

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

May 26, 1924.

Hon. W.G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho.

Dear Mr. Swendsen:

In re: Bell & Larson Ditch.

I inclose herewith copy of order appointing
O.J. Norlinger, of Roberts, Idaho, watermaster
of the Bell and Larson Ditch.

Will you kindly send to Mr. Norlinger, the
necessary record blanks used in connection with
the water distribution so that he can report
to you in the manner required by law.

Thanking you for this, I am,

Yours very truly,

Oscar A. Johannesen

1924

SCANNED
NOV 0 1 2011

May 29, 1924.

Sayer

O.K. to certify

Re: Bell & Larson Ditch
District No. 36

Mr. O. J. Norlinger,
Roberts, Idaho.

Dear Sir:

We are just in receipt of a copy of the Order of the Court of the Ninth Judicial District, in and for the County of Jefferson, regarding your watermaster appointment on the Bell and Larson Ditch for the current irrigation season - from June 1, 1924 to August 25, 1924.

Under separate cover we are mailing you four daily record books in which you should keep accurate record of the amounts of water delivered to the various water users along this ditch, each day, in order that at the close of the irrigation season you can prepare a report in acceptable form which will prorate your total expense for the season among the various water users in the proportion that each shares in the total delivery of water for the season.

We are also enclosing you four annual watermaster report blanks for use in preparing your final report. This report should be made up in duplicate, signed by yourself as watermaster, having your signature acknowledged and presented to the Court for its approval, after which one copy should be filed in this office and the other copy passed to the Board of County Commissioners for payment, if payment is to be made through the county for your services.

Very truly yours,

Director of Water Resources.

GNC-H
Encls.

September 10, 1924.

Re: District No. 36
Bell and Larson Ditch

Mr. J. R. Sayer,
Clerk, Board of County Commissioners,
Rigby, Idaho

Dear Sir:

You will find enclosed copy of watermaster's report covering work and distribution of expense on the Bell and Larson ditch in Jefferson county.

You should be advised that this watermaster was appointed by the Honorable George W. Edgington, District Judge, as provided by law. The statutes also provide that watermasters thus placed in charge of distribution of water shall receive their salary in the same manner as other watermasters in the state, either elected or appointed.

I, therefore, understand that the board of county commissioners of your county should allow this claim in the same manner as others of like nature prepared for watermaster service.

Very truly yours,

Director of Water Resources.

GNC:P

January 7, 1924.

Re: Independent Irrigation Co. Ltd.
et al, VS G. Clyde Baldwin et al.
District No. 36.

Mr. James R. Bothwell,
Attorney at Law,
Twin Falls, Idaho.

Dear Sir:

Your communication of the 28th relating to the above entitled action and request authority from the Attorney General to appear therein, representing the defendants, is received.

I am this day transmitting the communication to the Attorney General with the request that he take such action in the matter as seems appropriate, and that I be advised as to a final disposition of the matter, and also suggesting that he forward you a carbon copy of his action in the matter, direct.

This procedure is suggested since the undersigned will be absent during the coming week. The Attorney General, I am advised, will not be in his office until the 7th.

Very truly yours,

Commissioner of Reclamation

WGS:P

January 7, 1924

Re: Independent Irrigation Co., Ltd.
et al, VS G. Clyde Baldwin, et al.
District number 36.

Hon. A. H. Conner,
Attorney General,
B u i l d i n g.

Dear Sir:

Herewith I am enclosing communications relating to the above entitled action, all of which I take it is self explanatory. I have informally discussed this matter with your assistant, Mr. Wing.

There is also enclosed a copy of my letter of acknowledgement to Mr. Bothwell.

Very truly yours,

Commissioner of Reclamation

WGS: P

JAMES R. BOTHWELL

W. ORR CHAPMAN

BOTHWELL & CHAPMAN
LAWYERS
ROOMS 5, 6, 7, 8, 9 AND 10 WOODS BUILDING
TWIN FALLS, IDAHO

January Ninth
Nineteen twenty-four

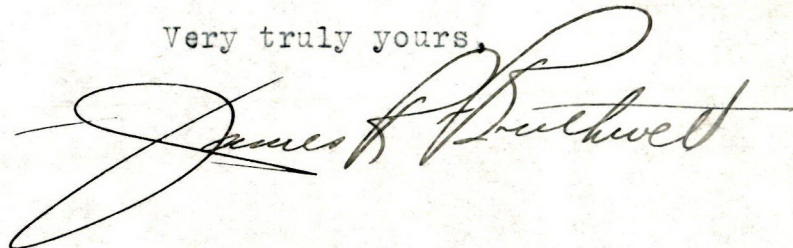
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W. G. Swendsen, Commissioner of
Reclamation,
Boise, Idaho.
Dear Sir:

IN RE: INDEPENDENT IRRIGATION COMPANY,
LTD. V. CLYDE C. BALDWIN ET AL.

