

Notes

11/21/06 This was not licensed to Cherry Grove Canal Co.

Cherry Grove is not an entity. Ray Rigby, attorney, is trying to get this reinstated.

Also, I think this should be "A", there is a water right license 1061 with an "A" and "B" portion.

Fremont County
Darby Creek
1.02 sec. ft.
Irrigation
Priority 12-3-04

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

- Water License No. 1061 -

WHEREAS, On the third day of December, A. D. 1904, Alma M. Moulton, of Driggs, County of Fremont, State of Idaho, duly made application (No. 1362) to me for a permit to use three and one-fifth second feet of the waters of Darby Creek, County of Fremont, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the twenty-fourth day of January, A. D. 1906, Permit No. 1061 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 24th day of January, A. D. 1907, and for the application to beneficial use of said water on or before the 24th day of January, A. D. 1910, and,

WHEREAS, On the twenty-fourth day of November, A. D. 1906, the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.23 cubic feet per second of said waters, as evidenced by my Certificate No. 1061, dated January 8, 1907, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.23 cubic feet per second of water, with date of priority of December 3, 1904, and,

WHEREAS, On the twenty-fourth day of November, A. D. 1906, the holder of said permit duly made proof of the application to beneficial use of 1.02 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to ALMA M. MOULTON of Driggs, County of Fremont, State of Idaho, the holder and owner of said Permit No. 1061 a perpetual right, dating from December 3, 1904, to the use of one and two-onehundredths cubic feet per second of the waters of Darby 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 1200 feet west and 400 feet south of S. W. Cor. NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17, Tp. 4 N., R. 46 E. B. M., thence through the Cannon Canal and diverted into private ditch of said Alma M. Moulton at a point 600 feet north of S. W. Cor. of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 12, T. 4 North, Range 45 E. B. M., and conducted to and upon (18 acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$, 8 acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$, 18 acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$, and 7 acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12, Tp. 4 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 eighth day of January, A. D. Nineteen hundred and seven.
(Seal) Jas. Stephenson, Jr. State Engineer.

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