

Name of Applicant

SEC.

SEC.

SEC.
24

SEC.

SEC.

SEC.

RECEIVED

JUN 2 1934

OFFICE OF STATE ENGINEER

T. S. SN R. A. W. B. M.

SEC.

SEC.

SEC.
25

SEC.

SEC.

SEC.

into West Fall Creek

Ditch

Diversion



SEC.

SEC.

SEC.
36

SEC.

SEC.

SEC.

5370

MAP
 To Accompany Report on
FINAL PROOF OF WATER RIGHT
Completion of Works
OF J. K. MERRITT PERMIT N^o 5370

T. 55N. R. 4W.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.
23

SEC.
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SEC.

SEC.

SEC.

SEC.

SEC.
26

SEC.
25

SEC.

SEC.

Location of Point of
 diversion N 59° 54' E 2016.0
 Ft. from 1/4 Cor bet. Secs.
 25 & 36 T. 55N. R. 4W.



5370

P5370

West Fall Creek
Reservoir Dam

From this point a
series of Lateral
Ditches as shown
below

APPLICATION J.K. MERRITT

IN SW. 1/4 SEC. 25

T. 55N. R. 4W. B.M.

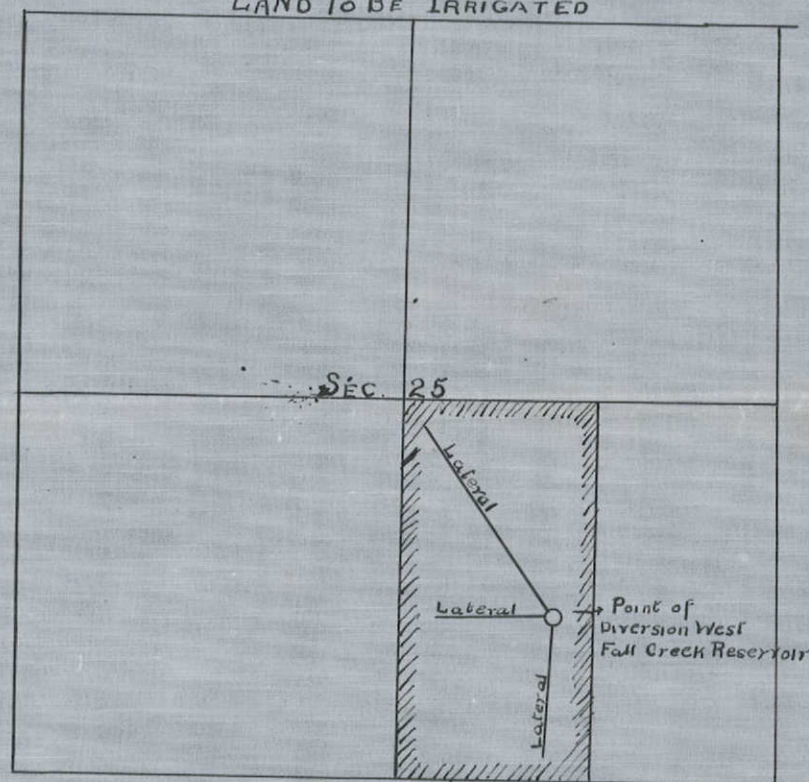
SURVEYED JULY 29, '69

J.K. ASHLEY, JR.

