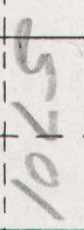


Name of Applicant Chas. M. Harris — # 5701.



County: Oneida.
Stream: Costley Cr.
Amount: 1.3 cu.ft.
Use: Irrigation
Priority: 12-13-09

STATE OF IDAHO

Water License No. 5701

Water District No. 28.

WHEREAS, On the 13th day of December, A. D. 1909, CHARLES M. HARRIS,

of Logan, County of Cache, State of Utah, duly made application (No. 8051) to me for a permit to use five (5) cubic feet per second of the waters of Costley Creek - Water-District No. 28.

County of Oneida, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 1st day of February, A. D. 1910, Permit No. 5701 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 1st day of February, A. D. 1911, and for the application to beneficial use of said water on or before the 1st day of February, A. D. 1915, and,

WHEREAS, On the 11th day of February, A. D. 1911, CHARLES M. HARRIS,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of five (5) cubic feet per second of said waters, as evidenced by my Certificate No. 5701 dated July 20, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use five (5) cubic feet per second of said water, with date of priority of December 13, 1909, and

WHEREAS, On the 30th day of January A.D. 1915, the time for beneficial use of water under said permit was extended to the 1st day of July, A.D. 1915, and,

WHEREAS, On the 1st day of July, A. D. 1915, CHARLES M. HARRIS,

the holder of said permit, duly made proof of the application to beneficial use of 1.3 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

CHARLES M. HARRIS,

of Logan, County of Cache, State of Utah, the holder and owner of said Permit No. 5701, a perpetual right, dating from December 13, 1909 to the use of 1.3 cubic feet per second of the waters of Costley Creek,

in the County of Oneida and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point about 300 feet south and 110 feet West of the N.E. Cor of the NW $\frac{1}{4}$ of Sec. 21, T. 16 S., R. 37 E.B. M.,

and conducted to and upon 65 acres as follows: 20 acres in NE $\frac{1}{2}$ of NE $\frac{1}{4}$ and 30 acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 21; 5 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and 10 acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 22, T. 16 S., R. 37 E.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 29th day of July, A. D. nineteen hundred and Sixteen

J.H.SMITH.

(Seal)

State Engineer:

13-2029

No.8051.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Charles M.Harris

Postoffice address: Logan

County: Cache

State:Utah

2. The quantity of water claimed is five cubic feet per second.

3. Source of water supply: Costley Creek

County of Oneida

4. Location of point of diversion: 300 feet South & 110 feet West of N.E.cor. of NW $\frac{1}{4}$ of Sec. 21, T. 16 S.R. 37 E.Boise Meridian.

5. To be used for:

I.Irrigation and domestic use:

(a) Amount of land to be irrigated: six hundred acres

(b) In the following legal subdivisions: NE $\frac{1}{4}$ of Sec. 21, E $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 22, W $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 22, E $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 22, W $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 22, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 15, all in T. 16 S.R. 37 E.Boise Meridian. Also SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, said T. & Range.

6. Estimated cost of works: \$300.00

7. Description of works for diversion:

I.Kind of works: Small Reservoir, Earthen Dam and Canal about two miles long, Height of dam 14 feet. Capacity of Res. - 600,000 cu.ft.

II. Dimensions of works:

(a) Height of dam (14) feet, length of dam at top 132 feet, length of dam at bottom 24 feet. Material used in construction: Earth

(b) Capacity of reservoir: 13.77 acre feet.

(c) Size of headgate: Width 10 feet, height 10 feet.

(d) Conduit two ditches. width at bottom 2 $\frac{1}{2}$ feet, width at water line 3 $\frac{1}{2}$ feet, depth of water 2 feet. Average grade per mile is 10 feet. Length of conduit is 2 miles, and it crosses the following quarter sections: NE $\frac{1}{4}$ of Sec. 27, SE $\frac{1}{4}$ Sec. 21, SW $\frac{1}{4}$ Sec. 22, SW $\frac{1}{4}$ Sec. 15, SE $\frac{1}{4}$ Sec. 15, NW $\frac{1}{4}$ Sec. 22, all in Township 16 S.Range 37 E. of Boise Meridian, 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 year.

