Engineer,

Boise,

IDAHO.

554/3

Logan, Utah, Mar. 11th 1914.

Hon. State Engineer,
Boise, Ida.,

Permit me to trouble you
regarding the water license of Alexander W.
Richards who made his proof of beneficial
use about Febt. 28th.

His final proof on his land is held pending
the issuance of the license, and he would be
glad to have you send it to him or to this
office as soon as you conveniently can. 21914

J. K. Stewart, Jr. OF STATE ENGINEER
Atty.
Logan, Utah.

554/3

March 12, 1914.

Permit-5543- A.H.Richards

J. S. Stewart, Jr.,
Attorney at law,
Logan, Utah.

Sir:

Replying to your card received today would say that, as soon as weather conditions are more settled, an engineer from this office will make the examination required for final proof under the above permit and, upon receipt of his report, the matter of issuing the license will be taken up. A special certificate will be prepared for the holder, if he desires, to be used with his land proof. These certificates have been accepted at the Land Office in lieu of the final license. Such a certificate would cost \$1.00 and will be mailed immediately upon receipt of your reply.

Very truly yours,

F. P. KING,

State Engineer.

By _____

STATE OF IDAHO
ENGINEERING DEPARTMENT

BOISE

F. P. KING
STATE ENGINEER

HERBERT WING
DEPUTY STATE ENGINEER
W. R. KEYDE
CHIEF CAREY ACE ENGINEER

March 12, 1914.

Permit-5543- A.H.Richards

J. S. Stewart, Jr.,
Attorney at law,
Logan, Utah.

RECEIVED
OFFICE OF STATE ENGINEER

Sir:

Replying to your card received today would say that, as soon as weather conditions are more settled, an engineer from this office will make the examination required for final proof under the above permit and, upon receipt of his report, the matter of issuing the license will be taken up. A special certificate will be prepared for the holder, if he desires, to be used with his land proof. These certificates have been accepted at the Land Office in lieu of the final license. Such a certificate would cost \$1.00 and will be mailed immediately upon receipt of your reply.

Very truly yours,

F. P. KING,

State Engineer.

By *[Signature]*

Hon. F. P. King,-
Boise, Ida.,

Mr. Richards has decided to get the certificate referred to in the above letter, and we enclose \$1.- in currency.

Thanking you for your interest in the matter, I remain,

Yours

Very Truly Yours,

[Signature]

5543

5543

March 17, 1914.

Re certificate

J. E. Stewart, Jr.,
Attorney at law,
Logan, Utah.

Sir:

Per your request, I am enclosing you herewith
special certificate relative to water right of
A. E. Richards under Permit No. 5543. Am also
enclosing receipt for fee.

Very truly yours;

F. P. KING,

State Engineer.

CC-R5317

By _____

REPORT OF ENGINEER

1. State name of applicant and number of permit: *Alexander H. Richards Permit 5543*2. State source of water supply: *Bull Canyon and Cedar Cr*3. Location of point of diversion: *N. 1/4, S. 1/4, Sec 21 and S. 1/4, N. 1/4, Sec 21 T. 13.5 S. R. 23 E.*

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:

See description and map.

5. Describe works as they exist, giving dimensions of same as follows:

(a) Width of conduit at bottom: *N. 1 1' N. 2 1'*(b) Width at water line: *2' 2'*(c) Depth of water: *8" 8"*(d) Grade per mile: *10' 30'*(e) Capacity of ditch: *Over 40 inches 120 inches second feet.*

6. State whether or not water has been turned into works of diversion and if so, to what extent:

No water in ditch "1" at time of examination. Books indicate that ditch has been filled to capacity. No 2 has been used and filled to capacity.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each

forty acre tract: *S. 1/4, S. 1/4, Sec 20, N. 1/4, N. 1/4, and S. 1/4, N. 1/4, Sec 29**T. 13.5 S. R. 23 E.**Has 17 crop 20 acres in NW NE Sec 20**30.9, S. 1/4, N. 1/4, Sec 29**30.9, S. 1/4, N. 1/4, Sec 29 Total 8.5 Acres**20.9 - Bull Canyon 354 Cedar Cr*

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:

*Reservoir dam 200' long on top, 2' high 30' wide at bottom 8' crown.**J. M. Burkett*
May 7 1914

STATE OF IDAHO.

