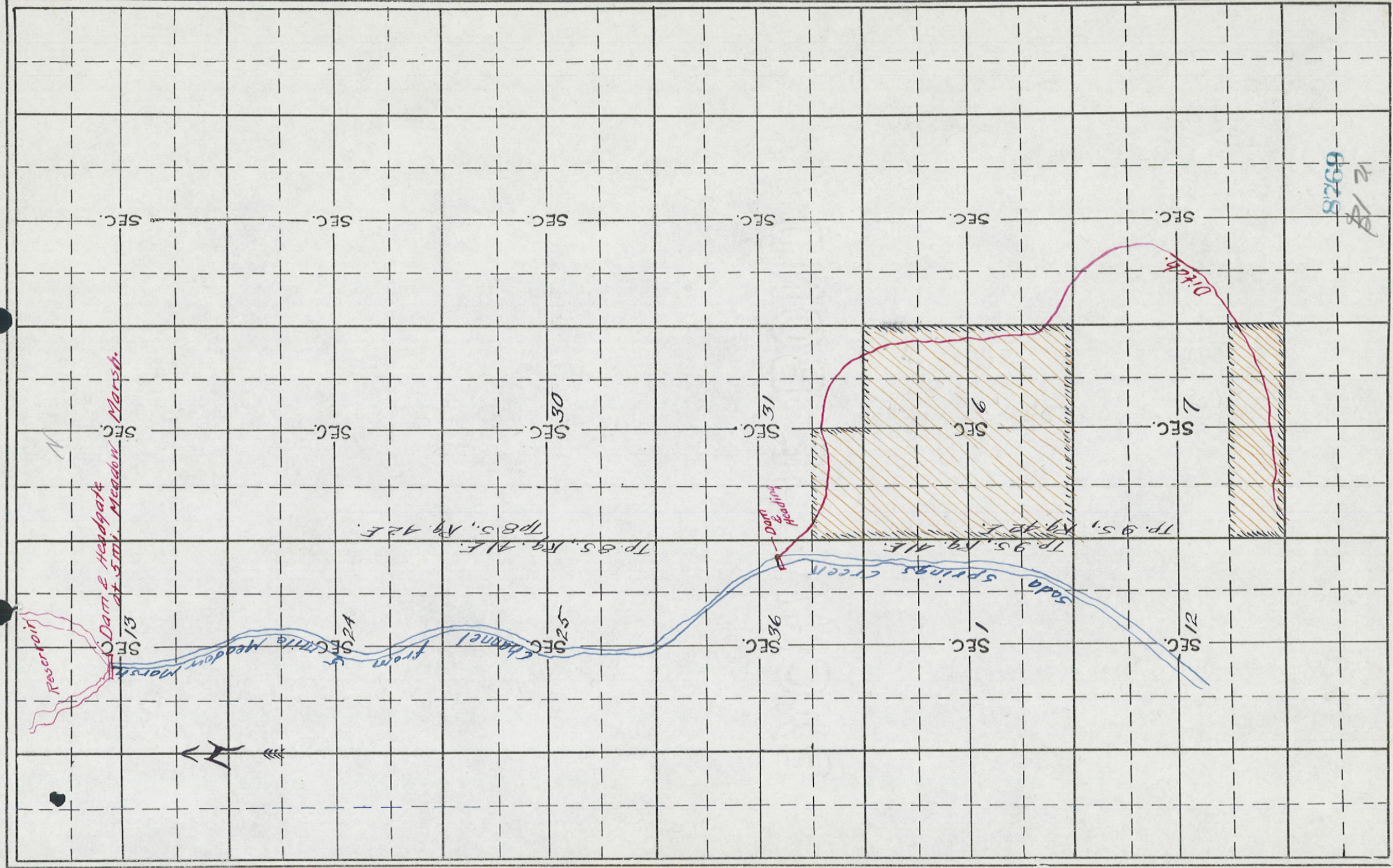


D. J. Lau, H. M. Lau,

Name of Applicant: J. E. Lau, T. H. Herschley — # 8769.



