

- Brief -

Bannock County *
Tin Cup Creek *
7.8 sec. ft *
Irrigation *
Priority 4-22-04 *

STATE OF IDAHO

--Water License No. 551--

WHEREAS, On the 22nd day of April, A. D. 1904, GEORGE W. RAINY, F. G. ROBINSON, JR., WILLARD ROBINSON, and JOHN ROBINSON, of Freedom, County of Uinta, and State of Wyoming, duly made application (No. 790) to me for a permit to use seven and eight-tenths cubic feet per second of the waters of Tin Cup Creek, County of Bannock, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the twenty-third day of April, A. D. 1904, Permit No. 551 was issued to said applicants for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the twenty-third day of April, A. D. 1905, and for the application to beneficial use of said water on or before the twenty-third day of April, A. D. 1906; and,

WHEREAS, On the fifth day of September, A. D. 1904, the holders of said permit duly made proof of the completion of adequate works for the diversion of seven and eight-tenths cubic feet per second of said waters, as evidenced by my Certificate No. 551, dated September 15, 1904, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use seven and 8/10 cubic feet per second of water, with date of priority of April 22, 1904, and,

WHEREAS, On the fifth day of September, A. D. 1904 proof was duly made of the application to beneficial use of seven and eight-tenths 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 George W. Rainey, F. G. Robinson, Willard Robinson and John Robinson, of Freedom, Wyoming, the holders and owners of said Permit No. 551 a perpetual right, dating from April 22, 1904, to the use of seven and eight-tenths cubic feet per second of the waters of Tin Cup Creek, in the County of Bannock, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at or near a point 120 rods west and 80 rods south of the north-east corner of section 9, Township 5 South of Range 46 East, B. M., and conducted to and upon east half of south-east quarter of section four; west half of south-west quarter of section three, Township five south of range forty-six east of Boise Meridian; Lots one and two, south-east quarter of north-west quarter of section thirty-four, Lots three and four of section twenty-seven, in Township four south of Range forty-six 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 fifteenth day of September, A. D. Nineteen Hundred and Four.

(Seal)
Recorded September 15, 1904.

Wayne Darlington, State Engineer.

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- Brief -
Banck Count
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STATE OF IDAHO

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WHEREAS, On the twenty-third day of April, A. D. 1904, Permit No. 551 was issued to said applicants for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the twenty-third day of April, A. D. 1905, and for the application to beneficial use of said water on or before the twenty-third day of April, A. D. 1906; and,

WHEREAS, On the fifth day of September, A. D. 1904, the holders of said permit duly made proof of the completion of adequate works for the diversion of seven and eight-tenths cubic feet per second of said waters, as evidenced by my Certificate No. 551, dated September 15, 1904, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use seven and 8/10 cubic feet per second of water, with date of priority of April 22, 1904, and,

WHEREAS, On the fifth day of September, A. D. 1904 proof was duly made of the application to beneficial use of seven and eight-tenths 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 George W. Rainey, F. G. Robinson, Willard Robinson and John Robinson, of Freedom, Wyoming, the holders and owners of said Permit No. 551 a perpetual right, dating from April 22, 1904, to the use of seven and eight-tenths cubic feet per second of the waters of Tin Cup Creek, in the County of Bannock, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at or near a point 120 rods west and 80 rods south of the north-east corner of section 9, Township 5 South of Range 46 East, B. M., and conducted to and upon east half of south-east quarter of section four; west half of south-west quarter of section three, Township five south of range forty-six east of Boise Meridian; Lots one and two, south-east quarter of north-west quarter of section thirty-four, Lots three and four of section twenty-seven, in Township four south of Range forty-six 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 fifteenth day of September, A. D. Nineteen Hundred and Four.

(Seal)
Recorded September 15, 1904.

Wayne Darlington, State Engineer.