Your favor of January Seventh at hand. I neglected to mention in my former letter that I have advice from Mr. McCutcheon, who is representing the interested parties in defense of the above-entitled action, that he invites our intervention into the action.

Very truly yours,



JRB-A

RECEIVED
JAN 11 1924
DEPARTMENT OF AGRICULTURE



COMMERCIAL BOND



COMMERCIAL BOND

COMMERCIAL BOND

COMMERCIAL BOND

A. H. CONNER
ATTORNEY GENERAL

HERBERT WING
JAMES L. BOONE
S. E. BLAINE
ASSISTANTS

STATE OF IDAHO
OFFICE OF ATTORNEY GENERAL

BOISE

January 11, 1924.

Re: Ind. Irrigation Co., et al,
v. G. Clyde Baldwin and W. G.
Swendsen.

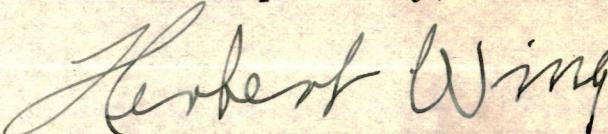
Hon. W. G. Swendsen,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

We have had under consideration your letter of the 7th inst., in the above, enclosing letter of Honorable James R. Bothwell, dated the 28th ult., together with copy of proposed motion.

In reply would advise that all things considered, we think the Twin Falls Canal Company should present its case by intervention and not by having its attorney associated as counsel for the above defendants in this action, who are merely formal parties under the statute and are not actual parties in interest.

Yours respectfully,


Assistant Attorney General.

HW/s

RECEIVED
JAN 12 1924
DEPARTMENT OF PLANNING



BOISE

OFFICE OF ALUMINUM CEMENT
STATE OF IDAHO

W. H. COOPER
DIRECTOR

January 14, 1924.

In Re: Independent Irrigation Company, et al,
vs.
G. Clyde Baldwin and W. G. Swendsen
District No. 36.

Hon. James R. Bothwell,
Attorney at Law,
Twin Falls, Idaho.

Dear Sir:

Further reference is had to your communication relating to the above stated case, and in which you express the desire, on the behalf of the Twin Falls Canal Company, to be designated as a representative of the defendant in presenting the above stated case in Court.

Since acknowledging receipt of your communication I have received the following letter from the Attorney General's Office, a copy of which I am advised has been forwarded to you:

"We have had under consideration your letter of the 7th inst., in the above, enclosing letter of Honorable James R. Bothwell, dated the 28th ult., together with copy of proposed motion.

In reply would advise that all things considered, we think the Twin Falls Canal Company should present its case by intervention and not by having its attorney associated as counsel for the above defendants in this action, who are merely formal parties under the statute and are not actual parties in interest."

Since, under the Statutes, the Attorney General is to represent this office in all such matters, you will understand that personally, I have no discussion in the matter. I am sorry that your request cannot, therefore, be granted, unless you are able to secure the consent of authorization for such appearance, from the Attorney General's Office.

Very truly yours

Commissioner of Reclamation.

March 14, 1924.

In Re: Independent Irrigation Company
versus W. G. Swendsen

Mr. Oscar A. Johannesen,
Attorney at Law,
Idaho Falls, Idaho.

Dear Mr. Johannesen:

Herewith I am enclosing certified copy of report No. 112, as per your request. I am unable to find any amended report bearing this number.

There is also enclosed photographic copies of the original maps Nos. 108 and 109. These maps were never made on tracing cloth, hence blue prints could not be made. The enclosed are reduced photographic copies of the original upon which I have colored lands under the Independent Canal in the same colors as appear on the original plats.

Very truly yours,

Commissioner of Reclamation

WGS:E
Encls.

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF JEFFERSON.

IN THE MATTER OF
R.O. ROBINSON, et al.,
Petition for appointment
of watermaster.

