

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29128
 PERMIT No. 21439
 DISTRICT No.

1. Name of Applicant: H. E. ROBINS

Postoffice address: Stone

County: Oneida

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

- (a) Cash on hand:
- (c) Bonds to be issued:

2. Quantity of water claimed: One

cubic feet per second.

3. Source of water supply: Unnamed stream

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 22 , T. 16 S. , R. 2 E. , B.M., County of Oneida

5. Water is to be used for Irrigation and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
 T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
 of Section , T. , R. , B.M.

7. Estimated cost of works: \$400.00

8. Kind of works: Headgate and ditch

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

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

11. Ditch: Width at bottom 1 $\frac{1}{2}$ feet; width at water line 5 feet; depth of water 0.5 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is One and one-half years.

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

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

PERMIT NO. 21439
 CERTIFICATE OF COMPLETION OF WORKS

To All Whom it May Concern:

This is to certify that H. B. ROBBINS, of Stone, County of Oneida, and State of Idaho, the holder of Permit No. 21439, issued upon Application No. 29128, bearing date of priority of February 28, 1950, authorizing the diversion of One second foot of the waters of an un-named stream, 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 One second foot of the waters of said un-named stream; that the point of diversion of said waters is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, Township 16 South, Range 32 East, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Twp. 16 South, Range 32 East, B.M.

Witness my hand this 5th day of August, A. D. 1952.

Proof of completion of works made October 8, 1951
 Certificate of Completion of Works issued August 5, 1952

MARK R. KULP
 State Reclamation Engineer

LICENSE ISSUED FOR 0.8 SEC. FT.

pg. 5153



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

October 12, 1951

RE: Permit No. 21439

Mr. H. B. Robbins
Stone
Idaho

Dear Mr. Robbins:

We return your affidavit offered in proof of completion of works under Permit No. 21439, for the following corrections:

1. Your affidavit gives the name of the stream as Lost Creek, but the Permit describes it as an unnamed stream.
2. Question 3 gives the point of diversion as about 20 rods Southwest of the Northeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, but the permit gives it in the SW $\frac{1}{4}$ NE $\frac{1}{4}$.

There is a statutory fee of \$5.00 required in connection with proof of completion of works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By *Jeannie L. Anderson*
Chief Clerk

A:fg
Enc.

P. S. Since writing the above, we have received your letter of October 11, enclosing your check for the \$5.00 fee.

RECEIVED
OCT 16 1951
Department of Reclamation

21439

Stone, Idaho
October 15, 1951

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

Dear Sirs:

I am enclosing a map showing the section of land on which the said ditch described on enclosed papers that were sent for proof of completion of works, which appears is not described correctly. There has been two work on the description and neither one agrees with the description I sent in on the application for permit. The map will show the land over which the ditch runs and the legal subdivisions it crosses. The circle will designate the point of diversion and the cross will designate the corner where it enters my farm but for fear of making another mistake I am asking that it be described as marked on the map by someone that is accustomed to the work. I will enclose a one dollar

bill for the good friend that will do that and delegate to him the power of attorney to correct the papers as neither one appears to be right to me. As to the name of the creek, it has no name other than the one I put in which it is sometimes called which I will cross out and substitute "unnamed stream."

I am sorry to cause so much trouble but it seems that errors will creep in.

Thank you very kindly for your help and interest in the matter.

Very truly yours,
H B Robbins

P.S. I am returning all papers concerning the matter that may be of some help.

Permit No. 21439STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Oneida

SS.

H B Robbins, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 21439, and that his postoffice address is Stone
State of IdahoSecond: That the name of the stream ^{FROM} which said water is to be ^{DIVERTED} directed is.....East Creek Unnamed StreamThird: That the point of diversion of said water is About 160 yds
South west of the NE corner of NE 1/4 Sec 23, T. 14 R. 32 - 13 BFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Oct 6, 1951, 19.....Fifth: That the use for which said water is intended is Irrigation & DomesticSixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:I. Kind of works: Ditch

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:.....

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir.....acre feet.