County of _____ } ss.

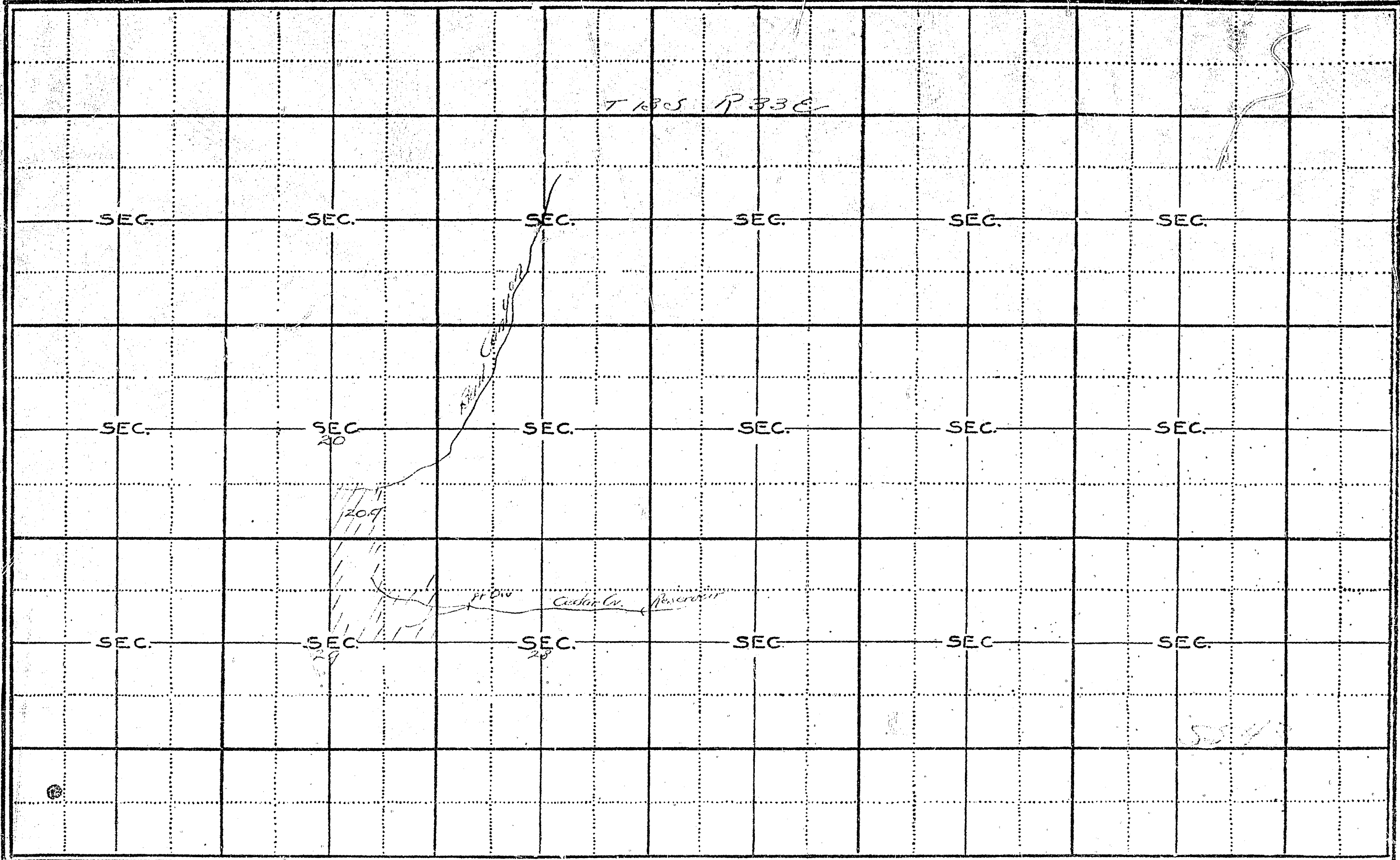
_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

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

My Commission Expires _____

Notary Public.

