

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: A27-02075
Date Received: 2/15/1990
Receipt No: 2012063
Received By: DK

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: SEP 02, 1919

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

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

5. Description of diverting works:
DAM/HEADBOX TO DITCHES AND FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is 100.0 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	NW	SW		IRR	40.0
Section Acres							40.0

A2702075



10. Place of Use: Continued

Total Acres 40.0

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:
2 P/D IN NWSW, S9, T6S, R42E.

15. Basis of Claim: LICENSE
Water Right Number: 14238

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

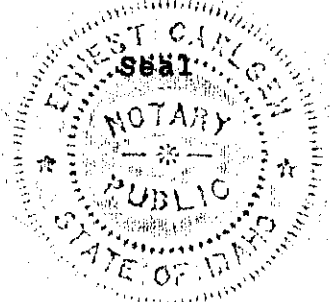
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Delwyn V. Ellis Date: 2-15-1990

Date: _____

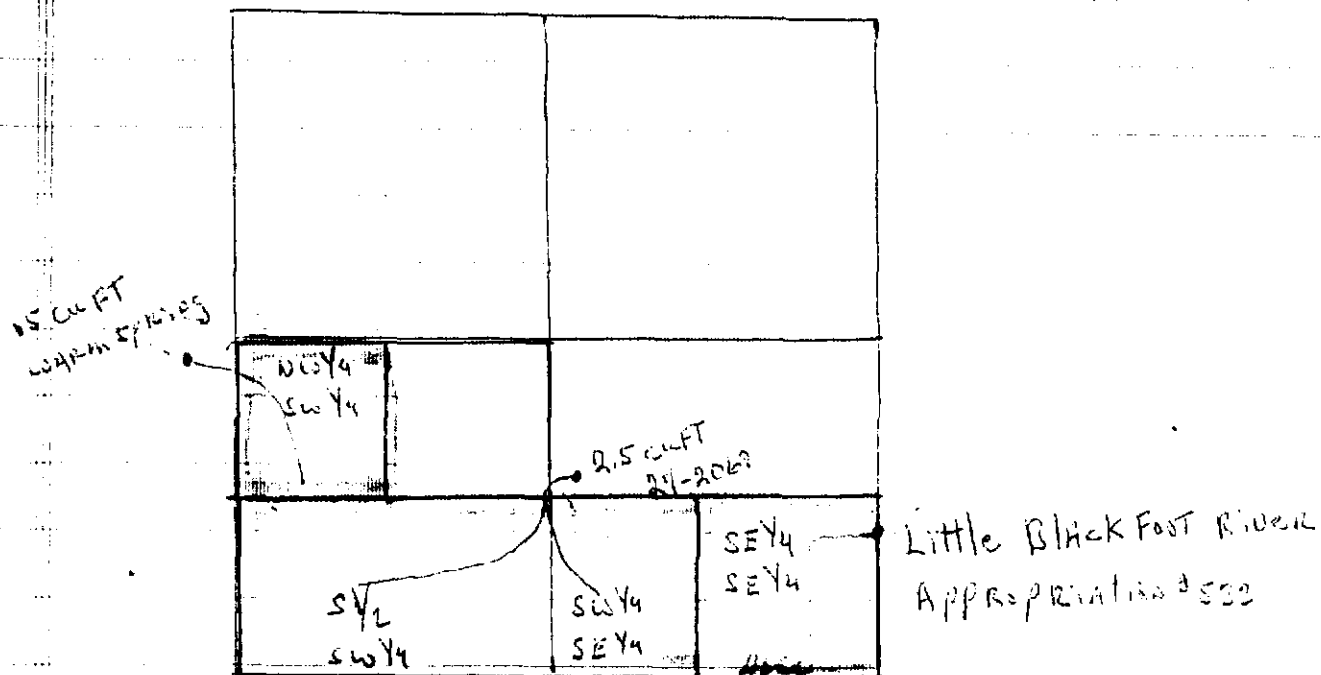
State of Idaho)
County of Donnerville) SS.

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



Residing at 4440 Falls Rd.
My Commission Expires 12-14-1994

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, Idaho

NOV 12 1992

H - 684-4936
 O - 785-0500

Log for claim 27-02075

Spatial Dynamics BTD

12/1/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s42e	9	NWSW	40	40	POD placement?
Totals:			40	40	

DATE: 10/02/00
PAGE: 62

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

State of Idaho License and Certificate of Water Right

Water License No. 14238
Water District No. 54

Amount 0.5 sec. ft.
Priority Sept. 2, 1919

THIS IS TO CERTIFY that WILLIAM WINSHELL,
of Henry, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 21, 19 19; that Permit No. 14238
was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.5
second feet, was issued thereunder on August 31, 1920, showing that said works
were completed on the 20th day of August, 1920; and that on the 23rd
day of September, 19 20,

WILLIAM WINSHELL,

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 two unnamed springs,
a tributary of sinks, for the purpose of irrigation & domestic use,
under Use Permit No. 14238 of the ~~Commissioner of Reclamation~~ 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 2679, on the 19th
day of September, 19 20;

The right hereby confirmed dates from September 2, 19 19;

The Point of Diversion is located
in the NW ¼ SW ¼, Sec. 9, Tp. 6 S., R. 42 E., B. M.
County of Caribou.