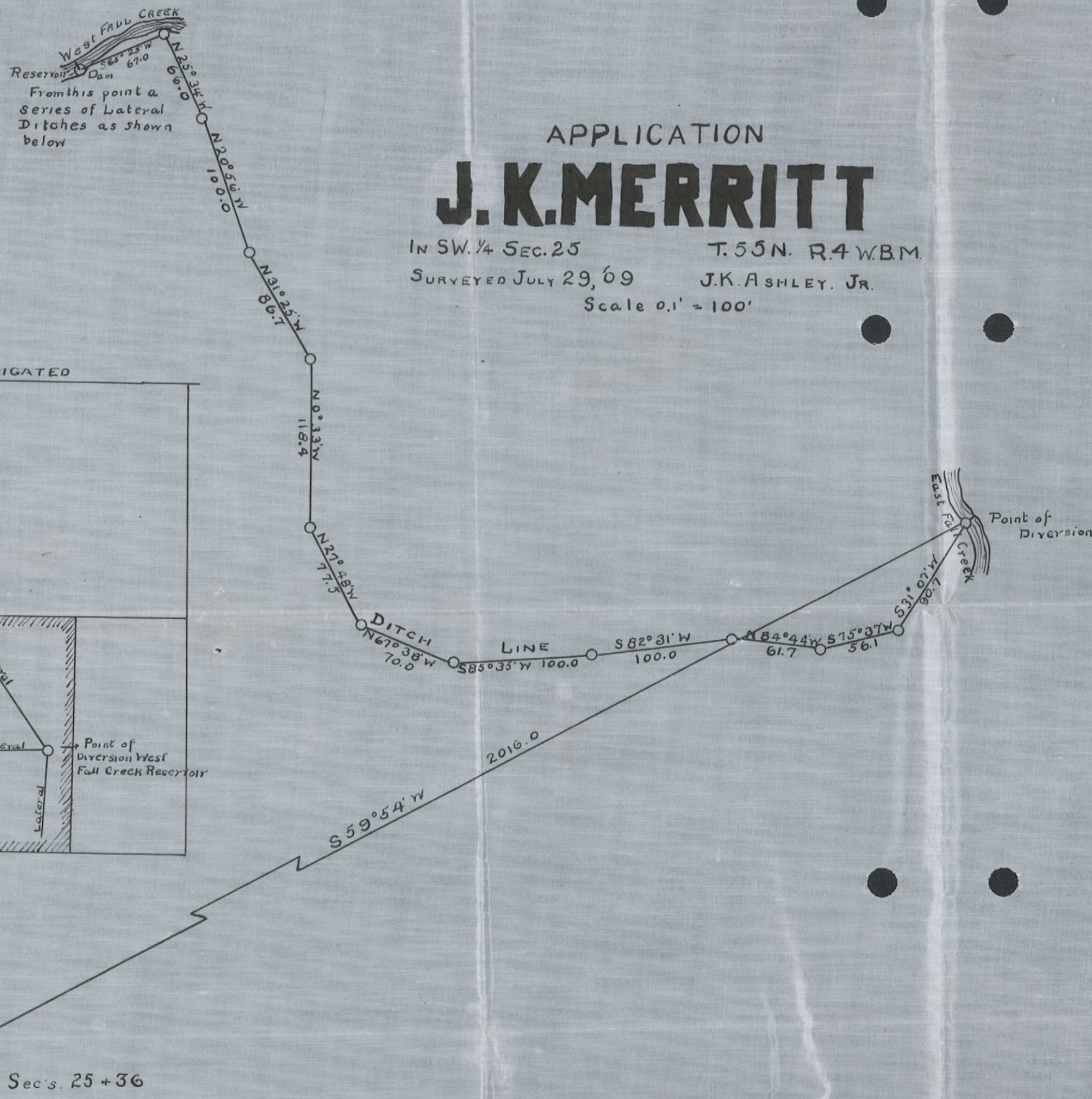
Scale 0.1" = 100'



LAND TO BE IRRIGATED



1/4 COR. bet. Sec's. 25 + 36



County: Bonner
Stream: East and West Fall Creek
Amount: 8/10 of 1 sec.ft.
Use: irrigation and domestic.
Priority: October 28, 1909.