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

County: Bannock
Stream: 5 Mile Meadow
Amount: 17.32 sec.ft.
Use: Irrigation
Priority: 9-21-12

STATE OF IDAHO

Water License No. 8769
WATER DISTRICT NO. 5-E.

diverted? - could
not locate
a decree -
kw
12/10/85
may be
11-0441
only 8.8 cfs

WHEREAS, On the 21st day of September, A. D. 1912,
T. H. Horsley, J. R. Lau, D. J. Lau and H. M. Lau
of Soda Springs, County of Bannock, State of Idaho, duly made application
(No. 13179) to me for a permit to use 17.32 cubic feet per second of the waters of
Five Mile Meadow Creek, in Water District No. 5-E,
County of Bannock, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 12th day of October, A. D. 1912, Permit No. 8769 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 12th day of October, A. D. 1915 and for the application to ben-
eficial use of said water on or before the 12th day of October, A. D. 1915, and,

WHEREAS, On the 18th day of September, A. D. 1915
T. H. Horsley, J. R. Lau, D. J. Lau and H. M. Lau
the holders of said permit, duly made proof of the completion of adequate works for the diversion of
17.32 cubic feet per second of said waters, as evidenced by my Certificate No. 8769,
dated June 10th, 1916, confirming the completion of works of sufficient capacity for diverting and
conveying to the place of intended use 17.32 cubic feet per second of said water,
with date of priority of September 21st, 1912,

WHEREAS, On the 18th day of September, A. D. 1915
T. H. Horsley, J. R. Lau, D. J. Lau and H. M. Lau
the holders of said permit, duly made proof of the application to beneficial use of 17.32 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

T. H. Horsley, J. R. Lau, D. J. Lau and H. M. Lau
of Soda Springs, County of Bannock, State of Idaho, the holder and owners
of said Permit No. 8769, a perpetual right, dating from September 21, 1912,
to the use of 17.32 cubic feet per second of the waters of Five Mile Meadow 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 a point in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 13,
T. 8 S., R. 41 E., B.M.,

and conducted to and upon 880 acres, divided as follows: 40 acres in each of the
following legal subdivisions: SW $\frac{1}{4}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 8 S., R. 42 E., B.M.;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ & SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ & SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ & SW $\frac{1}{4}$ SW $\frac{1}{4}$, all in Sec. 6,
SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ & SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, all in T. 9 S., R. 42 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 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 10th day of June,
A. D. nineteen hundred and sixteen.

J. H. SMITH,

(Seal)

State Engineer:

11 2050

11-2050

No. 13179.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: T. H. Horsley, J. E. Lau, D. J. Lau and H. M. Lau.

Postoffice address: Soda Springs

County: Bannock

State: Idaho.

I. If applicant is a corporation, give

(a) Date and place of incorporation:

(b) The amount of capital stock:

(c) The amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. The quantity of water claimed is seventeen and thirty-two hundredths cubic feet per second.

3. Source of water supply: Five Mile Meadows Marsh.

4. Location of point of diversion: SE4 NW4 Sec. 13 Twp. 8 S. R. 41 E. B. M. See Remarks.

County of Bannock.

5. To be used for: Irrigation and domestic purposes.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 866.16

acres.

(b) In the following legal subdivisions: Lot 4, SE4 SW4, Sec. 31, Twp. 8 S. R. 42 E. B. M. and all of Section 6 and S2 SE4, S2 SW4 Sec. 7, Twp. 9 S. R. 42 E. B. M.

II. Mining, milling, power, manufacturing, transportation or other purposes:

[a] At what point:

[b] Amount of power to be generated:

H. P. under ft. head

[c] Is water to be returned to any stream? return:

(d) If so, name stream and locate point of

6. Estimated cost of works: \$1000.00

7. Description of works for diversion:

I. Kind of works: ditch

II. Dimensions of works:

[a] Height of dam

feet, length of dam at top

feet,

length of dam at bottom

feet. Material used in construction:

[b] Capacity of reservoir

acre feet.

[c] Size of headgate, width 8

feet,

Height 3

feet. (d) Conduit

ditch

width at bottom 6

feet,

width at water line 8

feet, depth of water 3

feet, diameter of pipe

inches, average grade per mile is 7

feet.

Length of conduit is 3½

miles,

and it crosses the following quarter sections: part of NW4 and SW4 Sec. 13, NE4 SW4, SE4 Sec. 24, NE4, SW4 Sec. 25 NW4, NE4, SE4 Sec. 36, Twp. 8 S. R. 41 E. B. M. See Remark 4.