MICROFILMED

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northeast quarter of the Northeast Quarter of Section nine : scribed as follows: Commencing at the Northeast corner of said Northeast Quarter of the Northeast Quarter and thence running West 71 Rods; thence South 694.75 feet; thence East 71 Rods; thence North 694.75 feet to the place of beginning; the Northwest quarter of the Southwest Quarter, the Southwest quarter of the Southwest Quarter of Section Three and the following tract of land in the East half of the Southwest Quarter of said Section Three described as follows: Commencing at a point 85 Rods West of the Southeast corner of the Southwest Quarter of said Section Three and thence running North 127 rods and 10 links; thence West 5 Rods; thence North 32 Rods $6\frac{1}{2}$ feet; thence West 10 Rods; thence South 160 Rods; thence East 15 Rods to the point of beginning; AND ALSO the following described tract of land situate in the North Half of the Northwest Quarter of Section Ten, to-wit: Commencing at the Northwest corner of said North Half of the Northwest quarter and thence running South 42 Rods $1\frac{3}{4}$ feet; thence East 95 Rods; thence North 42 Rods $1\frac{3}{4}$ feet; thence West 95 Rods to the place of beginning; ALL situate in Township Five South of Range Forty-six East of the Boise Meridian, excepting therefrom a parcel of land described as follows:

Beginning at a point 80 Rods West of the center of said Section Three, thence West $87\frac{1}{2}$ Rods; thence Southwest 43 Rods; thence East 58 Rods; thence North 32 Rods to the place of beginning.

SUBJECT to that certain Federal Farm Loan Amortization Mortgage dated September 1st, 1928 in favor of the Federal Land Bank of Spokane in the sum of Sixty-seven hundred and No/100ths Dollars and which said mortgage the party of the second part herein hereby assumes and agrees to pay.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part;

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered
in Presence of S. E. Matthews.

John Robinson, Seal.

STATE OF IDAHO)
County of Caribou.) ss

On this Twentieth day of October in the year 1928, before me S. E. Matthews, a Notary Public in and for said State, personally appeared John Robinson, a widower, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Seal.

MICROFILMED

Recorded at request of Raymond Robinson.
July 8, 1930, at 8:30 A.M. \$ 1.20.

S. E. Matthews, Notary Public
Residing at Soda Springs, Idaho.
My commission expires August 2nd,
1932.

John Robinson
Recorder.

70 uds 401

County of Caribou

On this 5th day of January, 1928, I, Chester, Clerk of the District Court of Caribou County, State of Idaho, do hereby certify that Laura Isabel Moore, a widow, known to me to be the person who executed the within instrument, and acknowledged to me that she executed the same as her free act and deed. In testimony whereof, I have hereunto set my official seal, the day and year first above written.

Recorder.

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Instrument No. 10129.

THIS INSTRUMENT, Made this Twentieth day of October in the year of our Lord one thousand nine hundred and twenty-eight (1928) between John Robinson, a widower of Freedom, County of Lincoln, State of Wyoming, the party of the first part, and Reynold Robinson, of Freedom County of Lincoln, State of Wyoming, the party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of \$ One and No/100ths (\$1.00) \$ Dollars, -lawful- - of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in the County of Caribou, State of Idaho, to wit:

The South Half of the Northeast Quarter and the North Half of the Southeast Quarter of Section Four; and a Tract in the Southeast Quarter of the Southeast Quarter of said Section Four described as follows: Commencing at the Northeast corner of said Southeast Quarter of the Southeast Quarter and thence running West 71 Rods; thence South 80 Rods; thence East 71 Rods; thence North 80 Rods to the place of beginning; ALSO, a Tract in the

MICROFILMED

Permit No 550
Certificate of Completion of Works

To All Whom It May Concern:

This is to certify that Sarah Huddy of Heath, County of Washington, and State of Idaho, the holder of Permit No 550, issued upon Application No 786 bearing date of priority of April 20, 1907, authorizing the diversion of 6.11 second feet of the waters of North Fork of Brownlee Creek, County of Washington, 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 6.11 second feet of the waters of North Fork of Brownlee Creek, that the point of diversion of said waters Northeast quarter of the Southeast quarter (NE 1/4 SE 1/4) Section 3 Township 16 North, Range 1 West of Boise Meridian and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southeast quarter of Southeast quarter (SE 1/4 SE 1/4) Section 5; West half of Northwest quarter (NW 1/4 NW 1/4) Section 9; East half of Northeast quarter (E 1/2 NE 1/4) Southwest quarter of Northwest quarter (SW 1/4 NW 1/4) South half of Northwest quarter (S 1/2 NW 1/4) Section 8 Township 16 North, Range 1 West of Boise Meridian.

