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Birch Springs

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RECEIVED
JUN 5 - 1911
OFFICE OF STATE ENGINEER

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 Bannock County *
 Birch Spring *
 1/3 of 1 cu. ft. per sec. *
 Irrigation and domestic *
 Priority 9-29-1910 *

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

Water License No. 6866

WHEREAS, On the 29th day of September, A. D. 1910, MARY BURTON, of Grace, County of Bannock, State of Idaho, duly made application (No. 9675) to me for a permit to use one-third (1/3) of a cubic foot per second of the waters of BIRCH SPRING, County of Bannock, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 3rd day of December, A. D. 1910, Permit No. 6866 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 3rd day of June, A. D. 1911, and for the application to beneficial use of said water on or before the 3rd day of June, A. D. 1911, and,

WHEREAS, On the 7th day of June, A. D. 1911, MARY BURTON, the holder of said permit duly made proof of the completion of adequate works for the diversion of one-third (1/3) of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 6866, dated August 1, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one-third (1/3) of 1 cubic foot per second of said water, with date of priority of September 29, 1910, and,

WHEREAS, On the 7th day of June, A. D. 1911, MARY BURTON, the holder of said permit duly made proof of the application to beneficial use of 1/3 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 MARY BURTON, of Grace, County of Bannock, State of Idaho, the holder and owner of said Permit No. 6866, a perpetual right, dating from September 29, 1910, to the use of one-third (1/3) of one cubic foot per second of the waters of BIRCH SPRING, 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 in the Northwest quarter of Southwest quarter (NW4 SW4) Section 4, Township 10 South, Range 41 East of Boise Meridian, and conducted to and upon about 30 acres in the Southeast quarter of the Northeast quarter (SE4 NE4) Section 5, Township 10 South, Range 41 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 first day of August, A. D. Nineteen hundred and eleven.

A. B. Robinson,
 State Engineer.

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No. 9675.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant: Mary Burton.

Postoffice address: Grace.

County: Bannock State: Idaho.

2. The quantity of water claimed is One third (1/3) cubic foot per second.

3. Source of water supply: Spring known as Birch springs.

County of Bannock.

4. Location of point of diversion: Northwest quarter of the Southwest quarter of Sec. 4 Township 10 S. Range 41 East Boise Meridian in Idaho.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: About thirty (30) acres.

(b) In the following legal subdivisions: Southeast quarter of Northeast quarter Sec. 5 Township 10 S. Range 41 East Boise Meridian in Idaho.

6. Estimated cost of works: Seventy five Dollars (\$75.00)

7. Description of works for diversion: An open ditch leading from the spring to the said described land crossing the SW corner of NW $\frac{1}{4}$ Sec. 4 T. 10 S. Range 41 E. B. M.

I. Kind of works: Open ditch.

II. Dimension of works:

(a) Conduit Ditch, width at bottom one foot, width at water line one & one half feet, depth of water ;.....feet. Length of conduit is 100 Rods and it crosses the following quarter sections: Northwest quarter of Section four (4) Township ten (10) S. Range 41 E. Boise Meridian in Idaho 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 one month.

9. Time required for the complete application of the water to the proposed use is one month additional.

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.

Mary Burton,

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 6866.

Date of first receipt of application 9.00 a.m. September 29, 1910.

Returned to applicant for correction September 29, 1910.

Corrected application received November 19, 1910.

Recorded in Book 20 Page 6866 Approved December 3, 1910.

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 February 1, 1911 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 March 3, 1911.

The whole of said work to be completed on or before June 3, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to June 3, 1911.

Witness my hand this third day of December, 1910.

D. G. Martin,

State Engineer.

Notice of proof of completion of works and beneficial use of water received March 29, 1911, fixing June 7, 1911, as date and Grace as place of proof.

Publication notice mailed the Soda Springs Chieftain Mar 3, 1911.

Deposition blanks mailed John Allsop, M.P., May 3, 1911.

Water Commissioner notified May 9, 1911, to make examination of works.

His report received June 5, 1911.

Depositions, affidavit of publication and fees received June 19, 1911.

Certificate and license issued August 1, 1911.

PERMIT NO. 6866.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that MARY BURTON, of Grace, County of Bannock, and State of Idaho, the holder of Permit No. 6866, issued upon Application No. 9675, bearing date of priority of September 29, 1910, authorizing the diversion of 1/3rd of 1 second-foot of the waters of BIRCH SPRING, County of Bannock, 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 1/3rd of 1 second-foot of the waters of BIRCH SPRING, that the point of diversion of said waters is at a point in the Northwest quarter of Southwest quarter (NW4 SW4), Section 4, Township 10 South, Range 41, East 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 Northeast quarter (SE4 NE4), Section 5, Township 10 South, Range 41 East of Boise Meridian.

