

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: **A43-02060**
Date Received: 6/ 5/1989
Receipt No: S007492
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: J RICHARD WARD FAMILY TRUST 208-346-6232
Address: C/O RICHARD WARD
PO BOX 127
LEADORE ID 83464

2. Date of Priority: OCT 1, 1909

3. Source: CHOKECHERRY SPRINGS Trib. to: CASSIA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	25E	25	SE	SE			CASSIA

5. Description of diverting works:
DAM, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	25E	25	SE	SE		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:
WAS LICENSED FOR 5 ACRES, ALWAYS USED ON 10 ACRES.

15. Basis of Claim: LICENSE

Water Right Number: 5484

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: AUG-20-1997
PAGE: A-32

RIGHT NUMBER: 43-10331

NAME & ADDRESS: J RICHARD WARD FAMILY TRUST
C/O RICHARD WARD~~721N 550E~~ ~~FIRTH ID 83235~~ *PJ Box 127*
*Leadone ID 83464*SOURCE: ~~SPRING~~ *UNNAMED STREAM* TRIBUTARY: SINKSQUANTITY: *013* ~~1.00~~ CFS
.02

PRIORITY DATE: 01/01/1884

POINT OF DIVERSION: T14S R26E S21 *B* *SWNW* *N 1/2 N 1/2 SWNW* RP 14S 26E 21 0000 A
S22 *E* *SWNW* *NE NW* Within CASSIA County
RP 14S 26E 22 2400 A

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

STOCKWATER S/300 BEEF STOCK

PERIOD OF USE

01-01 12-31

QUANTITY

~~1.00~~ CFS
.02

PLACE OF USE:

STOCKWATER

T14S R26E S21

S22

Within CASSIA County

NENE

NWNE

SWNW

NWNW

OK FROM FAX of 10-31-97

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

N11 *COMMENTS*
DELETE
SPRING RUNS ON BLM PROPERTY IN SENW, SEC 21 THEN RE-ENTERS
CLAIMANT'S PROPERTY IN NWNE, SEC 21 AND SINKS ON CLAIMANT'S
PROPERTY. CLAIMANT FILED ON ENTIRE ESTIMATED FLOW RATE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

*8-26-97 from 8-22-97 assessor records +
deputy assessor Judy Zollinger.*

Receipt Number : S007492

Page 1 Of 3

Receipt Amt :

505.00

A4310328	25.00	A4310329	25.00	A4310330	25.00
A4310331	25.00	A4310332	25.00	A4310333	25.00
A4310335	25.00	A4300413	170.00	A4300208	50.00
A4300209	50.00	A4302060	60.00		



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNORKARL J. DREHER
DIRECTOR

cc: W.M.

October 21, 1997

J RICHARD WARD FAMILY TRUST
C/O RICHARD WARD
PO BOX 127
LEADORE ID 83464+ A43-10328, -10329, -10330, -10332,
-10333, -10335, -00413, -00208,
-00209 + -02060RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #43-10331✓all records modified
11-4-97 -ss

Dear Claimant:

We need your assistance to verify your legal property descriptions on Notice of Claim #43-10331. I have enclosed a copy of the map from your Notice of Claim filed in June, 1989, for your convenience. There appears to be a discrepancy in Section 22. I've outlined the property boundary submitted by you in green, and outlined the property the Cassia County Assessor shows you as not owning in Section 22 in pink (NWNW, Sec. 22). You can see the discrepancy. The assessor's records confirm your ownership of the other tracts claimed for this water right.

Please explain, document, or submit information that either shows your ownership of the tract in question or your authority to have a water right on property you don't own under this name.

The Assessor also notified us the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

I have enclosed an Adjudication Name Index listing the Notices of Claim filed by you. The address on each of these claims will be updated to your current address. If there has been a change in ownership of the property connected with any of the water rights referenced on the enclosed Name Index, please call me toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record(s).

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. Please return the letter by October 30, 1997. Thank you for your help.

J Richard Ward Family Trust
October 21, 1997
Page 2

If your mail delivery address changes in any form, please
contact us in writing so we can update our records.