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

✓ (d) Conduit.....width at bottom 3 feet, width at water line 5

(State whether ditch, flume or pipe)

feet, depth of water.....feet; diameter of pipe.....inches, average grade per mile is 4 feet. Length of conduit is 5 1/8 miles.Seventh: That said works are capable of conducting to the place of intended use 2.88 in
Miners in second feet of water.Eighth: That water appropriated under said permit is available for.....
acres of land described as follows: SE 1/4 - SE 1/4 - Sec 23 T. 14 R. 32NW 1/4 NE 1/4 - NW 1/4 Sec 24 - T. 14 R. 32 E.B.M.Ninth: Remarks: That no one can tell - the amount of water
available until it has been tested, and even then it
is uncertain as weather conditions govern the whole thing
There is 100 acres of land it could be used on (question 8)H B Robbins
(Sign Here)Subscribed and sworn to before me this 8 day of Oct, 1951My commission expires Mar 17 1953, Wm Hurd
Notary Public,
Snoverville, Wt.

October 31, 1951

RE: Permit No. 21439

Mr. H. B. Robbins
Stone
Idaho

Dear Mr. Robbins:

We are in receipt of your letter of October 15, 1951, but are still unable from the information at hand to definitely locate your source of water supply.

We shall therefore hold the matter open until someone from this department is in your neighborhood, when he will call on you and try to straighten the matter out. Meanwhile, we return the \$1.00 enclosed in your letter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21439

INTER-DEPARTMENT MEMO--1

DATE October 31, 1951

FROM Chief Clerk

TO Deputy State Reclamation Engineer

SUBJECT Permit No. 21439 of H. B. Robbins

Please call on Mr. Robbins when you are in that locality and see if you can straighten him out in regard to location of point of diversion, etc., as described in the above numbered permit.

21439

Jeannie L. Anderson

Chief Clerk

SIGNATURE

July 1, 1952

RE: Permit No. 21439

Mr. H. B. Robbins
Stone
Idaho

Dear Mr. Robbins:

I intend to call at your place Tuesday evening, July 2, 1952, as per letter written to you on October 31, 1951, from this department.

The purpose of this call will be to help you in connection with your Permit No. 21439.

Very truly yours,

MARK B. KULP
State Reclamation Engineer
By

E. M. Humphrey
Deputy State Reclamation Engineer

H:fg

21439

July 15, 1952

RE: Permit No. 21439

Mr. H. R. Robbins
Stone
Idaho

Dear Mr. Robbins:

Mr. E. N. Humphrey, Deputy State Reclamation Engineer, made a check of the point of diversion of the land called for in your Permit No. 21439, and he advises that the stream course has been changed and that your point of diversion is actually in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, Township 16 South, Range 32 East, B.M., instead of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ as given in the original application and permit.

We therefore enclose an application for amendment to the point of diversion which you may sign and return to this department and, upon receipt and approval of which, your certificate of completion of works can be issued.

However, your check for the \$5.00 fee in connection with proof of completion of works is dated October 6, 1951, and has been held awaiting an examination to locate the correct point of diversion.

Since that is more than six months ago, we return the check and ask that you substitute for it one with the current date.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21439

July 21, 1952

RE: Permit No. 21439

Mr. H. B. Robbins
Stone
Lasho

Dear Mr. Robbins:

We acknowledge receipt of your application for amendment to the point of diversion as described in Permit No. 21439. Also your check for the \$5.00 fee in connection with proof of completion of works.

However, you failed to sign your application for amendment and we return same herewith with the request that you sign it on the line indicated.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21439

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Boise, Idaho

August 1, 1952

Mr. H. B. Robbins

Stone, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 21439. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than October 6, 1952, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

21439

August 6, 1952

Re: Permit No. 21439

Mr. H. B. Robbins
Stone, Idaho

Dear Mr. Robbins:

We return your application for amendment to the point of diversion in Permit No. 21439, which has been approved by the State Reclamation Engineer, and duly recorded.

We also enclose Certificate of Completion of Works issued under this permit for the diversion of one second foot of water from an un-named stream, with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, Township 16 South, Range 32 East, B. M., for irrigation and domestic use on the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Township 16 South, Range 32 East B.M.

Also Departmental Receipt No. 24679 for the \$5.00 fee paid in connection with completion of works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Encls.

Chief Clerk

21439

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....August 29, 1952.....

(P. O.).....Stone, Idaho.....