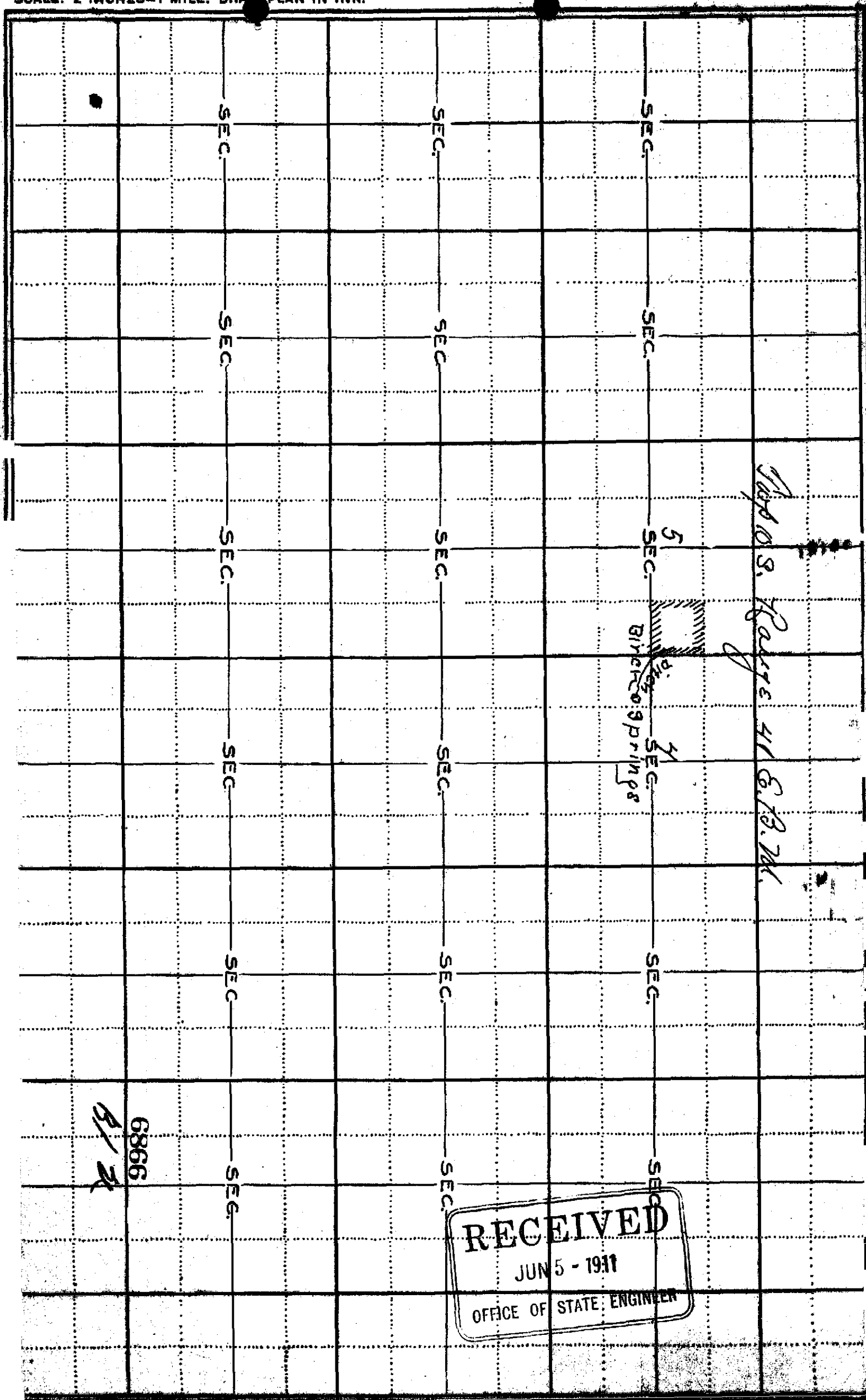
Witness my hand this 1st day of August, A.D. 1911.

A. E. Robinson.

State Engineer.

License issued for 1/3 second feet

Page 864



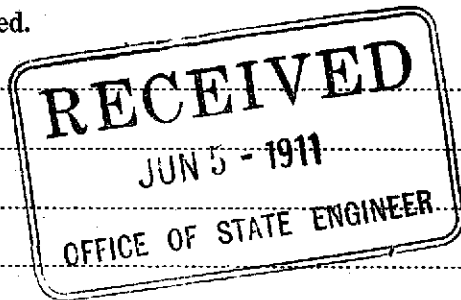
RECEIVED
JUN 5 - 1911
OFFICE OF STATE ENGINEER

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Report of Engineer

1. State name of applicant and number of permit: Mary Burton - Permit 6866
2. State source of water supply: Birch springs
3. Location of point of diversion: NW4 SW4 Sec. 4, Tp. 10 S., R. 41 RBM
4. State whether or not the works of diversion are *fully* completed and in accordance with terms of permit: The But are of sufficient capacity to carry the water
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 8"
 - (b) Width at water line: 12"
 - (c) Depth of water: 3"
 - (d) Grade per mile: 20% 30 ft.
6. State whether or not water has been turned into works of diversion and if so, to what extent: Have just been turned in
7. Give exact location of lands to be irrigated. Give ~~exact number of acres under cultivation in each~~ forty acre tract: S.E. 1/4 N.E. 1/4 Sec 5, T. 10 S. R. 41 E.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:



Chas. H. DeLamp
Water Comm Div No. 1

STATE OF IDAHO,

County of _____

} ss.

_____, 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 _____ day of _____ 191_____

My Commission Expires _____

Notary Public.

6866

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