Sincerely,



Sally Sherman
Technical Records Specialist
Adjudication Bureau

#####

The address is correct as shown above or as otherwise changed.

Cindy E. Ward
Claimant Signature

SS:state:tf

Enclosures:

Copy of #A43-10331

Adjudication Name Index

Office of

CASSIA COUNTY ASSESSOR

Martell C. Holland

1459 Overland Avenue
Burley, Idaho 83318
Phone (208) 678-3540

FACSIMILE TRANSMITTAL COVER SHEET

DATE: 10-31-97
TO: Sally
ATTN: Water Resources
FAX NUMBER: 1-208-327-7866
FROM: Cassia Co.
FAX NUMBER: (208) 677-1003

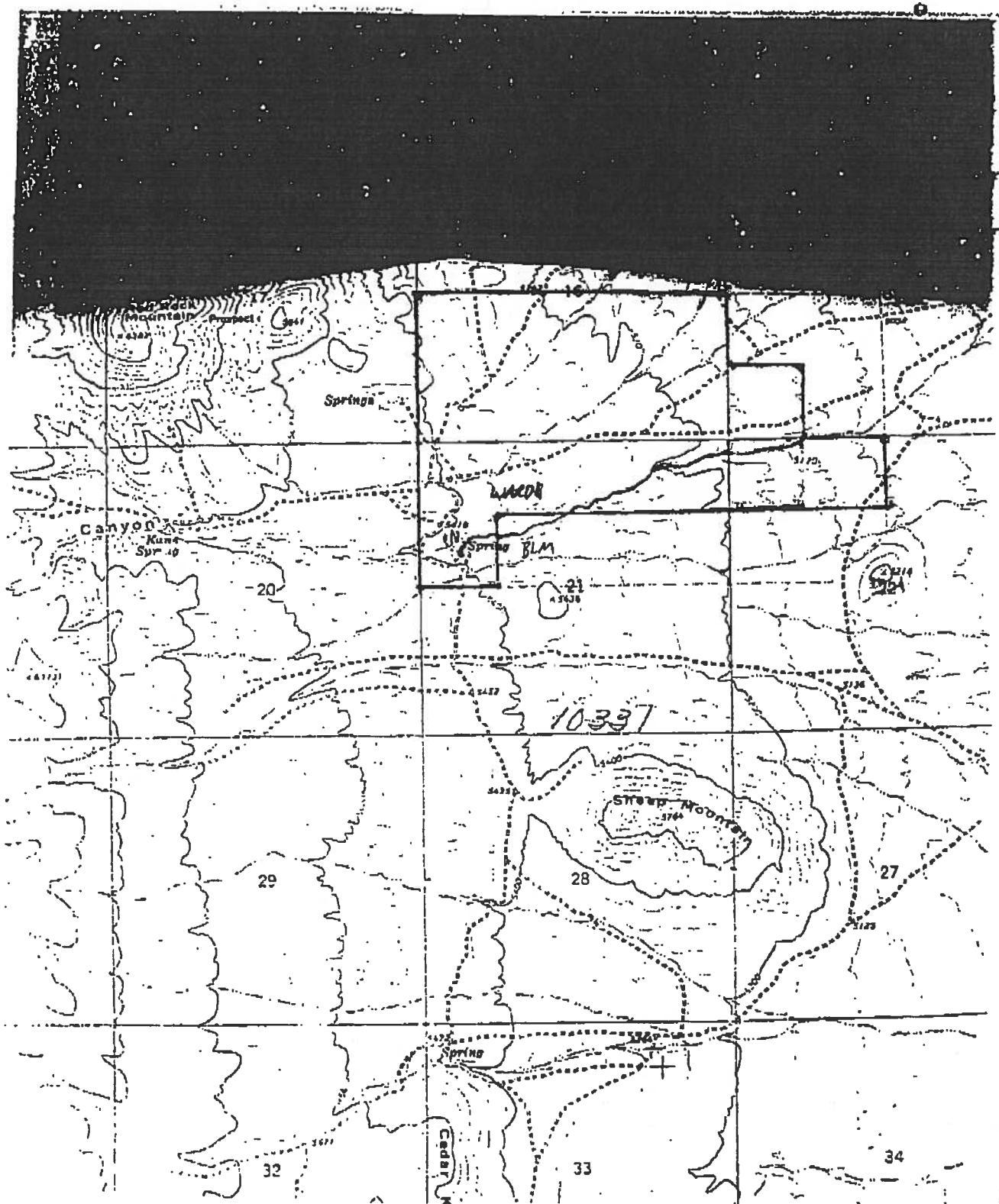
TOTAL NUMBER OF PAGES SENT, INCLUDING THIS PAGE: 5

RE: J Richard Ward Family Trust.