STATE OF IDAHO

Water License No. 5370

WHEREAS, On the 28th day of October, A. D. 1909,

J. K. Merritt
of Harlem, County of Bonner, State of Idaho, duly made application
(No. 7778) to me for a permit to use 8/10 of 1 cubic foot per second of the waters of
East Fall Creek and 8/10 of 1 cubic foot per second of the waters of West Fall Creek
County of Bonner, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 28th day of October, A. D. 1909, Permit No. 5370 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 28th day of October, A. D. 1912, and for the application to ben-
eficial use of said water on or before the 28th day of October, A. D. 1914, and,

WHEREAS, On the 28th day of October, A. D. 1912,

J. K. Merritt

the holder of said permit, duly made proof of the completion of adequate works for the diversion of
1.6 cubic feet per second of said waters, as evidenced by my Certificate No. 5370
dated November 2, 1912, confirming the completion of works of sufficient capacity for diverting and
conveying to the place of intended use 1.6 cubic feet per second of said water,
with date of priority of October 28, 1909, and

WHEREAS, On the 11th day of November, A. D. 1914,

J. K. Merritt

the holder of said permit, duly made proof of the application to beneficial use of 8/10 of 1 cubic
foot 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 J. K. Merritt

of Harlem, County of Bonner, State of Idaho, the holder and owner
of said Permit No. 5370, a perpetual right, dating from October 28, 1909
to the use of 4/10 of 1 cubic foot per second of the waters of East Fall Creek, and
4/10 of 1 cubic foot per second of the waters of West Fall Creek,

in the County of Bonner and State of Idaho, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point N. 59° 54' E. 2016 ft. from
quarter corner between Secs. 25 & 36, T. 55 N., R. 4 W.B.M.,

and conducted to and upon 40 acres divided as follows: 5 acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and 35
acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 25, T. 55 N., R. 4 W.B.M.

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 or 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 December
A. D. nineteen hundred and fourteen.

Herbert Wing,

(Seal)

Acting State Engineer:

96 2033

No. 7778.

96-2033

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: J. K. Merritt,
Postoffice address: Harlem,
County: Bonner, State, Idaho.
2. The quantity of water claimed is 1.6 cubic feet per second.
3. Source of water supply: East Fall Creek 0.8 West Fall Creek 0.8 cubic ft.
County of Bonner.
4. Location of point of diversion: North 59°54' East 2016.00 feet from the quarter corner between
secs. 25 & 36 T. 55 R. 4 W.
5. To be used for:
 - I. Irrigation and domestic use: Yes.
 - (a) Amount of land to be irrigated: Eighty acres.
 - (b) In the following legal subdivisions: West $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 25 T. 55 N. R.
4 W. B. M.
6. Estimated cost of works: \$300 Three Hundred dollars.
7. Description of works for diversion:
 - I. Kind of works; Ditch, dam and reservoir.
 - II. Dimensions of works: No. 1 6 feet high, 12' top, 3' bottom.
 - (a) Height of dam No. 2 18 feet, length of dam at top 15 feet, length of dam at bottom
8 feet. Material used in construction. Constructed of wood and earth.
 - (b) Capacity of reservoir: one acre foot.
 - (c) Size of headgate; Width, 2 feet, height 1.6 feet.
 - (d) Conduit, ditch, width at bottom 2 feet, width at water line 3 feet, depth of water
18 inches. Average grade per mile is 0.2 of 1%. Length of conduit is 1000 feet and
it crosses the following quarter sections: South west quarter of Section 25 T. 55 N.
R. 4 W. B. M. to land described in 5 I (b) above which is the point of intended use.
8. The time required for the completion of the construction of such work is 3 years.
9. Time required for the complete application of the water to the proposed use is 2 additional
years.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate
the public waters of the State of Idaho as herein set forth.

J. K. Merritt, Applicant.

Ny John K. Ashley, Jr., Agent.

Remarks: The water will be taken from the East Fork of Fall Creek at a point which bears N.
59°54' E. 2016 feet from the quarter corner bet. Sections 25 and 36 T. 55 R. 4 W. and carried in a
ditch along the lines as shown on the accompanying plat to the west Fork of Fall Creek, from
which point it will be taken in a series of Lateral ditches to irrigate the west half of the

Southeast quarter of Section 25 T. 55 N. R. 4 W.

APPROVAL OF STATE ENGINEER.

The number of this permit is 5370

Date of first receipt of application 9 a. m. October 28, 1909.

Recorded in Book 15, Page 5370, Approved October 28, 1909.

