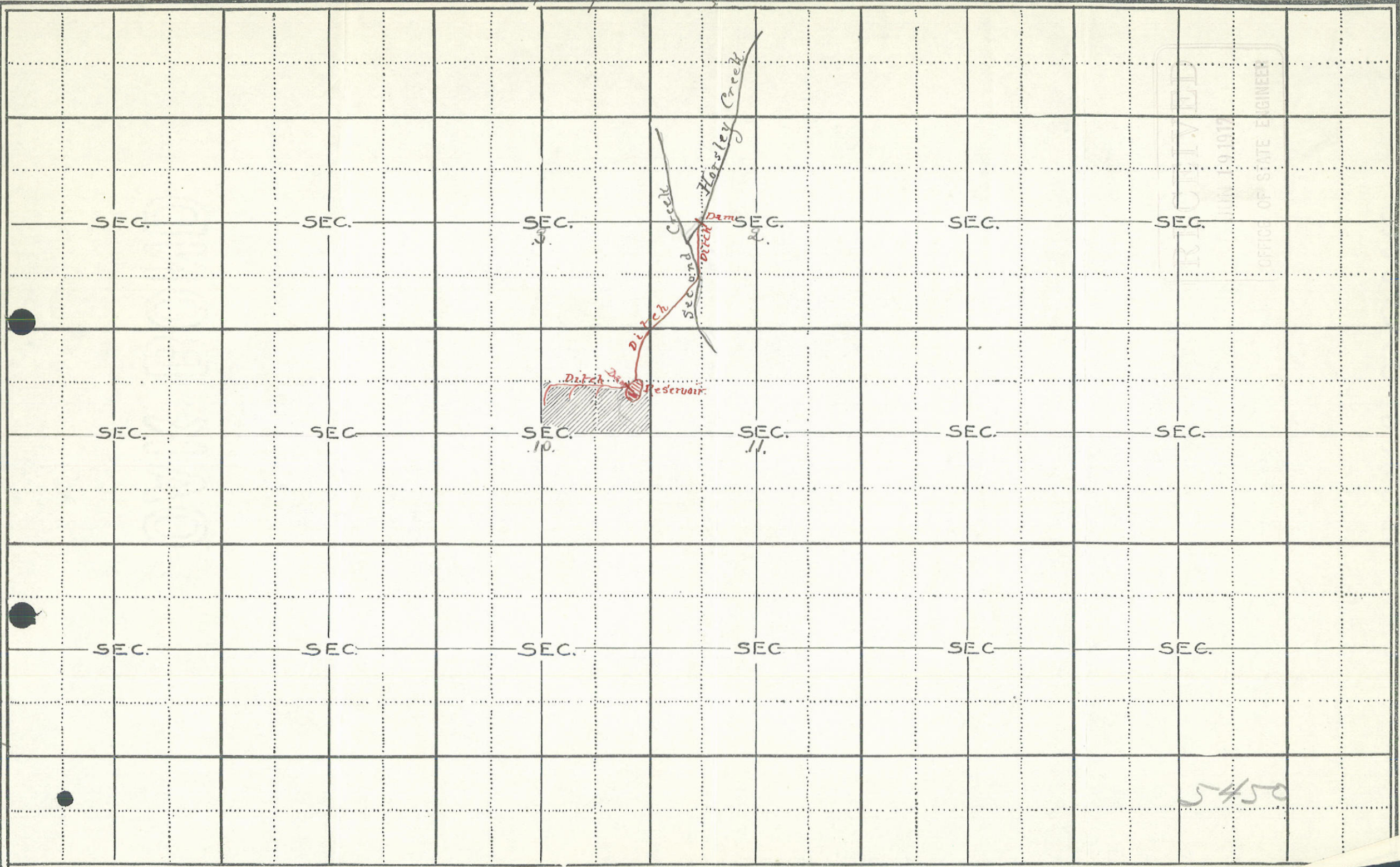


Name of Applicant. *Peter Lund.*

Township No. 9. South Range No 41. E. B. M.