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
State of Idaho
IDAHO ENTERPRISE.....of MALAD CITY, ONEIDA COUNTY, 7.....published in
the county in which the works are situated.

H B Robbins

(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.

21439

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21439

Date: September 10, 1952

Idaho Enterprise

Malad, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to October 20, 1952 the date set for proof, the expense of the publication to be paid by the applicant, H. E. Robbins of Stone, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By
Chief Clerk

21439

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

Notice is hereby given that at 11:00 A. M. on the 20th day of October, 1952,
at Malad City, County of Oneida, State of Idaho, before
Bill Fallis, Probate Judge, proof will be submitted of the
application to beneficial use of One second / foot cubic ~~foot~~ per second of the waters of an unnamed
stream in accordance with the terms and conditions of Permit No. 21439
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are H. B. Robbins
Stone, Idaho

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

The amount applied to beneficial use is One second foot

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

SE $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 23, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 26, TWP. 16 SOUTH, RANGE 32
EAST, B. M.

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

Unnamed canal or ditch

The right to take water from such works is based upon Permit No. 21439

The source of supply an un-named stream diverted from which such water is diverted is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 23, TOWNSHIP

16 SOUTH, RANGE 32 EAST, B. M.

The date of priority which said user is prepared to establish is February 28, 1950

MARK R. KULP

State Reclamation Engineer.

21439

✓
September 10, 1952

RE: Permit No. 21439

Mr. H. B. Robbins
Stone
Idaho

Dear Mr. Robbins:

We have sent to the Idaho Enterprise, copy of notice of beneficial use proof to be made under your Permit No. 21439 on October 20, 1952, with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the affidavit of publication together with statement of costs.

We enclose the necessary forms of deposition to be used in making this proof and at the time set you should appear before Bill Fallis, Probate Judge, together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FG
Enc.

21439

2143⁹ **THE IDAHO ENTERPRISE**

PUBLISHERS & JOB PRINTERS

CLYDE and MARION HANSON, PUBLISHERS



PHONE 40

31 COURT STREET

MALAD CITY, IDAHO

9-12-52

RECEIVED
SEP 15 1952
Department of Reclamation

Jeanne L. Anderson
Chief Clerk
State Reclamation Engineer

Dear Madam:-

This will acknowledge receipt of Notice
for Publication for H. B. Robbins which will be
published for four weeks commencing with our issue
of Sept. 18.

Yours respectfully,

THE IDAHO ENTERPRISE

Clyde Hanson
Clyde Hanson

2143⁹

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 21 1952

Department of Reclamation

Permit No. 21439

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. H. B. Robbins, Stone, Idaho; rancher; Stone, Idaho

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

Ans. _____

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

Ans. Permit No. 21439, April 6, 1950. ²⁻²⁸⁻⁵⁰ October 20, 1952 date of priority.

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

Ans. Source: Unnamed stream. NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, Township 16 South, Range 32 East 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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. Ditch. One and one-fourth cubic feet. Unnamed ditch.

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

Ans. Irrigation and domestic purposes. SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Township 16 South, Range 32 East B.M. SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23 - 10 acres consisting of 6 acres of alfalfa and 4 acres of grass pasture. NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, - 4 acres of pasture land and 15 acres ready for spring seeding into alfalfa.

21439

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

Ans. Not to be used for power.

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

Ans. None

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. Ranging from the 20th of March down to present time. Used for irrigation. Variable amounts according to amounts procurable ranging from 1 1/4 feet to nothing at all. All that I could procure.

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. The water is being used only for irrigation and domestic purposes that was given under permit 21439.

(Sign)

A. B. Robbins

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Malad City, County of Oneida, State of Idaho, on this 20th day of October, A. D. 1952,

Bill Fuller
Probate Judge

My commission expires _____

21439

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21439

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Arnold R. Worth, Stone, Idaho. Occupation-farmer. P.O. address Stone, Idaho

Ques. 2. Are you acquainted with H. B. Robbins, the holder of Permit No. 21439? How long have you known him and where does he reside?

Ans. About 18 years. He resides at Stone, Idaho

Ques. 3. Have you read or heard read said Permit No. 21439, 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. Unnamed Stream, The place of diversion is located in the NW¹NE¹ Section 23, Township 16 South, Range 32 East, B. M. Works for conveying water from point of diversion to place of use are: Ditch and Headgate,

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. Five 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. The use of water will be for irrigation and domestic purposes and it is to used on cultivated land. The number of acres land that can be irrigated is from ten to twenty acres. The water is to be used on the H. B. Robbins's farm.