Name of Applicant: *Alexander H. Peterson, Jr.* Section: *13*



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

Printed and for sale by the Statesman Shop, Boise, Idaho.

May 19, 1914.

Permit 5543

Alexander H. Richards,
Holbrook, Idaho.

Sir:

We are just in receipt of the report of the examining engineer for the use of water under above permit. According to this report you have parts of three forties under cultivation. The fees will, therefore, amount to \$6.00 and, upon receipt of this amount, the license will issue.

Very truly yours,

F. P. KING,

State Engineer.

By: _____

5523 y/c

Mendon, Utah, June 1, 1914/

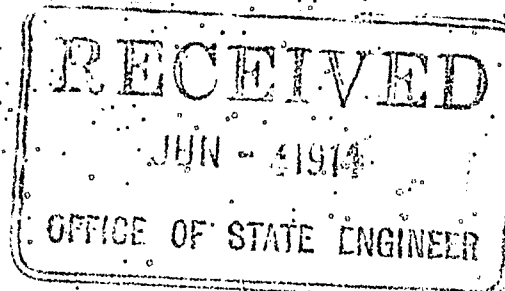
F. P. King, state engineer,
Bosie, Idaho.

Dear Sir:

Inclosed please find a money order for \$6.00,
for which send me water license.

Very truly yours,
A. H. Richards.

P. S. Please forward to Mendon, Cache Co. Utah
as I intend to be here for some time.



5540

June 13, 1914.

Permit 5543.

A. H. Richards,
Mendon, Utah.

Sir:

Am enclosing herewith waterlicense No. 5543 ,
with receipt for fee.