RECEIVED
JUN 19 1917
OFFICE OF STATE ENGINEER

5450

Bannock County *
Horseley Creek *
1.2 second-feet *
Irrigation *
Priority 11/15/1909 *

S T A T E O F I D A H O
Water License No. 5450

WHEREAS, On the 15th day of November, A.D. 1909, PETER LUND, of Soda Springs, County of Bannock, State of Idaho, duly made application (No. 7889) to me for a permit to use 1.6 cubic feet per second of the waters of HORSELEY CREEK, County of Bannock, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 15th day of November, A.D. 1909, Permit No. 5450 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 15th day of November, A.D. 1911, and for the application to beneficial use of said water on or before the 15th day of November, A.D. 1911, and,

WHEREAS, On the 15th day of November, A.D. 1911, PETER LUND, 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. 5450, dated June 25th, 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 water, with date of priority of November 15th, 1909, and,

WHEREAS, On the 15th day of November, A.D. 1911, PETER LUND, the holder of said permit, duly made proof of the application to beneficial use of 1.2 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 PETER LUND, of Soda Springs, County of Bannock, State of Idaho, the holder and owner of said Permit No. 5450, a perpetual right, dating from November 15, 1909, to the use of 1.2 cubic feet per second of the waters of HORSELEY 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 Southwest Corner of the Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 2, Township 9 South, Range 41, East of the Boise Meridian, and conducted to and upon 60 acres, divided as follows: (25 acres in the Southeast quarter of the Northeast quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), and 35 acres in the Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 10, Township 9 South, Range 41, East of the 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 25th day of June, A.D. Nineteen hundred and twelve.

(SEAL)

A. E. Robinson.
State Engineer.

No. 7889.

11-2033

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Peter Lund,
Postoffice address: Soda Springs,
County: Bannock, State, Idaho.
2. The quantity of water claimed is 1-3/5 cubic feet per second.
3. Source of water supply: Horsely Creek.
County of Bannock.
4. Location of point of diversion: S. W. Corner SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 2 T. 9 S. R. 41 E. B. M.
5. To be used for:
 - I. Irrigation and domestic use:
 - (a) Amount of land to be irrigated: 80 acres.
 - (b) In the following legal subdivisions: S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10 T. 9 S. R. 41 E. B. M.
6. Estimated cost of works: \$350.00.
7. Description of works for diversion:
 - I. Kind of works, dam, ditch, reservoir & Ditch.
 - II. Dimensions of works:
 - (a) Height of dam 3 feet, length of dam at top 10 feet, length of dam at bottom 8 feet. Material used in construction, wood, earth & stone.
 - (b) Capacity of reservoir: 20 acre feet.
 - (c) ~~Size~~ of headgate; Width 3 feet, height 2 feet.
 - (d) Conduit, ditch, width at bottom 2 feet, width at water line 2 $\frac{1}{2}$ feet, depth of water 1 foot. Average grade per mile is 7 feet. Length of conduit is one mile and it crosses the following quarter sections: W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 2, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11 & NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10 T. 9 S. R. 41 E. 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 two years.
9. Time required for the complete application of the water to the proposed use is 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.

Peter Lund, Applicant.

By Chas. B. Wilson, Agent..

APPROVAL OF STATE ENGINEER.

The number of this permit is 5450.

Date of first receipt of application 9.00 a. m. November 15, 1909.

Recorded in Book 16, Page 5450, Approved November 15, 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 January 14, 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 November 15, 1910.

The whole of said work to be completed on or before November 15, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to November 15, 1911.

Witness my hand this fifteenth day of November, 1909.

Jas. Stephenson, Jr.,

State Engineer.

Both Notices received October 9th, 1911, fixing November 15th, 1911, as date, and Soda Springs, Idaho, as place of proof.

Deposition blanks mailed October 10th, 1911, to Harry Drewery, J.P.

Publication Notice mailed October 13th, 1911, to the Soda Springs Chieftain.

Depositions and affidavit of publication received November 20th, 1911.