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:

Work to begin on or before December 27, 1909, 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 April 28, 1911.

The whole of said work to be completed on or before October 28, 1912.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to October 28, 1914.

Witness my hand this twenty-eighth day of October, 1909.

Jas. Stephenson, Jr.,

State Engineer.

First notice received fixing October 28th, 1912, as date and Sandpoint, Idaho, as place of proof.
 Deposition blanks mailed October 4th, 1912 to Myrvin Davis, N. P.
 Publication Notice mailed September 24th, 1912, to the Northern Idaho News at Sandpoint.
 Depositions, affidavit and fee received October 30th, 1912.
 Report received November 1st, 1912.
 Certificate issued November 2nd, 1912.

Permit No. 5370.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that J. K. MERRITT, of Harlem, County of Bonner and State of Idaho, the holder of Permit No. 5370, issued upon Application No. 7778, bearing date of priority of October 28th, 1909, authorizing the diversion of 8/10ths of 1 second foot of the waters of EAST FALL CREEK, and 8/10ths of one second-foot of the waters of WEST FALL CREEK, County of Bonner, 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 8/10ths of one second-foot of the waters of East Fall Creek, and 8/10ths of one second-foot of the waters of West Fall Creek; that the point of diversion of said waters is at a point N. 59° 54' E. 2016 feet from the quarter corner between Sections 25 and 36, Township 55 North, Range 4, West of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 25, Township 55 North, Range 4, West of the Boise Meridian.

Witness my hand this 2nd day of November A. D. 1912.

A. E. Robinson,

State Engineer.

License issued for 8/10 second feet

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REPORT OF ENGINEER

1. State name of applicant and number of permit: J. K. Merritt Permit No 5370
2. State source of water supply: East Fall Creek West Fall Creek
3. Location of point of diversion: N 50° 54' E 2016 ft from 1/4 Cor. Sect 5
25 1/4 36 T 55 N R 4 W B M
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:
Works are Completed
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 15"
 - (b) Width at water line: 1 ft
 - (c) Depth of water: 1 ft
 - (d) Grade per mile: 50' in upper 15' in lower
 - (e) Capacity of ditch: 15 second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent:
Water has been turned into ditch and used to irrigate 40 acres
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: 50 acres in NW of SE & 35 acres in SW of SE 1/4 of Sect
25 T 55 N R 4 W B M
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: Water is taken out of West Fall Creek on the upper Creek
and brought in ditch to the point of diversion on East Fall
Creek. There is very little water in either Creek during
August.

John K. Ashley, Jr.
Licensed Surveyor
Sandpoint
Idaho

STATE OF IDAHO,

County of Bonner

} ss.

John K. Ashley, Jr.

, 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.