ORDER APPOINTING WATERMASTER.

The above entitled matter coming on for hearing, this 24th day of May, 1924, pursuant to order heretofore made by this Court; and it appearing to the Court that due notice has been given to all water users who are parties in interest; and it further appearing to the Court, after hearing the evidence presented in behalf of said petition, that the water users using water for irrigation purposes, through what is known as the Bell and Larson Ditch, a lateral ditch extending from the Butte and Market Lake Canal, are unable to select, from and among themselves, a watermaster to manage the said Bell and Larson Ditch, and to distribute the water flowing therein to the respective parties entitled thereto; and it further appearing to this court, that it is expedient and necessary to appoint a watermaster to manage and regulate the distribution of water through the said ditch during the irrigation season of 1924; and it further in like manner appearing that O.J. Norlinger, of Jefferson County, Idaho, is a fit, suitable and competent person to act as watermaster on said ditch, during the said season of 1923; and the Court being fully advised as to the law and the facts:

IT IS HEREBY ORDERED: That O.J. Norlinger of Jefferson County, Idaho, be, and he is hereby appointed watermaster of the Bell and Larson Ditch, a lateral ditch extending from the Butte and Market Lake Canal, for the season of 1924, -that is to say, from the 1st day of June, 1924, to the 25th day of August, of said year, and that he be empowered to do all and everything necessary in the regulation and distribution of the water flowing through said Bell & Larson Ditch during said season, and

IT IS FURTHER ORDERED: That the compensation of said-named watermaster be, and the same is hereby fixed at the sum of 4.00 per day; and that the bond of said watermaster be, and the same is hereby fixed in the penal sum of 500.00.

Done this 24th day of May, 1924.

Geo.W. Edgington,

Geo.W. Edgington,
District Judge.

RECEIVED
SEP - 9 1924
DEPARTMENT OF RECLAMATION

(This report must be made in duplicate and forwarded to the Department of Reclamation for approval)

WATER MASTER'S REPORT

From June 1, 1924 To Sept 1, 1924

Water District No. 36

Name of Water Master O. J. Norlinger

P. O. Address Roberts Ida

AFFIDAVIT OF WATER MASTER

STATE OF IDAHO,

County of Jefferson } ss.

O. J. Norlinger being first duly sworn, deposes and says that he is (Deputy) Water Master on Bell & Larsen Canal River Creek in District 36, having been lawfully appointed by Commissioner of Reclamation, Swanson that the volumes of water, stated in this report, pro rated by him to the several users, are correct; that the sum of \$ 300.00 is due as stated, and that the same is justly due and unpaid.

O. J. Norlinger
(Deputy) Water Master District No. 36

Subscribed and sworn to before me, this 8th day of September, 1924

David Hawkins O. J. Norlinger
[SEAL] Notary Public.

My commission expires March 25, 1928

Residing at Roberts, Idaho.

Boise, Idaho, September 10, 1924

I HEREBY CERTIFY, That O. J. Norlinger was lawfully appointed Hon. Geo. W. Edgington, Judge of 9th Judicial District, State of Idaho by ~~me~~ (Deputy) Water Master of District No. 36 and that his bill for services rendered Bell & Larson ditch pro rated to the several users as herein sworn to is correct.

W. G. SWENDSEN

Commissioner of Reclamation.

By Geo. H. Carter
Director of Water Resources.