Witness my hand this 1st day of June A.D. 1907

Geo Stephens for
State Engineer of the State of Idaho.

License issued for 6.11 second feet

May 9, 1907

--- Permit No. 551. ---

Certificate of Completion of Works.

To all Whom It May Concern:

This is to certify that George W. Rainey, F. S. Robinson, Jr., Willard Robinson and John Robinson, of Freedom, County of Blaine, and State of Wyoming, the holders of Permit No. 551, issued upon Application No 790 bearing date of priority of April 22, 1904, authorizing the diversion of seven and 3/10 second feet of the waters of Tim Cup Creek, County of Bonanza, State of Idaho at point 12 1/2 rods west and 50 rods south of N.E. corner of Sec. 9, T. 5 S., R. 46 E. Irrigation and domestic purposes have fully complied with the provisions of the laws of the State of Idaho relative 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 seven and eight tenths second feet of water; and that the works proposed to be irrigated by the use of said water are described as follows to-wit: East half of south-east quarter of section four; west half of south-west quarter of section three, Township five south of range forty-six east of Boise Meridian; Lots one and two, south-east quarter of North-west quarter of section thirty-four; Lots three and four of section twenty-seven, in Township four south of Range forty-six east of Boise Meridian.

Witness my hand this fifteenth day of September, A.D. 1904.

Hayne Darlington

State Engineer of the State of Idaho

License issued for 78 second feet

Page 4

the Public Waters of the

APPROVAL OF STATE ENGINEER.

The number of this permit is 550
 Date of first receipt of application 8:30 a.m. April 20, 1904
 Returned to applicant for correction 190
 Corrected application received 180
 Recorded in Book 2, Page 550
 Approved April 23, 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 October 20, 1904.

The whole of said work to be completed on or before April 23, 1905.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to April 23, 1913.

Witness my hand this Twenty-third day of April, 1904.

Myers Washington
 State Engineer.

Notice of Proof of Completion of Work and Notice of Proof of Beneficial Use mailed applicant April 20, 1904. Notice received April 20, 1907 from May 25, 1907 as the date of proof and Cambridge Idaho on the date of proof Notice sent to Cambridge Idaho for publication April 20, 1907 also same date W W Blakeslee of Cambridge was requested to examine works and Deposition blanks sent to applicant, Depositions of Holden and witnesses received May 29, 1907 also fee and Affidavit and Report of Mr Blakeslee All papers being in Certificate of Completion were issued this 1st day of June 1907

the Public Waters of the

APPROVAL OF STATE ENGINEER.

The number of this permit is—551—
Date of first receipt of application—E. A. M., April 22, 1904.
Returned to applicant for correction—190—
Corrected application received—190—
Recorded in Book—R., Page 551—
Approved—April 23, 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—October 23, 1904—

The whole of said work to be completed on or before—April 23, 1905—

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to April 23, 1906—

Witness my hand this twenty-third day of April, 1904.

Wayne D. Harrison,
State Engineer.

—Notice of proof of completion of work and application of water to beneficial use, received July 8, 1904, but failed to state place of proof, besides other discrepancies. New notices prepared and mailed F. G. Robinson, Jr., July 8, 1904.

—Corrected notices of proof of completion of work and application of water to use received July 23, 1904, and same date mailed Idahoan Chaffin, Soda Springs, Idaho, for duplication. Commissioner Turner advised of proof same date.

Depositions, fees and report of Commissioner Turner in the matter of proof of completion of work and proof of application of water to beneficial use received September 10, 1904. Proof of publication of notice in the matter of each proof received and filed September 15, 1904. Depositions and report show water to have been diverted and used in accordance with specifications contained in applications.

Certificate of Completion and License issued September 15, 1904.