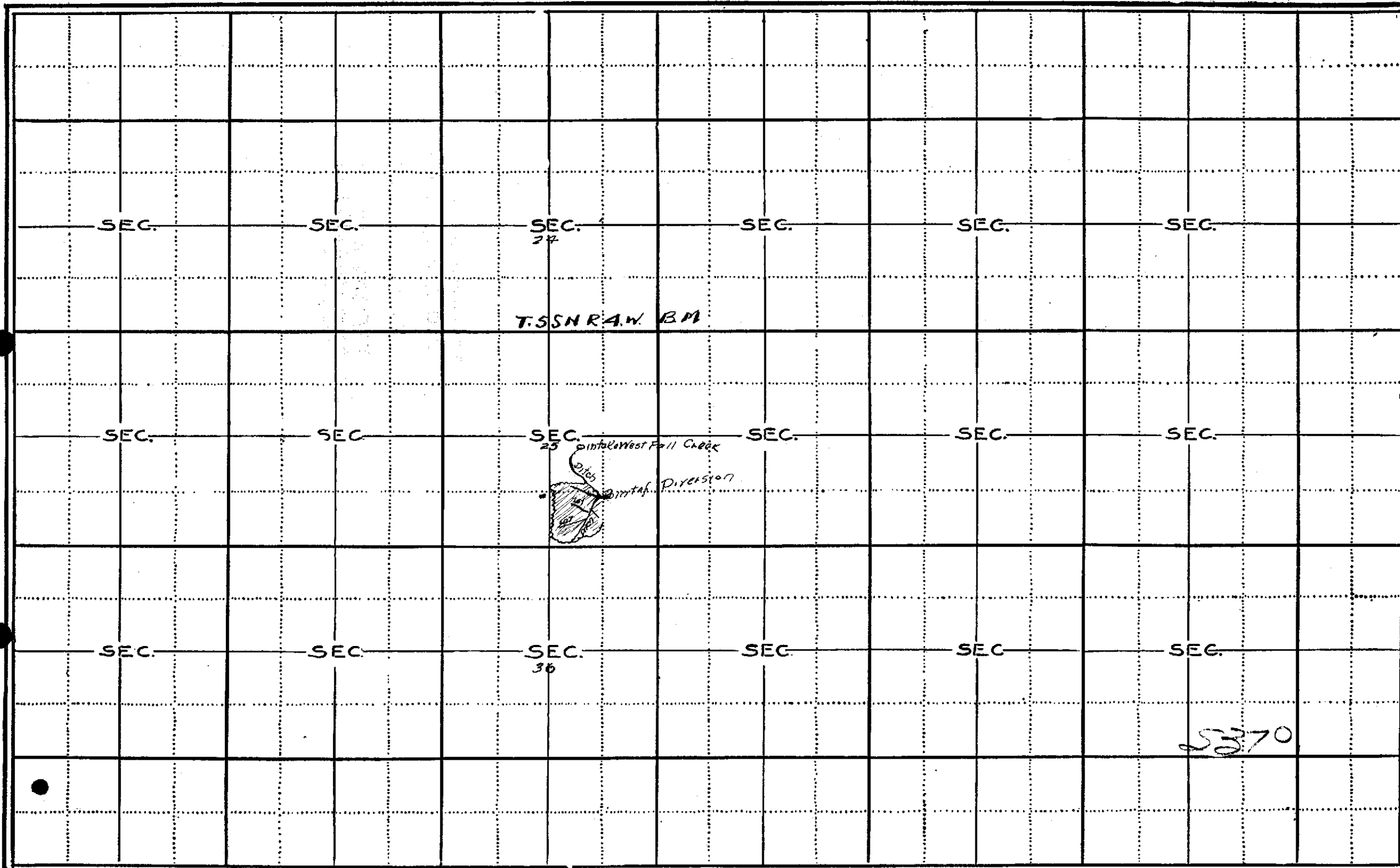
Subscribed and sworn to before me this 16th day of November 1914

My Commission Expires January 18, 1915

J. G. Gendelin
Notary Public.

5370

Name of Applicant

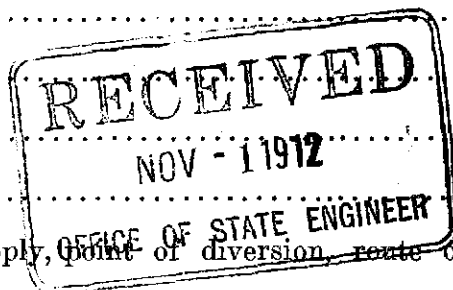


SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

Printed and for sale by the Statesman Shop, Boise, Idaho.

REPORT OF ENGINEER.

1. State name of applicant and number of permit: J.K. Merritt Permit 5370.....
2. State source of water supply: Fall Creek.....
3. Location of point of diversion: N. 59; 54' E. 2116 feet from $\frac{1}{4}$ cor. bet. 25 36
Township 55 N R 4 W BM.....
4. State whether or not the works of diversion are *fully* completed and in accordance with the terms of permit: Works are fully completed in accordance with permit.....
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 18'.....
 - (b) Width at water line: 18".....
 - (c) Depth of water: 12".....
 - (d) Grade per mile: 15 feet.....
 - (e) Capacity of ditch: 3.....second feet.
6. State whether or not water has been turned into works of diversion, and if so, to what extent:
Water has been turned into the ditch and used to irrigate
about 40 acres of timothy meadow.....
7. Give exact location of lands to be irrigated. ~~Give exact number of acres under cultivation or~~
~~with forage crop~~ extract: West half of the South east quarter of section
25 T 55 N R 4 W B M.....