21439

Ans. For irrigation and domestic purposes. (only)

Ans. Heavy Clay Soil. All the water that comes from the stream.

Ans. None whatever.

Ans. Helped Mr. Robbins make the ditch for the use of the water in the spring of 1950. All the water is being used on the farm of Mr. Robbins.

(Signed)

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 20th day of October,
A. D. 19 .

Probate Judge

~~NOTICE PUBLIC~~

My commission expires

21439

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

Ans. For irrigation and domestic purposes. (only)

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. Heavy Clay Soil. All the water that comes from the stream.

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

Ans. None 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. Helped Mr. Robbins make the ditch for the use of the water in the spring of 1950. All the water is being used on the farm of Mr. Robbins.

(Signed)

Arnold B. North

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 20th day of October,
A. D. 1950.

Bill Hall
Probate Judge

~~NOTARY PUBLIC~~

My commission expires _____

21439

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21439

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Victor Anderson, Stone, Idaho. Occupation-farmer. P.O. address Stone, Idaho

Ques. 2. Are you acquainted with H. B. Robbins, the holder of Permit No. 21439? How long have you known him and where does he reside?

Ans. Yes. Residence-Stone, Idaho

Ques. 3. Have you read or heard read said Permit No. 21439, 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. Unmaned Stream, The place of diversion is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, Township 16 South, Range 32 East, B.M. Works for conveying water from point of diversion to place of use: Headgate and ditch.

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

Ans. Five 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. H. B. Robbins's farm. Irrigate from ten to twenty-five acres of land
The land that water is used upon is culivated.

21439

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

Ans. Is not used for power purposes.

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

Ans. Heavy clay soil. All the water that is granted under permit 21439.

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. In the spring and fall of 1950. All the water from this unmaned stram was being used.

(Signed)

Victor Anderson

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 20th day of October,
A. D. 1952.

Bill F. Allen
Probate Judge

Notary Public

My commission expires _____

21439

October 23, 1952

RE: Permit No. 21439

Mr. H. B. Robbins
Stone
Idaho

Dear Mr. Robbins:

We acknowledge receipt of the depositions of yourself and two witnesses in proof of beneficial use under Permit No. 21439.

The affidavit of publication is a necessary part of the proof and should accompany the depositions. The Idaho Enterprise was instructed to send you this affidavit and if you have not received it we suggest you take the matter up with them at once.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Aifg

21439

RECEIVED
OCT 28 1952

Department of Reclamation

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A. M. on the 20th day of October, 1952, at Malad City, County of Oneida, State of Idaho, before Bill Fallis, Probate Judge, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of an unnamed stream in accordance with the terms and conditions of Permit No. 21439 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are H. B. Robbins, Stone, Idaho.

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

The amount applied to beneficial use is One second foot.

The place where said water is used: SE 1/4 SW 1/4 Section 23, and NE 1/4 NW 1/4 Section 26, TWP. 16 South, Range 32 East, B. M.

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

The right to take water from such works is based upon Permit No. 21439.

The source of supply, an unnamed stream diverted, from which such water is diverted is in the NW 1/4 SE 1/4 Section 23, Township 16 South, Range 32 East, B.M.

The date of priority which said user is prepared to establish is February 28, 1950.

MARK R. KULP
State Reclamation Engineer
9-18-10-9t4

NOTICE TO CREDITORS

Affidavit of Publication

State of Idaho }
County of Oneida } ss.

Sophia Stratten...being first duly sworn on her oath, states: That she is *Principal Clerk* of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published and that said paper was published at regular intervals not less frequently than once a week.

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 4 successive weekly issues thereof the date of the first publication being the 18 day of *September* 1952 the date of the last publication being the 9 day of *October* 1952.