MEMO, MESSAGE OR SPECIAL INSTRUCTIONS:

If you do not receive all pages clearly, or if the transmission is not successfully received, please call the sender as soon as possible at our telephone number set forth above. THANK YOU.

FORMS\FAX.FRM



443-10331

PARCEL NO.

RP 14526E223000 A

TAX CODE 16-00

1997

CATEGORY DESCRIPTION
5 DRY GRAZING

LOTS/ACRES
40.000 AC

MARKET VALUE
1,280

40.000

1,280*

OWNER WARD J RICHARD FAMILY TRUST
1/2 WARD J RICHARD, TRUSTEE
& WARD CINDY E, TRUSTEE
P O BOX 127
LEADORE ID 83464

LEGAL NWNW
S 22 T 14 R 26

PROPERTY ADDRESS

PARCEL NO. RP 14526E223000 A TAX CODE 16-00

PARCEL NO.

RP 14526E222400 A

TAX CODE 16-00

1997

CATEGORY DESCRIPTION
5 DRY GRAZING

LOTS/ACRES
40.000 AC

MARKET VALUE
1,280

40.000

1,280*

OWNER WARD J RICHARD FAMILY TRUST
1/2 WARD J RICHARD, TRUSTEE
& WARD CINDY E, TRUSTEE
P O BOX 127
LEADORE ID 83464

LEGAL NENW
S 22 T 14 R 26

PROPERTY ADDRESS

PARCEL NO. RP 14526E222400 A TAX CODE 16-00

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: A43-02060
Date Received: 6/05/1989
Receipt No: S007492
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. RICHARD WARD FAMILY TRUST 208-346-6232
Address: C/O RICHARD WARD
721N 550E
FIRTH, ID 83236

2. Date of Priority: OCT 01, 1909

3. Source: CHOKECHERRY SPRINGS Trib. to: CASSIA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	25E	25	SE	SE			CASSIA

5. Description of diverting works:
DAM, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	25E	25	SE	SE		IRR	10.0

Section Acres 10.0

A43-02060

Page 1

Date: 06/05/89

MICROFILMED

MAR 03 1993

10. Place of Use: Continued

Total Acres 10.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:

WAS LICENSED FOR 5 ACRES, ALWAYS USED ON 10 ACRES.

15. Basis of Claim: LICENSE
Water Right Number: 5484

MICROFILMED
MAR 03 1993

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: _____

For Organizations:

I do solemnly swear or affirm that I am Trustee of _____ Title

J. Richard Ward Family Trust, that I have signed the foregoing Organization

document in the space below as Trustee of _____ Title

J. Richard Ward Family Trust and that the statements contained in the Organization foregoing document are true and correct.

J. Richard Ward
Signature of Authorized Agent

Trustee J. Richard Ward Family Trust
Title and Organization

June 5, 1989
Date

State of Idaho)
County of ff) SS.

Subscribed and sworn (or affirmed) before me this 5th day

of June 19 89

Lon White
Notary Public

Seal

Residing at ff

My Commission Expires 5/94

$$4 \cdot \frac{1}{16} = \frac{1}{4}$$


07/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-2060

NAME AND ADDRESS: J RICHARD WARD FAMILY TRUST
C/O RICHARD WARD
PO BOX 127
LEADORE, ID 83464

SOURCE: UNNAMED STREAM TRIBUTARY: CASSIA CREEK

QUANTITY: 0.1 CFS

PRIORITY DATE: 10/01/1909

POINT OF DIVERSION: T13S R25E S25 SESESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-30	0.10 CFS
STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County				
T13S R25E S25	NESE	1	T13S R25E S25	SESE 6.4
STOCKWATER Within CASSIA County				
T13S R25E S25	NESE		T13S R25E S25	SESE