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 0 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.

T. J. Horsley, J. E. Lau, D. J. Lau, H. M. Lau,

JEL.

JEL.

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9.00 a.m. September 21, 1912.

Returned to applicant for correction September 21, 1912.

Corrected application received September 27, 1912.

APPROVAL OF STATE ENGINEER.

The number of this permit is 8769.

Recorded in Book 28 Page 8769 Approved October 12, 1912.

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 approve the same, subject to the following limitations and conditions.

Bond in the sum of to be filed on or before

Work to begin on or before December 11, 1912 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 12, 1914.

The whole of said work to be completed on or before October 12, 1915.

Beneficial use of water appropriated in accordance herewith, to be made on or before October 12, 1915.

Witness my hand this 12th day of October, 1912.

A. E. Robinson,

State Engineer.

Remarks:

#1. The point of diversion is located on Government Land.

#2. It is our intention to convey the water from point of diversion to a point in the NE4 Sec. 36, Twp. 8 S. R. 41 E. B. M. from where it will be taken through our ditch to and upon the lands to be irrigated.

#3. The second point of diversion, or where the water is turned into our ditch is located on State land described as NE4 SE4 Sec. 36, Twp. 8 S. R. 41 E. B. M.

#4. The ditch conveying the water from the natural waterway will cross part of the SE4 Sec. 36, Twp. 8 S. R. 41 E. B. M., the SW4 and part of SE4 Sec. 31, Twp. 8 S. R. 42 E. B. M., the NE4 and part of SE4 Sec. 6, across the SW corner of SW4 SW4 Sec. 5, the NW4 and SW4 Sec. 8, and the SE4 and SW4 of Sec. 7, Twp. 9 S. R. 42 E. B. M.

.....

Proof of completion of works made Sept. 18, 1915.

Report of Engineer made May 22, 1916.

Certificate of Completion of Works issued June 10, 1916.

Permit No. 8769.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:-

This is to certify that T. H. Horsley, J. R. Lau, D. J. Lau and H. M. Lau, of Soda Springs, County of Bannock, State of Idaho, the holders of permit No. 8769, issued upon Application No. 12179, bearing date of priority of September 21, 1912, authorizing the diversion of 17.32 second feet of the waters of Five Mile Meadows Creek, County of Bannock, State of Idaho, for irrigation and domestic use, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of 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 17.32 second feet of the waters of Five Mile Meadows Creek; that the point of diversion of said waters is in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 13, T. 8 S., R. 41 E. B. M., and that the lands proposed to be irrigated by use of said water are described as follows, to-wit: Lot 4 and the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 31, T. 8 S., R. 42 E. B. M., All of Section 6 and S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 7, in T. 9 S., R. 42 E. B. M., containing 880 a

Witness my hand this 10th day of June, A.D. 1916.

J.H.SMITH, State Engineer of the State of Idaho

Recorded by *CB*
Checked by *CB*

License issued for 17.32 second feet

Page 2020

REPORT OF ENGINEER

COMPLETION OF WORKS.

1. State name of applicant and number of permit: T. H. Horsley, et al -Permit 8769.
2. State source of water supply: Five Mile Meadows Marsh - 17.32 sec.ft.
3. Location of point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.13, T. 8 S.R. 41 E.B.M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes -

5. Describe works as they exist, giving dimensions and capacities of same: At Five Mile Meadows Marsh - Dam 8' high of earth & stones, 110' long on top, 40' on bottom - headgate of concrete - 7' wide & 5' high - Reservoir of about 1000 ac. ft. Capacity - empties into natural channel which feeds Soda Springs Creek - Dam at Soda Spring is 10' high, of stones & logs, 30' long on top, 18' on bottom. Waste gate control below dam, of concrete, 6' wide, 2' deep - plank boards used. Ditch 6' on bottom, 8' on water line, 2' deep - grade about 8' per mile. Carrying about 12 sec. ft. at time of examination.

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):

Lot 4. SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. ³¹ T.8 S.R.42 E. All of Sec.6, S $\frac{1}{2}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 7. T.9 S., R. 42 E.B.M. All in cultivation and under irrigation.

8. Submit map on enclosed plat, showing location and details of above description.

Remarks: 5 Mile Meadows Marsh is fed by canal leading from Formation Springs and by seepage from the Gov. Dam on Blackfoot River.