9. Time required for the complete application of the water to the proposed use is four 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.

C.M. Harris, Applicant.

Remarks: On May 24, 1909, we received a special use Permit from the U.S. Department of Agriculture Forest Reserve at Pocatello, Idaho, to build a Reservoir for private irrigation on the above described tract of land in the Forest Reserve.

C.M.Harris.

APPROVAL OF STATE ENGINEER

The number of this permit is 5701.

Date of first receipt of application: 9.00 a.m. December 13, 1909

Returned to applicant for correction: December 14, 1909

Corrected application received: January 26, 1910

Recorded in Book 17. Page 5701. Approved February 1, 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 April 2, 1910, 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 August 1, 1910.

The whole of said work to be completed on or before February 1, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith extended to February 1, 1915.

Witness my hand this first day of February, 1910.

Jas. Stephenson, Jr.

State Engineer

Notice of proof of completion of works and beneficial use of water received December 5, 1910, fixing February 11, 1911, as date, and Preston, Idaho, as place of proof.

Publication notice mailed January 3, 1911 to the Idaho Enterprise.

Deposition blanks mailed January 3, 1911, to Carl Smith.

J. O. Webster, Water Commissioner, notified January 3, 1911, to make examination and report Depositions, affidavit of publication and fees received March 2, 1911

Certificate issued July 20, 1911.

Permit No. 5701

CERTIFICATE OF COMPLETION OF WORKS

To All Whom it May Concern:

This is to certify that CHARLES E. HARRIS, of Logan, County of Cache, and State of Utah, the holder of Permit No. 5701, issued upon Application No. 8051, bearing date of priority of December 13, 1909, authorizing the diversion of 5 second feet of the waters of Costley Creek, County of Oneida, 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 5 second-feet of the waters of Costley Creek, that the point of diversion of said waters is at a point 300 feet S. and 110 ft. W. of NE cor. of NW $\frac{1}{4}$, Sec. 21, Tp. 16 S., Range 37, E. B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{4}$, Sec. 21, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 22, W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 22, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22, SW $\frac{1}{4}$ SD $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Tp. 16 S., R. 37, E. B. M. SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, Tp. 16 S., R. 37, E. B. M.

Witness my hand this 20th day of July, A.D. 1911.

A. E. Robinson,
State Engineer of the
State of Idaho

On proper request of the holder of the above numbered permit I have this 30th day of January, 1915, extended the time for beneficial use of water thereunder to the 1st day of July, 1915.

Herbert Wing,
Acting State Engineer.

License issued for 1.3 second

Page 2031

REPORT OF ENGINEER

1. State name of applicant and number of permit: Chas. M. Harris, Permit 5701.
2. State source of water supply: Costley creek-
3. Location of point of diversion: 300 feet S. and 110 ft. W. of N.E. Cor. of NW $\frac{1}{4}$ Sec. 21, T. 16 S., R. 37 E.B.M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Main works completed - Ditches not completed, as per filing map.
5. Describe works as they exist, giving dimensions and capacities of same: Dam of earth, 12' high, 140' long on top, 30' on bottom. Headgate 10' wide, 5' high. Controlling gate, 1 1/2' wide, 5' high. 2' roads - good substantial structure. Leads into flume, 75' long, 2' wide, 8" deep, with waste control in flume.
Ditch on river side built - 2' on bottom - 3' on water line, 1 1/2' deep - Mountain grade - about 15' to mile - readily carry 5^{sec.} feet, when cleaned out.
6. State whether or not water has been turned into works of diversion: Yes.
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NE $\frac{1}{4}$ Sec. 21 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, T. 16 S., R. 37 E.B.M. Only 6.5 acres under irrigation at present - Can readily irrigate the land, if ditches were made - about 250 acres in actual cultivation at present - balance used for pasture now, but good tillable & irrigable land. See map for particulars.
8. Submit map on enclosed plat, showing location and details of above description.

Remarks:

This examination was made on the

19th day of

July

1916

(Signed)

5701

(This report must be sworn to when not made by an attache of the State Engineer's office)

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____

Notary Public.

My Commission Expires _____