7.4 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

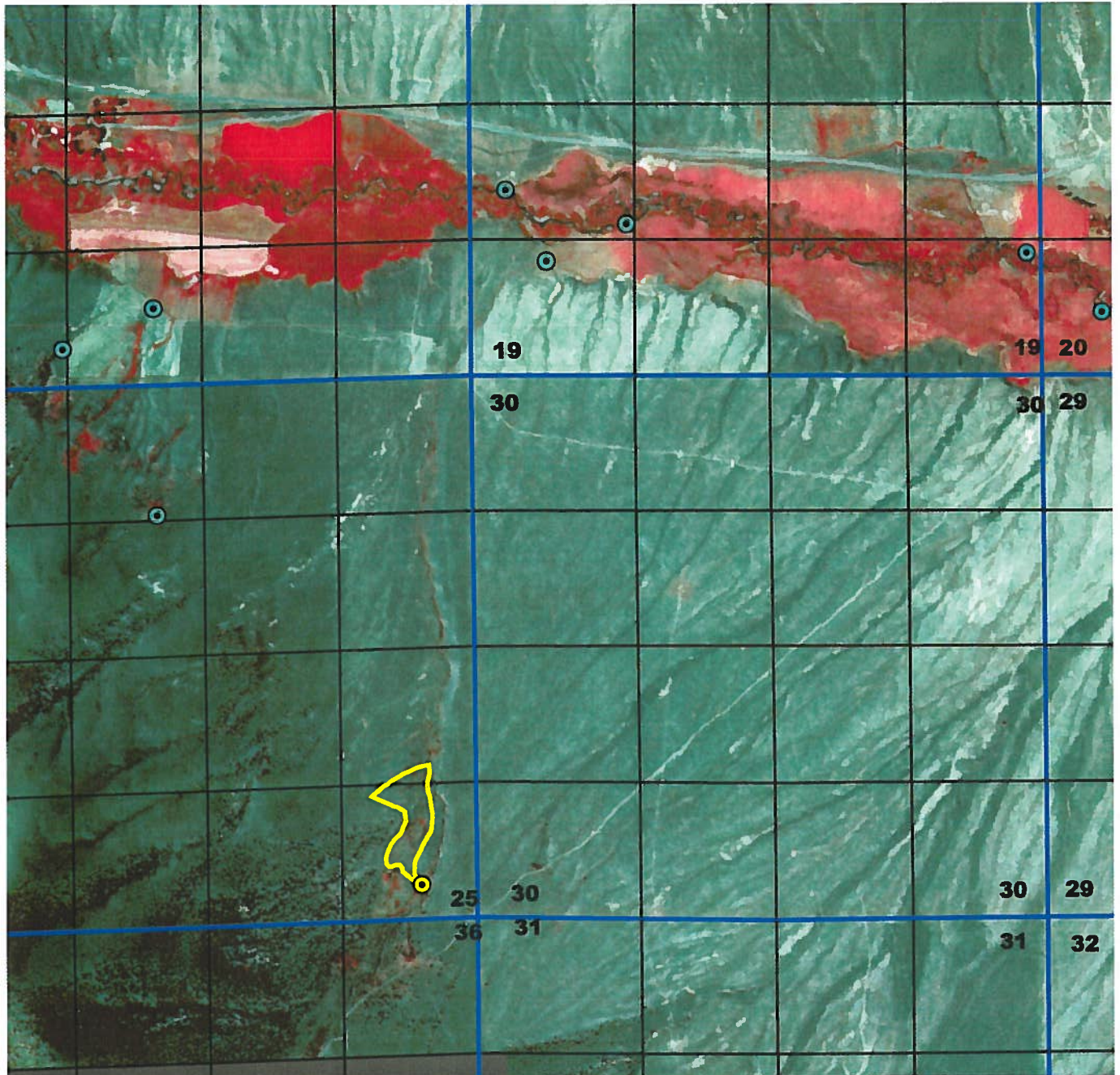
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.
SOURCE IS ALSO KNOWN AS CHOKECHERRY SPRINGS.