This examination was made on the 22nd day of May 1916.

(Signed)

Examiner.

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

STATE OF IDAHO

County of _____

} ss.

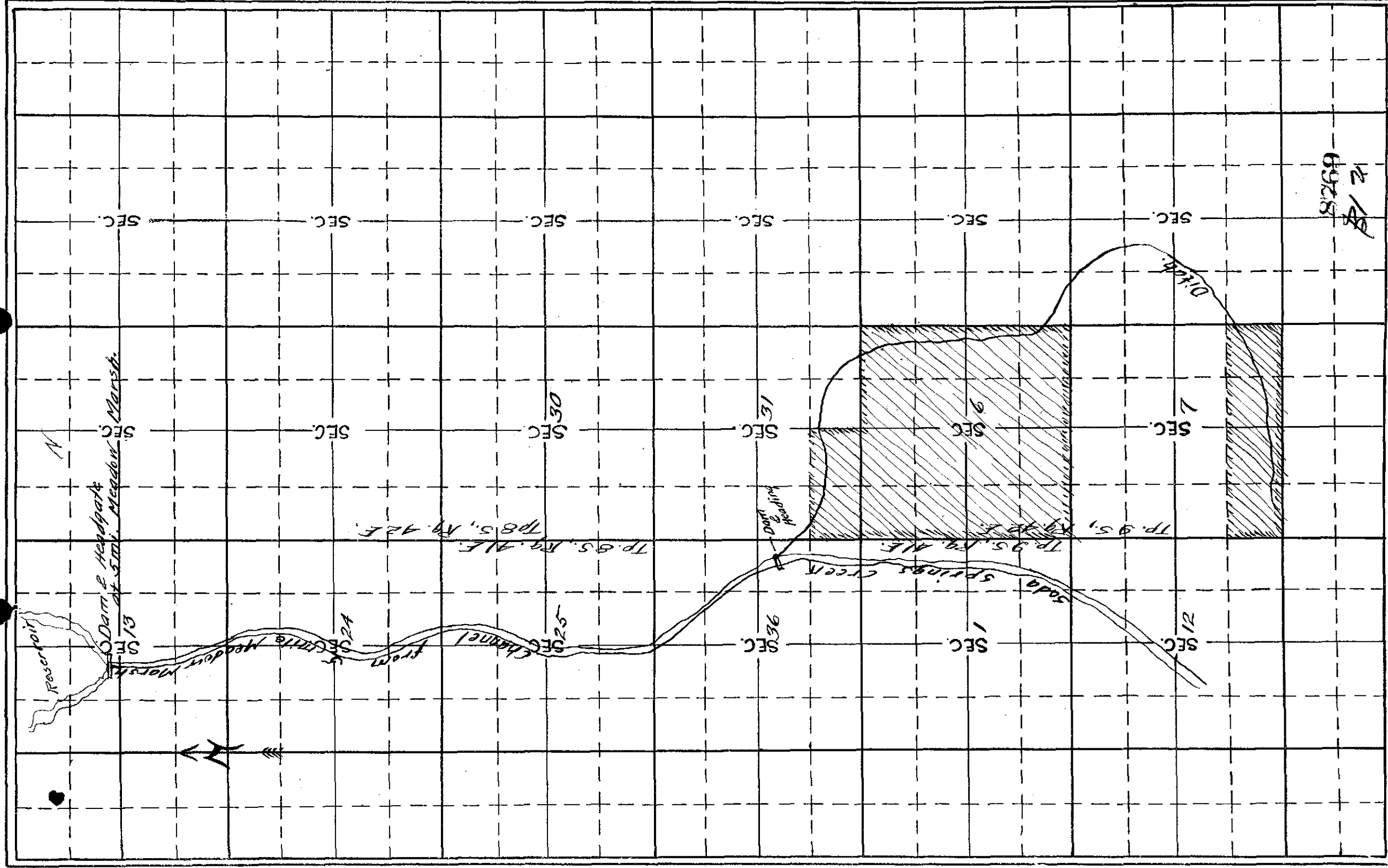
_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 191____

Notary Public.

My Commission Expires _____

Name of Applicant D. J. Lau, H. M. Lau, J. E. Lau, T. H. Herselcy # 8769



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