Sophia Stratten

Subscribed and sworn to before me this 11 day of *October* 1952

Notary Public, residing at Malad, Idaho

My Commission expires the 12 day of *May* 1953

COST: 46 lines at 40c per line first insertion \$ 5.52
6 -5c per line each subsequent insertion \$.28
TOTAL \$ 5.80

21437

✓
October 29, 1952

RE: Permit No. 21439

Mr. H. B. Robbins
Stone
Idaho

Dear Mr. Robbins:

We have now received the affidavit of publication in the Idaho Enterprise which completes your proof of beneficial use on Permit No. 21439.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21439

August 19, 1953

RE: Permit No. 21439

Mr. H. E. Robbins
Stone,
Idaho

Dear Mr. Robbins:

I intend to make inspection, as required by law, in connection with your Permit No. 21439 some time during the week of August 23rd.

This inspection is required by Idaho State Law.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E.N. Humphrey
Deputy State Reclamation Engineer

ENH:pj

21439

T. 16 S., R. 32 E.

To Holbrook
11 miles

23

25

26

27

STONEO

To Snowville, Utah

IDAHO line
UTAH

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 21439

This proof is for Beneficial use

In Water District No. _____

1. Name of applicant H. B. Robbins, Stone, Idaho
2. Source of water supply: An un-named stream
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23
T. 16 S. R. 32 E. County of Oneida
4. Describe works as they exist, giving dimensions and capacities of same: This is merely use of flood water. Ditches are 12 to 18 inches wide in the bottom and 12 to 18 inches deep. Small dam of mud and rocks is all that is required to make the diversion.

5. Water is used for: Irrigation and domestic purposes
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23;

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26;

Twp. 16 South, Range 32 East, B. M.

See Map

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

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

Remarks: He has secured sufficient water by this means to do a fairly good job of irrigating on the North 15 acres. All the water that has ~~been~~ the land on the South 40 has had to flow completely across a small canal. Mr. Robbins claims that on certain years the canal is frozen over completely and that the water flows across and benefits at least 25 acres in this So. 40. He says there is sufficient water at times that it washes away the banks of the canal. This apparently is supplemented by excess stock water which is released down the canal. The condition was troublesome enough that Robbins claims he won a decision in court approx. a year ago for the payment of some \$1,350.00 damage from the canal company.

This examination was made on the 25th day of August, 19 53.

(Signed) E. M. Humphrey

Examiner.

21439



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, RECLAMATION ENGINEER

BOISE

September 1, 1953

RE: Permit No. 21439

RECEIVED
OCT 6 1953
Department of Reclamation

Mr. H. B. Robbins
Stone
Idaho

Dear Mr. Robbins:

We now have on file the report of our field engineer on examination for beneficial use under Permit No. 21439.

This report shows that you have irrigated 40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Township 16 South, Range 32 East, B.M.

Therefore, upon receipt of the statutory fee of \$4.00, a license can be issued for 0.8 of a second foot of water from an unnamed stream with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, Township 16 South, Range 32 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeane L. Anderson
Chief Clerk

A:fg

Thank You Very Much

Truly Yours

H B Robbins

21439

October 7, 1953

RE: Permit No. 21439

Mr. H. B. Robbins
Stone
Idaho

Dear Mr. Robbins:

We enclose License and Certificate of Water Right issued under Permit No. 21439, confirming your right to the use of 0.8 second foot, or 4.0 inches of water from an unnamed stream with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, Township 16 South, Range 32 East, B.M., and priority of February 28, 1950, for irrigation and domestic use on 40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26, Township 16 South, Range 32 East, B.M.

We also enclose departmental receipt No. 26251 for the \$4.00 License fee.