RECOMMENDED PLACE OF USE FOR 43-2060



660 0 660 1320 1980 Feet

PLACE OF USE

TWP 13S, RNG 26E, SEC 25

Data entry on July 5, 2001

GIS PLACE OF USE PRESENTATION

1987/1988 NAPP AERIAL PHOTOGRAPHY

DATA ENTRY BY KELLY K CHRISTENSEN

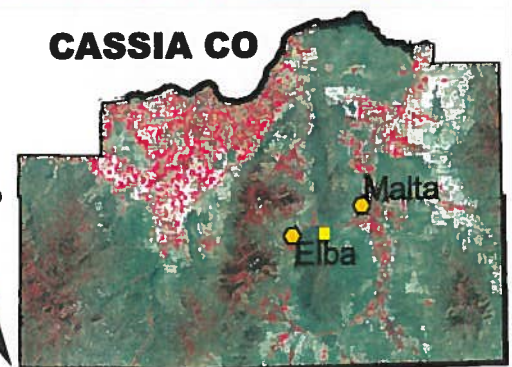
● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES

CASSIA CO





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

E-mail address: kchrste@idwr.state.id.us

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 6, 2001

RICHARD WARD
PO BOX 127
LEADORE ID 83464

RE: RESPONSE TO NOTICE OF ERROR FILINGS MADE MAY 30, 2001

Dear Richard

I have made the following changes to my recommendations for the following systems. Please review the maps and accompanying preliminary recommendations. The preliminary recommendations will be the department's recommendations to the court unless you have additional input.

System 1 43-208, 43-209, and 43-413

I deleted the ground that you identified as BLM ground. We had discussed that the northern portion of the place of use isn't being irrigated at this time but I have left it in the recommended place of use as it was part of the place of use in 1987. You may wish to pursue a transfer to move the place of use to the south. The primary issue you have to consider is that Idaho code 42-222 states that if you go 5 years without using a water right or a portion of that right, it is subject to forfeiture.

System 43-2060

I enlarged the place of use based upon the sketch you completed at the meeting. There were no discernable features in the NAPP photography to exactly identify the place of use. The shape I created exceeds the licensed place of use by about 2 acres so my recommendation is for the 5 licensed acres within the found place of use. The additional acres can be recognized under the permit, 43-7183 that has yet to be licensed.

System 43-146A and 43-147A

I have received the evidence of priority from Elmo that supports a 1953 development of the Ottley ditch off of the Barker ditch. I have enclosed a claim form for your use to file for a beneficial use right for the irrigation of the ground in TWP 14S, RNG 25E, SEC 7, NENW. I identified 11 acres in that quarter/quarter as irrigated. (see enclosed file notes map of the entire place of use. The filing fee for the beneficial use right will be \$50.00. The late fee is waived and there are no variable fees due for this filing as they were covered through the filings for the decreed rights. If you have questions about the claim filing procedure call me at this office and I can discuss them with you. I am not changing my recommendation for the decreed rights until I receive the new claim.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