DITCH	Priority Class	OWNER	DESCRIPTION OF LAND		
			Subdivision of Section	Twp.	Rge.
Bell & Larson	1891	Neyman Bros.	N. $7\frac{1}{4}$ of N. E. $\frac{1}{4}$ Sec 31	5	37
"	"	E. Taylor	N. $7\frac{1}{4}$ X N. $7\frac{1}{4}$ Sec 31	5	37
"	"	A. Harwell	N. $\frac{1}{2}$ X N. E. $\frac{1}{4}$ E. $\frac{1}{2}$ X N. $7\frac{1}{4}$ Sec 25	5	36
"	"	H. J. Maw	8. $\frac{1}{2}$ X 8. $\frac{1}{2}$ X Sec 25	5	36
"	"	Geo. Dunsmore	N. $\frac{1}{2}$ X Sec 23 strip 10 rd 1/4 mile long	5	36
"	"	Geo. Dunsmore	8. $\frac{1}{2}$ Sec 14	5	36
"	"	Y. A. Roberts	S. $7\frac{1}{4}$ X S. $7\frac{1}{4}$ of Sec 30	5	37
"	"	L. C. Ferguson	N. $\frac{1}{2}$ Sec 22	5	36
"	"	Union Trust Co.	N. $\frac{1}{2}$ Sec 26	5	36
"	"	A. J. Harris	$7\frac{1}{2}$ X N. $7\frac{1}{4}$ Sec 11 N. E. $\frac{1}{4}$ Sec 10	5	36
"	"	R. C. Robison	N. E. $\frac{1}{4}$ Sec 14 E. $\frac{1}{2}$ X N. $7\frac{1}{4}$ Sec 14 S. $7\frac{1}{4}$ Sec 11	5	36
"	"	A. Dunsmore	8. $\frac{1}{2}$ Sec 23 Sec 20 acc strip 1 mile l.	5	36
"	"	C. H. Carskaton	N. E. $\frac{1}{4}$ X S. $7\frac{1}{4}$ Sec 25	5	36
"	"	R. R. Skinner	$7\frac{1}{2}$ N. $7\frac{1}{4}$ N. $7\frac{1}{4}$ X S. $7\frac{1}{4}$ Sec 25	5	36
"	"	Parke & Robison	E. $\frac{1}{2}$ Sec 11	5	36
"	"	Geo. Filquest	N. E. $\frac{1}{4}$ X S. E. $\frac{1}{4}$ N. $7\frac{1}{4}$ X S. E. $\frac{1}{4}$ Sec 25 S. E. $\frac{1}{4}$ X N. E. $\frac{1}{4}$ S. $7\frac{1}{4}$ X N. E. $\frac{1}{4}$ Sec 25	5	36
"	"	Chas. Hooper	N. E. $\frac{1}{4}$ X N. E. $\frac{1}{4}$ Sec 31	5	37
"	"	J. Pindel	N. $7\frac{1}{4}$ X N. $7\frac{1}{4}$ Sec 32	5	37
"	"	Mary Edinger	S. $\frac{1}{2}$ Sec 24	5	36
"	"	H. C. Dunsmore	N. $7\frac{1}{4}$ X Sec 24 N. $\frac{1}{2}$ X S. $7\frac{1}{4}$ Sec 13	5	36

GRAND TOTAL

Total in 24-Hour Sec. Feet	Cost per 24-hour Sec. Foot		Special Expense			Total Cost	
	\$	cts.	Item	\$	cts.	\$	cts.

REMARKS

15						396 - 3.96	
33						864 - 8.64	18.70
58						1521 - 15.28	
97						2554 - 25.55	
131						3449 - 34.50	
47						1238 - 12.39	
17						448 - 4.49	
116						3054 - 30.55	
151						3996 - 39.97	
37						974	
112						2949	
24						632	
24						632	
74						1948	
30						790	
32						843	
14						369	
4						105	
79						2080	
44						1159	

Total No. Days of Water Master.....	75	days at \$	4	per day	\$	300.00
Total No. Days of Asst. Water Master.....		days at \$		per day	\$	
Other Expenses charged pro rata.....					\$	
Total Cost.....					\$	
Total No. 24-Hour Sec. Feet Delivered.....					\$	1139
Cost per 24-Hour Sec. Foot Delivered.....					\$	26.33

1139

~~2999~~ 300

WATER MASTER'S REPORT

From....., 192.....

To....., 192.....

—OF—

.....County, Idaho

Dated....., 192.....

STATE OF IDAHO, }
County of..... } ss.

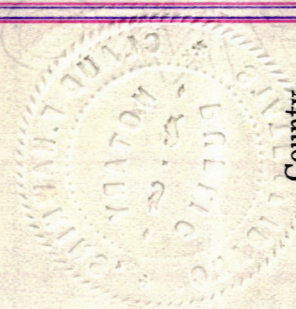
I hereby certify that this instrument was filed for record at the request of

this.....day of.....

A. D. 192.....

Ex-Officio Recorder.

By.....
Deputy.



STATE OF IDAHO,

County of.....

} ss.

We, the Board of County Commissioners of..... County, State of Idaho, have examined and approved the bill of \$....., payable to

....., Water Master for District No....., for

services rendered during the month of..... 192....., and have ordered a warrant drawn

in favor of said Water Master, payable out of Current Expense Fund of said County.

Attest:

.....
Chairman of Board.

.....
Clerk.