

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A27-02069
Date Received: 2/15/1990
Receipt No: E012063
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DELWYN V. ELLIS 208-684-4936
Address: 904 W. 200 N.
BLACKFOOT, ID 83221

2. Date of Priority: AUG 30, 1918

3. Source: WARM SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	42E	9	NW	SE			CARIBOU

5. Description of diverting works:
HEADGATE TO FLLOD IRRIGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.400		

7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 300.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ UP TO 300 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	42E	9	SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			SW	SE		IRR	40.0

Section Acres 120.0

A27-02069

Page 1

Date: 02/15/90

NOV 12 1992

10. Place of Use: Continued

Total Acres 120.0

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 13702

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

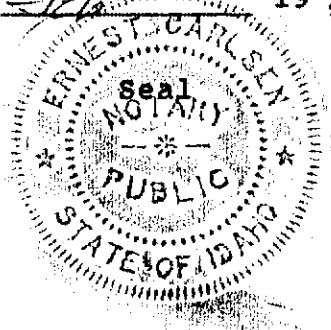
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Dehryn Ellis Date: 2-15-1990
Date: _____

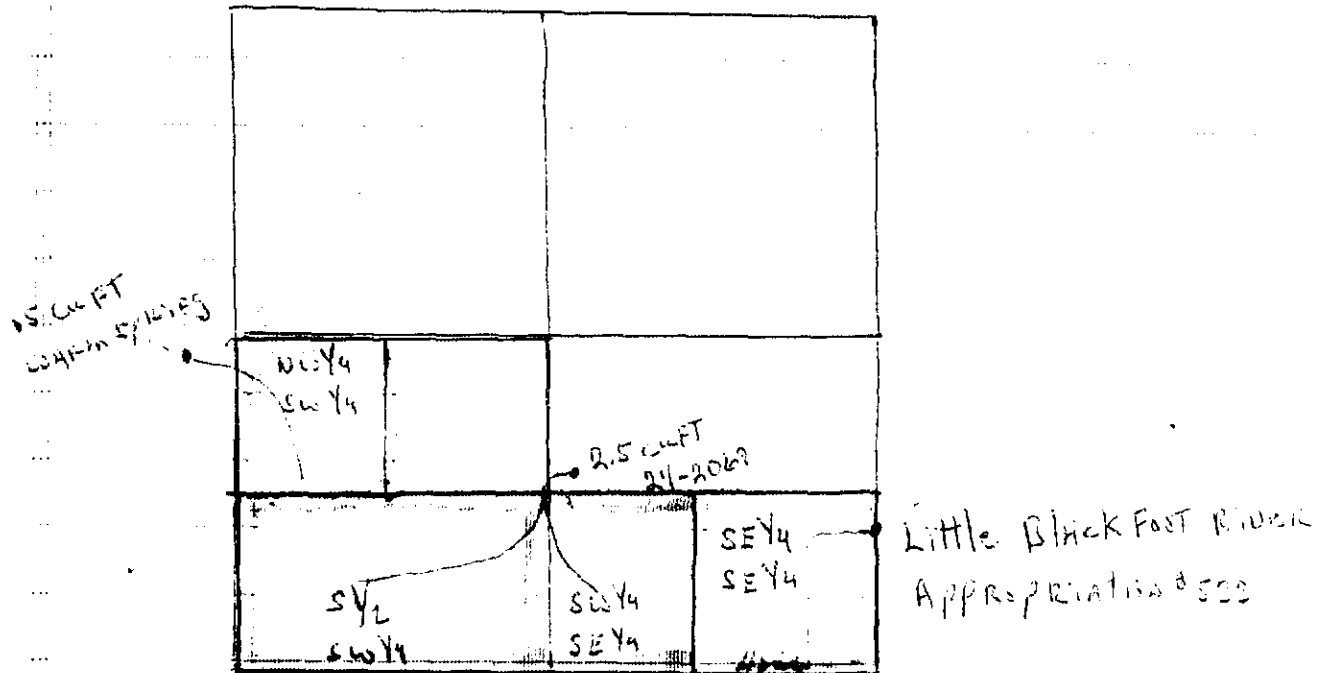
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of Feb 19 90.
Ernest Carlson
Notary Public



Residing at Alto Falls, ID.
My Commission Expires 6-14-1994.

Legal Description of Henry RANCH
 Sec 9 Township 6S. R 42E
 Location of WATER RESOURCES



- Priority Date
- what type of right
- who name is it under

Delwyn V Ellis
 904 W 200 N
 Blackfoot Ida -

H - 684-4736 1992
 O - 785-0500

Log for claim 27-02069

Spatial Dynamics BTD

12/1/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s42e	9	SWSW	40	40	POD placement?
06s42e	9	SESW	40	40	
06s42e	9	SWSE	40	40	
Totals:			120	120	

DATE: 10/02/00
PAGE: 61

Misc: Water District Number: 27 Field Inspection Flag:
Presumption Flag:

State of Idaho

License and Certificate of Water Right

Water License No. 13702
Water District No. 34

Amount 2.4 sec. ft.
Priority Aug. 30, 1918

THIS IS TO CERTIFY that WILLIAM W. WILSON, of Henry, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 10, 1918; that Permit No. 13702 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2 second feet, was issued thereunder on August 18, 1919, showing that said works were completed on the 15th day of August, 1919; and that on the 9th day of September, 1920,

WILLIAM W. WILSON, of Henry, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation, State Engineer of Idaho, of a right to the use of the waters of Warm Spring, a tributary of sinks, for the purpose of irrigation use, under Use Permit No. 13702 of the State Engineer, 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 Commissioner of Reclamation, State Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2678, on the 19th day of October, 1920;

The right hereby confirmed dates from August 30, 1918;

The Point of Diversion is located in the SW 1/4 Sec. 9, Twp. 6 S., R. 42 E., B. M. County of Bennebrook. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S	42 E	9	SW 1/4	40	40
			SE 1/4	40	40
			SW 1/4	40	40
			SE 1/4	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 Commissioner of Reclamation, State Engineer of Idaho, this 19th day of October, 1920.