enclosures

Microsoft TerraServer

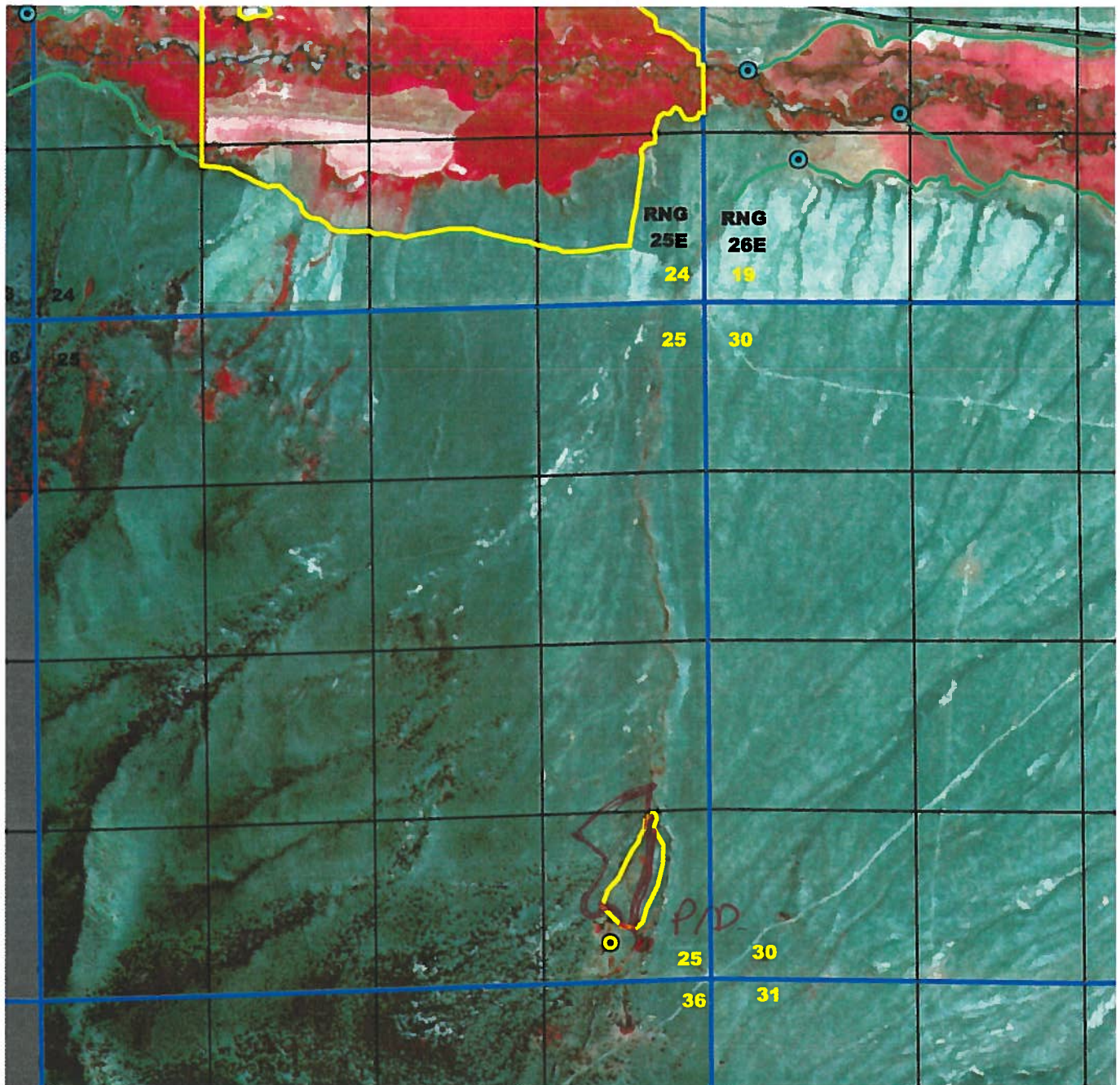
Display Image

USGS Aerial Photograph

10 km SW of Malta, Idaho, United States 27 Aug 1992



RECOMMENDED PLACE OF USE FOR 43-2060



660 0 660 1320 1980 2640 3300 Feet

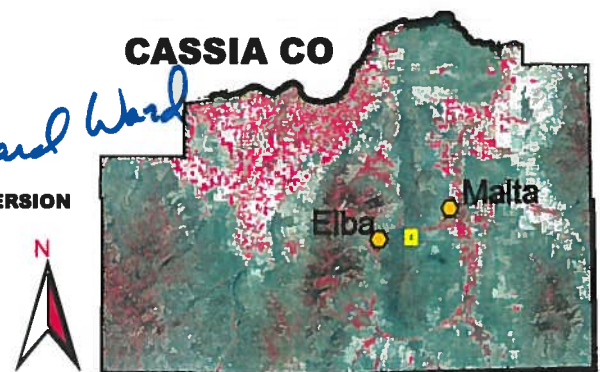
PLACE OF USE
TWP 13S, RNG 25E, SEC 25
Data entry on March 15, 2001

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES

KKC

*Notes from NOE
Meeting May 30, 2001
Drawn by Richard Ward*



05/10/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-2060

J RICHARD WARD FAMILY TRUST

C/O RICHARD WARD

PO BOX 127

LEADORE ID 83464

Telephone Number: (208)346-6232

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

P of D needs moved to East 100 gals + point of use needs enlarged to NW to include ditch system.