Very truly yours,

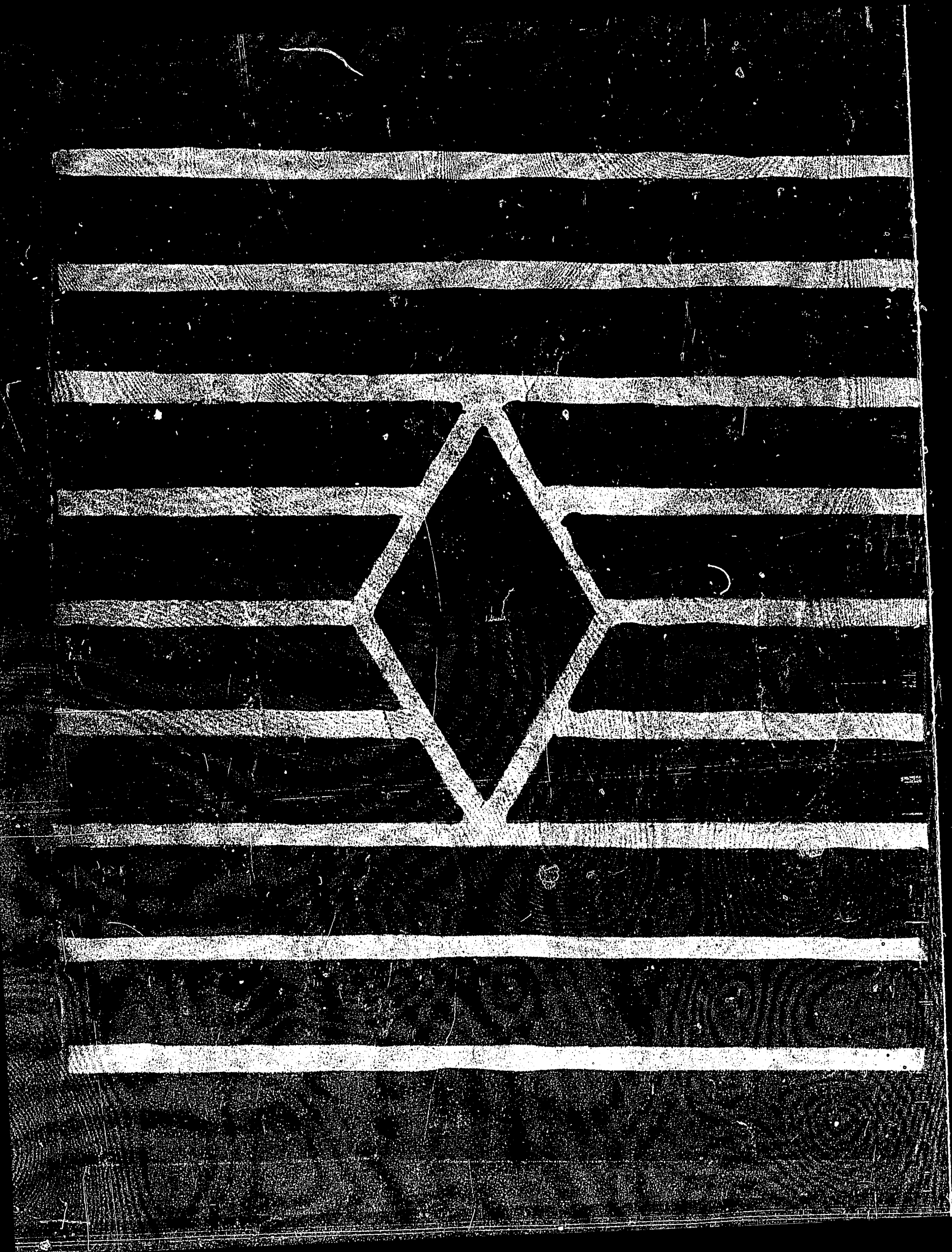
F. P. KING,

State Engineer.

L

By _____

R6498



County, Oneida
Stream: Cedar Creek and Bull Canyon
Amount: 1.3 from Cedar Creek and .4 of 1 from Bull Canyon.
Use: irrigation
Priority, January 17, 1910.

STATE OF IDAHO

Water License No. 5543

WHEREAS, On the 29th day of October, A. D. 1909,
Alexander H. Richards

of Holbrook, County of Oneida, State of Idaho, duly made application
(No. 7793) to me for a permit to use 1.6 cubic feet per second of the waters of Cedar
Creek and 1.6 cubic feet per second of the waters of Bull Canyon,

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

WHEREAS, On the 9th day of December, A. D. 1909, Permit No. 5543 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 9th day of December, A. D. 1912, and for the application to ben-
eficial use of said water on or before the 9th day of December, A. D. 1913, and,

WHEREAS, On the 7th day of December, A. D. 1912,
Alexander H. Richards

the holder of said permit, duly made proof of the completion of adequate works for the diversion of
3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 5543
dated April 12, 1913, confirming the completion of works of sufficient capacity for diverting and
conveying to the place of intended use 3.2 cubic feet per second of said water,
with date of priority of October 29, 1909, and

WHEREAS, On the 28th day of February, A. D. 1914,
Alexander H. Richards

the holder of said permit, duly made proof of the application to beneficial use of 1.7 cubic
feet 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 Alexander H. Richards

of Holbrook, County of Oneida, State of Idaho, the holder and owner
of said Permit No. 5543, a perpetual right, dating from January 17, 1910
to the use of 1.3 cubic feet per second of the waters of Cedar Creek and .4 of 1 cubic
foot per second of the waters of Bull Canyon

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 as follows: 1- from reservoir on Cedar Creek
in SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 28- (2) From Cedar Creek in SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 28, T. 13 S., R.
33 E. B. M.; point of diversion on Bull Canyon is in the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 21, T. 13
S. R. 33 E. B. M.

and conducted to and upon 85 acres, divided as follows: 20 acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$,
Sec. 20; 35 acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and 30 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 29, all in T.
13 S. R. 33 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 9th day of June
A. D., nineteen hundred and fourteen.

F. P. KING,

(Seal)

State Engineer.