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 0.5 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 _¼ SW _¼	25	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 Engineer~~ Commissioner of Reclamation,
day of October, 19 20, affixed at Boise, Idaho, this 19th

V. D. STODOLSEN
Commissioner of Reclamation ~~State Engineer~~
By S. T. BAER,

(SEAL)

Deputy.

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

Application No. 20241
Permit No. 14238
District No. 34

1. Name of Applicant: William Winshell.

Postoffice address: Henry County: Caribou 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: $\frac{1}{2}$ (0.5) cubic feet per second.

3. Source of water supply: unnamed springs which is a tributary of See Remarks.

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$
of Section 9 , T. 6 S. , R. 42 E. , B. M., County of Caribou.

5. Water is to be used for: irrigation & domestic.

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: \$ 100.00

8. Kind of works: 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 feet; height feet.

11. Ditch: Width at bottom 1 feet; width at water line 1 feet; depth of water $\frac{1}{2}$
feet; dimensions of flume
Diameter of pipe inches; length of conduit 1 miles.
Average grade per mile 14 feet.

12. The time required for the completion of such work is 1 years.

13. The time required for the complete application of the water to the proposed use is none 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 Winschell. Applicant.

By

Agent.

Commissioner of Reclamation

Date of first receipt at office of State Engineer 9:00 A. M. Aug. 21, 1919.

Returned to applicant for correction

Corrected application received

COMMISSIONER OF RECLAMATION.
APPROVAL OF STATE ENGINEER

The number of this permit is 14259

Recorded in Book 50 Page 14238 Approved September 12, 1919.

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 November 11, 1919 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before March 12, 1920.

The whole of said work to be completed on or before September 12, 1920.

Beneficial use of water appropriated in accordance herewith, to be made on or before Sept. 12, 1920.

Witness my hand this 12th day of September, 1919.

H. G. Swendsen.

State Engineer.

Commissioner of Reclamation.

Remarks:

Water sinks 100 feet from source from each spring.

Land is owned by applicant. Equal amounts are claimed from each spring.

14 Twp	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									25								25
AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS.																			
I, C. W. Billingsly, County of Caribou, State of Idaho, do hereby certify that I am the owner or lessee of the land on which the springs mentioned in the application of William Winschell are located, to-wit: NW¼ SW¼ Section No. 9 T. 6 S. R. 42 E.B.M., and that I do hereby grant unto the said William Winschell permission to file on the said springs, as set forth in the foregoing application.																			
C. W. Billingsly.																			
STATE OF IDAHO,) COUNTY OF CARIBOU,) ss:																			
On this 15 day of August, 1919, before me, a Notary Public for the State of Idaho, residing at Soda Springs, personally appeared C. W. Billingsly known to me to be the person whose name is subscribed to the foregoing certificate and acknowledged to me that he executed the same.																			
Witness my hand and seal, the day and year in this certificate first above written.																			
(SEAL)																			
Herbert Horsley. Notary Public.																			
My commission expires Jan. 21st, 1922.																			

Proof Completion of Works made: August 20, 1920.
 Certificate issued: August 31, 1920.

Permit No. 14238

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. 14238, issued upon Application No. 20241 bearing date of priority of August 21, 1919, authorizing the diversion of 0.5 second feet of the waters of 2 unnamed springs, 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 0.5 second feet of the waters of 2 unnamed springs; that the point of diversion of said waters is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 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: the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Sec. 9, T. 6 S., R. 42 E., B. M.

Witness my hand this 31st day of August, A. D. 1920.

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

0.5 second feet

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REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 34

1. State name of applicant and number of permit: Wm. Winchell - Permit 14238
2. State source of water supply: 2 unnamed springs
3. 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 and dam~~ No dam or H.G.
 Ditch, 1' B. 1' D. Cap. 1 S.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):

~~SW 1/4 Sec. 9, T. 6 S., R. 42 E., B.M.~~
 SW 1/4 SW 1/4, 40 A. pasture.
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 29.

(Signed)

L.R. Annett
L.R. Annett.

Examiner.

OVER

14238

(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

Wm. Winchell
Henry, Idaho.

Permit 14238

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 *WILL SIMON HULL* #14238

T 65 R 42 E

9
Spring

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

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