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

not accurate location on GIS recommended layout.

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 5/30/01 SIGNATURE: J Richard Ward
Please print your name: J. Richard Ward

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208)736-3033

Richard Ward

43-2060

Move P/D ~~west~~ east

Shift P/U according to sketches on layout.

03/15/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-2060

NAME AND ADDRESS: J RICHARD WARD FAMILY TRUST
C/O RICHARD WARD
PO BOX 127
LEADORE, ID 83464

SOURCE: UNNAMED STREAM

TRIBUTARY: CASSIA CREEK

QUANTITY: 0.1 CFS

VERIFIED BY: KKC

PRIORITY DATE: 10/01/1909

POINT OF DIVERSION: T13S R25E S25

SWSESE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION
STOCKWATER

PERIOD OF USE
04-01 10-30
01-01 12-31

QUANTITY
0.10 CFS
0.05 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County
T13S R25E S25 SESE
STOCKWATER Within CASSIA County
T13S R25E S25
SESE

5

5 ACRES TOTAL

*Super ceeded
by recom dated 7-5-01
based upon consensat
with Richard Ward
during the NOE
meeting on 5-30-01
K/KC*

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

SOURCE IS ALSO KNOWN AS CHOKECHERRY SPRINGS.

1087

Permit No. 5484

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Samuel M. Wilson, age 27 - Chokechury
Farmer - Cassia, Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. None

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 5484 - Oct 1st 1909 - Oct 1st 1909

Ques. 4. State source of supply and give exact location of point of diversion.

Ans. Chokechury Spring, Springs No. 1 and No. 2 on NE 1/4 NE 1/4 Sec 3, T. 2 N., R. 2 E., S. 2 E.,
No. 3 - on SE 1/4 NE 1/4 Sec 3, and No. 4 - SE 1/4 NE 1/4 Sec 3 - T. 2 N., R. 2 E., S. 2 E.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Down at each spring and ditch leading from each spring
and all leading into the river. Each ditch will carry about 100
cfs. of water. The ditches are known as the Anderson ditch
that is one ditch leading from River to place of interest
and ditches leading from the river to land.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. For irrigation and domestic use and said water has
been used principally all over the 40 acres tract with exception of
a small patch of about 5 acres. There are about 15 acres
that have been actually irrigated. There are about 5 acres
under cultivation.

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. No other use

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. One inch per acre

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

5484

5784

Mills & Sons

9/30 1911

5485

Prof. Idaho,

RECEIVED

OCT - 1911

OFFICE OF STATE ENGINEER

1 State
29th 1911

30 days
Cave.

will be submitted
per record of the

in accordance

or the State of

from is

State of Idaho.

the completion of

purpose.

completion, and the

use in accordance

the first per record.

or 1911.

received the following

Engineer.

and records are all

A. E. Robinson
State Engineer
Cave Idaho

Dear Sir:

I received Mr. Shiloh of Council-
Cave Co. Idaho, came to me and said
he had lost his Permit- and that- he
thought- it was time to make proof of
completion of work but was not sure
about the time set in Permit- Perhaps it-
is too short a notice now to comply with
the time set in Permit- if so he would
like to get an extension of time- but if
under the circumstances he could make
proof of completion of work about 30.1.80 or
he should be glad to do so- as the work on
all completed- and now that he has
received his Permit- under to make the
proof it will be necessary for you to follow
enclosed Notice of Proof of Completion of Work,
if you can from the records in your office.
Very Respectfully,
A. E. Robinson

10th second-foot
irrigation
priority 10/1/09.

STATE OF IDAHO.
Water License No. 5484.