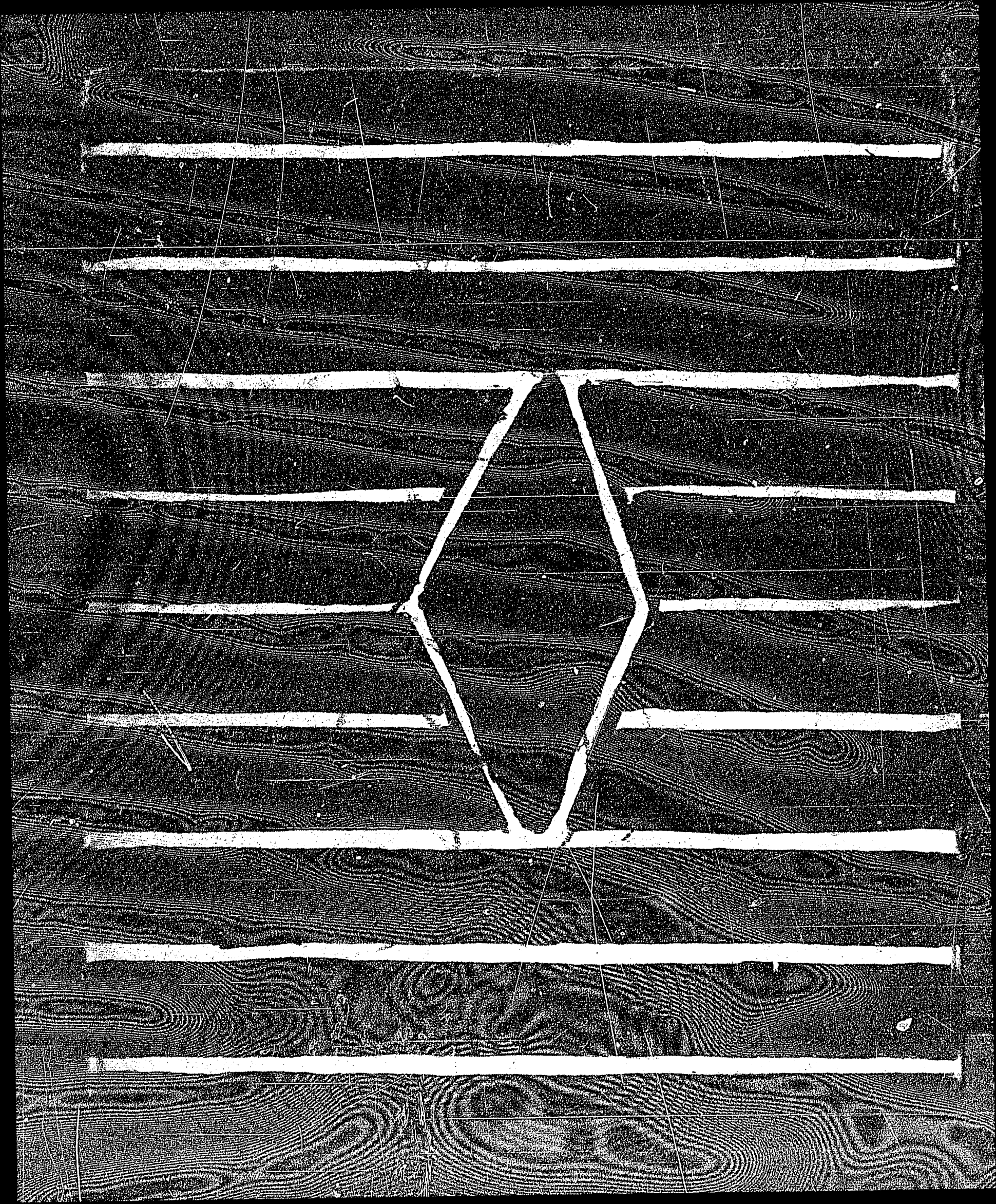
Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

Aife
Enc.

21439



State of Idaho

License and Certificate of Water Right

Water License No. 21439

Amount 0.8 second foot

Water District No.

Priority February 28, 1950

THIS IS TO CERTIFY that H. B. ROBBINS

of Stone, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 28, 1950; that Permit No. 21439 was issued under said application; that Certificate of Completion of works, with a carrying capacity of One second foot, was issued thereunder on August 5, 1952, showing that said works were completed on the 8th day of October, 1951; and that on the 20th day of October, 1952,

H. B. ROBBINS

of Stone, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of an un-named stream, a tributary of - - , for the purpose of irrigation and domestic use, under Use Permit No. 21439 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 5153, on the 6th day of October, 1953;

The right hereby confirmed dates from February 28, 1950;

The Point of Diversion is located

in the NW 1/4 SE 1/4, Sec. 23, Tp. 16 S, R. 32 E., B. M. County Oneida

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S.	32 E.	23	SE 1/4 SW 1/4	25	15
		26	NE 1/4 NW 1/4	25	25
Number of Acres Actually Irrigated -					40

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

6th day of October, 1953.

MARK R. KULP

State Reclamation Engineer.

(SEAL)