
Fremont County **
Badger Creek *
2.2 sec.ft. *
Irrigation *
Priority-8-1-04. *

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

Water License No. 761.

WHEREAS, On the 1st day of August, A.D.1904, OLIVER D. FREEZE, of Leigh, County of Fremont and State of Idaho, duly made application (No. 1070) to me for a permit to use 3.2 cubic feet per second of the waters of Badger Creek, County of Fremont, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 6th day of August, A.D.1904, Permit No. 761 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 6th day of August, A.D.1907, and for the application to beneficial use of said water on or before the 6th day of August, A.D.1909, and,

WHEREAS, On the 6th day of August, A.D.1907, 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. 761, dated August 22, 1907, 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 water, with date of priority of August 1, 1904, and,

WHEREAS, On the 6th day of August, A.D.1907, proof was duly made of the application to beneficial use of 2.2 cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to OLIVER D. FREEZE, of Leigh, Idaho, the holder and owner of said Permit No. 761, a perpetual right, dating from August 1, 1904, to the use of 2.2 cubic feet per second of the waters of Badger Creek, in the County of Fremont and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point near the southwest corner Section 1 and the Northwest quarter of Northwest quarter Section 10, Township 6 North, Range 45 East of Boise Meridian, and conducted to and upon (15 acres in the Southeast quarter of Northwest quarter Section 10; 35 acres in Southwest quarter of Northwest quarter Section 10; 30 acres in Southeast quarter of Northeast quarter Section 9; 30 acres in Southwest quarter of Northeast quarter Section 9; All in Township 6 North, Range 45 East of Boise Meridian, 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 22nd day of August, A.D. Nineteen hundred and
seven.

(SEAL)

Recorded August 22, 1907.

Jas. Stephenson, Jr.

State Engineer.

the Public Waters of the

APPROVAL OF STATE ENGINEER.

The number of this permit is 761

Date of first receipt of application I a. m. Aug. 1, 1904

Returned to applicant for correction 190

Corrected application received 190

Recorded in Book 3 Page 761

Approved August 6, 1904

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:

One-fifth of the work above specified to be completed on or before February 6, 1906

The whole of said work to be completed on or before August 6, 1907

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to

August 6, 1909

Witness my hand this sixth day of August 1904

Wayne Darlington
State Engineer.

State of Idaho
County of Fremont

Oliver D. Freeze being first duly sworn deposes and says, that he is the identical person who made application for water permit No. 1070, to be allowed to divert the water of Badger Creek in Fremont County, Idaho upon the S2 N. 4. 4 = 10 = S2 N. 8. 4 Section 9, Twp. 6 N. R. 4 S. B. 7 N.

That the same was granted by State Engineer on the 6th day of August 1905, taking number 761.

Affiant now deposes that an error was made in his name at time of application and that the permit issued in the name of Oliver D. Freeze, and should have been as stated Freeze.

Applicant prays that the records may be so corrected or amended by this affidavit as will shew that Oliver D. Freeze and Oliver D. Freeze are one and the same person and that the waters so appropriated be patented at time of final proof

Oliver D. Freeze.

Subscribed to and sworn before me at St. Anthony, Idaho on this the 19, April, 1905.

Thomas Elliott

Seal.

Notary Public.

State of Idaho - Office of State Engineer.

The above instrument was received in my office on April 21, 1905, at 8:00 a.m., and duly recorded same day in Book of Permits No. 3, at page 761.

Jas. Stephenson Jr.

State Engineer.

Per O.A.B.

Notice of Proof of Completion mailed applicant - May 1, 1907

Notice of Beneficial use mailed applicant - May 7, 1907

Notices received May 27, 1907, fixing August 6, 1907, as the date and Haden, Idaho, as the place of Proof.

Notice for publication mailed to Fremont County News, St. Anthony, June 6-07

Deposition blanks mailed applicant - June 6, 1907.

Have Breckinridge notified to make examination of works, July 24, 1907

Affidavit received August 3, 1907

Affidavit of publication, depositions of holder and witnesses and fees received August 14, 1907.

All papers being in and satisfactory Certificate and License were duly issued August 22nd, 1907.

the Public Waters of the

APPROVAL OF STATE ENGINEER.

The number of this permit is 760
Date of first receipt of application 11 a.m. June 7, 1904
Returned to applicant for correction June 7, 1904
Corrected application received August 1, 1904
Recorded in Book 3 Page 760
Approved August 6, 1904

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:

One-fifth of the work above specified to be completed on or before February 6, 1906

The whole of said work to be completed on or before August 6, 1907

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to August 6, 1911

Witness my hand this sixth day of August, 1904

Wayne L. Darlington
State Engineer.