WHEREAS, On the 1st day of October, A. D. 1909, L. M. WILSON, of Conant, County of Cassia, State of Idaho, duly made application (No. 7620) to me for a permit to use 8/10ths of one cubic foot per second of the waters of CHOKECHERRY SPRINGS, County of Cassia, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 24th day of November, A. D. 1909, Permit No. 5484 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 November, A. D. 1913, and for the application to beneficial use of said water on or before the 24th day of November, A. D. 1913, and,

WHEREAS, On the 18th day of July, A. D. 1912, L. M. WILSON, the holder of said permit, made proof of the completion of adequate works for the diversion of 8/10ths of one cubic foot per second of said waters, as evidenced by my Certificate No. 5484, dated September 14th, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to place of intended use 8/10ths of one cubic foot per second of water, with date of priority October 1st, 1909, and,

WHEREAS, On the 18th day of July, A. D. 1912, L. M. WILSON, the holder of said permit, made proof of the application to beneficial use of 1/10th of 1 cubic foot per second of water;

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I do hereby grant and confirm to L. M. WILSON, of Conant, County of Cassia, State of Idaho, the holder and owner of said Permit No. 5484, a perpetual right, dating from October 1, 1909, to the use of 1/10th of one cubic foot per second of the waters of CHOKECHERRY SPRINGS, in the County of Cassia and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow provided to be diverted, first, at a point in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, second, at a point in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, third, at a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 36, Township 13 South, Range 25, East of the Boise Meridian, and conducted to and upon 5 acres in the Southeast quarter of the Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 25, Township 13 South, Range 25, East of the Boise Meridian, for the use 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 community customs, rules and regulations which have been or may be adopted from time to time by the 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 14th day of September, nineteen hundred and twelve.

(SEAL)

A. E. Robinson,
State Engineer.

13-1060

Ans. These.
L. Spring N.
My. Cal. to
Choate Cherry after

I hereby certify, that
ing; that I believe him to
subscribed and sworn to b

My Commission expires..

[illegible]

How long have you known him and where does he reside?

Am. Lit. & Fine Arts 4 vols - Am. & Nat. & Civ. Hist.
 & Nat. Hist. & Geog. & Nat. Hist.

its prohibitions and conditions?

John R. Smith

Quest. 4. State sources of water supply, places of diversion, and describe works for conveying

water from point of diversion to place of use.

Charles Henry Briggs - New York and Vermont.

[illegible]

How many second feet of water do you estimate said works will safely conduct to,

of the, and how much water has been used? If no more will
be needed above, there is a possibility of further use and
the Department would have no objection in any case.

State for what purpose water is used and at what place. (If for irrigation, give each

(Number in which water has been used and number of acres irrigated in each subdivision.) State

whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Mr. Wm. Livingston and Dr. MacLean. The former was
born in 1812, and died in 1882. He was a
member of the New York State Bar Association, and
was a prominent lawyer. He was also a member of
the New York State Legislature, and was a
member of the New York State Bar Association.

Quota 7. If for power or other purposes than irrigation, state how water has been applied and

Am

Ques. 2. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

imate of the amount of water required for its profitable cultivation.

Ans. *Don't know* — *is ought to know as well*

REPORT OF ENGINEER.

1. State name of applicant and number of permits: *Long & Co. permit 1570*
2. State source of water supply: *Chick spring of water*
3. Location of point of diversion: *Section 25*
4. State whether or not the works of diversion are fully completed and in accordance with the terms of permit: *The work being completed*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *1 foot*
 - (b) Width at water line: *2 feet*
 - (c) Depth of water: *6 inches*
 - (d) Grade per mile: *2.5 feet*
 - (e) Capacity of ditch: *8 to 10 cfs*
6. State whether or not water has been turned into works of diversion, and if so, to what extent:
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: *So east 1/4 South east 1/4 Sect 25*
Acres under cultivation 1.200
8. Submit map on enclosed plat, showing source of supply, point of diversion, route of ditch or ditches and cross-hatch lands to be irrigated.
- Remarks: *The Spring is located on a side hill hence the grade*

Robert Glenn

STATE OF IDAHO.

County of *Cassia*

Robert Glenn

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

7th day of *July*

191*2*

My Commission Expires

Jan 11-1915

Notary Public.

5484