W. B. STEPHENSON
Commissioner of Reclamation
by S. T. SAER, Deputy.

(SEAL)

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. **19473**
Permit No. **13702**
District No. **34**

27-2069

1. Name of Applicant: **WILLIAM W. WINSCHALL**

Postoffice address: **Henry**

County: **Bannock**

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:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: **3 1/5** cubic feet per second.

3. Source of water supply: **Warm Spring** which is a tributary of **No stream**

4. Location of point of diversion: _____ feet distant from the
corner of Section _____, T. _____, R. _____, B. M., and is in the **NW 1/4 SE 1/4**
of Section **9**, T. **6 S.**, R. **42 E.**, B. M., County of **Bannock**

5. Water is to be used for: **Irrigation**

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

(a) Point of use of water: _____ feet distant from _____ corner of Section _____

_____ T. _____, R. _____, B. M., in the _____ of Section _____, T. _____, R. _____, B. M.

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

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

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

7. Estimated cost of works: **\$25.00**

8. Kind of works: **Ditch and dam**

9. Height of dam: **3** feet; length of dam at top **6** feet; length of dam at bottom **6**
feet; material used in dam **earth**

10. Size of headgate: Width **none** feet; height _____ feet.

11. Ditch: Width at bottom **2** feet; width at water line **3** feet; depth of water **3/4**
feet; dimensions of flume _____

Diameter of pipe _____ inches; length of conduit **3/4** miles.

Average grade per mile **7** feet.

12. The time required for the completion of such work is **one** years.

13. The time required for the complete application of the water to the proposed use is **no** additional years.

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

15. (a) Is reservoir to be used? **no** If so, fill in (b) and (c) below.
(b) Name of reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

WILLIAM WINSCHHELL Applicant.

By Agent.

Date of first receipt at office of State Engineer 9 A. M. August 10, 1918

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 13702

Recorded in Book 48 Page 13702 Approved August 20, 1918

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

Bond in the sum of \$ to be filed on or before

Work to begin on or before October 19, 1918 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 February 20, 1919

The whole of said work to be completed on or before August 20, 1919

Beneficial use of water appropriated in accordance herewith, to be made on or before August 20, 1919

Witness my hand this 20th day of August, 1918.

FRED A. WILKIE State Engineer.

Remarks: Water arises and point of diversion is on Government land.
Same runs about 200 yards, when in natural channel and then sinks in rocks and does not reach any stream or reservoir.

Township	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6 S.	42 E.	9											40	40			40	40	160

Works completed: August 15, 1919
Certificate issued: August 18, 1919

Permit No. 13702

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that William Winschell of Henry, County of Caribou, and State of Idaho, the holder of Permit No. 13702, issued upon Application No. 19473 bearing date of priority of August 10, 1918, authorizing the diversion of 3.2 second feet of the waters of Warm Spring, County of Caribou, 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 Warm Spring; that the point of diversion of said waters is in the NW¼, Sec. 9, T. 6 S., R. 42 E. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S¼SW¼, S¼SE¼, Section 9, Township 6 South, Range 42 E. B. M.

Witness my hand this 18th day of August, A. D. 1919.

W. G. Swendsen
Commissioner of Reclamation
By: S. T. Baer, Deputy.

Upon proper application of holder of above numbered permit, I have this 22nd day of August, 1919, extended the time for beneficial use proof thereunder, until the 20th day of August, 1920.

W. G. Swendsen
Commissioner of Reclamation
By: S. T. Baer, Deputy.

REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 341. State name of applicant and number of permit: William W. Winchell - Permit 157022. State source of water supply: Warm Spring3. Location of point of diversion: NW 1/4 Sec. 9, T. 6 S., R. 42 E., B.M.

4. Describe works as they exist, giving dimensions and capacities of same:

Earth dam, 4' H., 10' long. No H.G.Ditch, 5' B., 1' D., Cap. 5 R.F.5. State whether or not water has been turned into works of diversion: Yes.6. Give exact location 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 for other than irrigation): S1/4 & S2/4 Sec. 9, T. 6 S., R. 42 E.S2SW4, all irrigated pasture.SW4SE4 40 A. pasture.SE4 SE4 None irrigated from this spring.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? One.

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Snake River.11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: From land to Blackfoot River, to Snake River.

Remarks:

This examination was made on the 20 th day of Sept.19 20.(Signed) L.R. Annett.

Examiner.

13762

OVER

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

ss.

County of

....., 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 19.....

My commission expires

Notary Public.

Dist. 34

Em. W. Winchell,

Henry, Idaho

Permit 13702

215435

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

NAME OF APPLICANT

13702

T 65, 1742 E.



SPY

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

13702