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 applicant has taken the water out at the point of di
version in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of section 25 T 55 N
R 4 W BM and carried the same in a ditch 1000 feet long
to a point in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ from which point it
is distributed by lateral ditches over the land irrigated

John K. Ashley Jr.
Engineer.

STATE OF IDAHO,

County of Bonner } ss.

John K. Ashley Jr., 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 28th day of October 1912.

My Commission Expires Aug 14, 1915

John Johnson
Notary Public.

5370

MAP

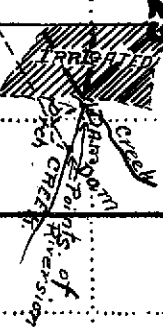
To Accompany Report on

FINAL PROOF OF WATER RIGHT
OF J. K. MERRITT
Completion of Work as Permitted No. 5370

T. 55 N. R. 4 W.

SEC. 23 SEC. 24 SEC. 25

SEC. 26 SEC. 27 SEC. 28



Location of Point of
diversion N 53° 54' E 2016
ft from 1/4 Cor bet Secs
25 & 26, 1.55 N. R. 4 W.

5370

P5370

West Fall Creek
Reservoir Dam
From this point a
series of Lateral
Ditches as shown
below

APPLICATION

J.K. MERRITT

IN SW 1/4 SEC. 25

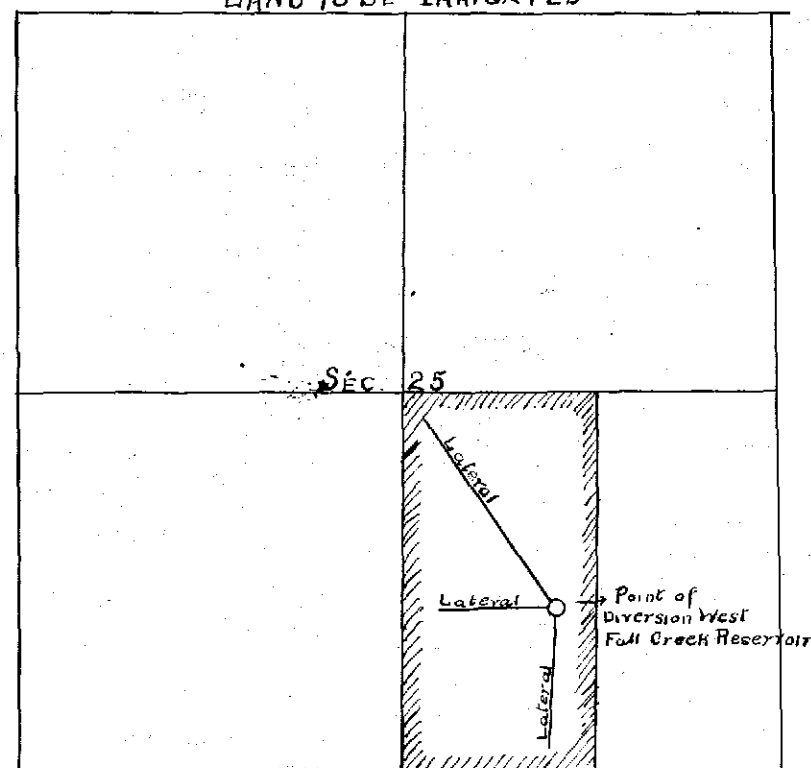
T. 55N. R. 4W. B.M.

SURVEYED JULY 29, '09

J.K. ASHLEY, JR.

Scale 1" = 100'

LAND TO BE IRRIGATED



1/4 Cor. bet. Sec's. 25 + 36

S 59° 54' W

2016.0

DITCH

LINE

S 82° 31' W

100.0

N 84° 44' W

61.7

S 75° 07' W

36.1

East Fall Creek

Point of Diversion