Fees received December 12th, 1911.

C. B. Wilson authorized May 28th, 1912, to make the required examination.

Report received June 19th, 1912.

Certificate and License issued June 25th, 1912.

License issued for 1.2 second-feet.

Permit No. 5450

CERTIFICATE OF COMPLETION OF WORKS

To All Whom it May Concern:

This is to certify that PETER LUND, of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No. 5450, issued upon Application No. 7889, bearing date of priority of November 15th, 1909, authorizing the diversion of 1.6 second feet of the waters of HORSELEY CREEK, 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 1.6 second feet of the waters of Horseley Creek, that the point of diversion of said waters is at a point in the Southwest Corner of the Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 2, Township 9 South, Range 41, East of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: South half of the Northeast quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$), Section 10, Township 9 South, Range 41, East of the Boise Meridian.

Witness my hand this 25th day of June, A.D. 1912.

A. E. Robinson.

State Engineer.

License issued for 1.2 second feet

Page 1079

WRR100
11-2033

VERIFIED KAW
12-17-85

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
11-DEC-1985 20:41:10

01 WATER RIGHT NUMBER - 11-2033 ✓ 02 OLD (D) NUMBER - 5450

03001 - LUND LAST NAME 04001 - PETER FIRST NAME 05001 - C ORIG. OWNER

06 ADD LINE 1 -

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - SODA SPRINGS

10 STATE - ID

11 ZIP - 832760000 ✓

12 STAGE - L LICENSE

13 STATUS -

SOURCE
14001 - HORSELEY CREEK

TRIBUTARY OF
15001 - BEAR RIVER ✓

16 DIVERSION MEANS - DAM, DITCH, & RES.

17 COUNTY - 29 CARIBOU

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 1.200

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT - 118 ✓

----- DIVERSION POINTS -----														
TRACT	SEC	TWN	RNG	LOT	RFLG	S T R E A M I N D E X F I E L D S								
22001 - SENW	23001 - 02	24001 - 09S	25001 - 41E	26001 - 27001 -										
			28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0

29 NON-IRRIGATION USE -

----- PLACE OF USE -----							
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT	
30001 - 01 IRRIGATION	31001 - 09S	32001 - 41E	33001 - 10	34001 - SENE	35001 - 25	36001 -	
30002 - 01 IRRIGATION	31002 - 09S	32002 - 41E	33002 - 10	34002 - SWNE	35002 - 35	36002 -	
							TOTAL ACRES: 60 ✓

----- WATER USE -----							
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME			
37001 -	38001 -	39001 - 01 IRRIGATION	40001 - 1.200	41001 - 0.00			
37002 -	38002 -	39002 - 43 DOMESTIC	40002 - 0.000	41002 - 0.00			

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 - RT. IS IN ERROR. THERE IS NO CREEK IN S2, T9S, R41E. ✓

APPROVAL CONDITIONS: 45001 - ✓

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----			----- D A T E S -----			----- F L A G S -----		
47 PRIORITY	- 15-NOV-1909		55 LICENSE	- 25-JUN-1912 ✓		63 TRANSFER/AMENDED	-	
48 PROOF DUE	-		56 APPL RECEIVED	-		64 DLE/CAREY ACT	-	
49 PROOF MADE	-		57 FIELD EXAM MADE	-		65 FLAG_1	-	
50 APPROVE/DENIED	-		58 DECREE	-		66 FLAG_2	-	
51 PROTESTED	-		59 START WORK	-		67 FLAG_3	-	
52 HEARING	-		60 ORDER SHOW CAUSE	-				

WRR100
11-2033

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
11-DEC-1985 20:41:10

----- D A T E S ----- D A T E S ----- F L A G S -----

53 VERIFIED -
54 LAST UPDATE * 11-DEC-1985

61 DATE_1 -
62 DATE_2 -

WATER RIGHT
DATA ENTRY LOG

[illegible]

REPORT OF ENGINEER.

1. State name of applicant and number of permit: Peter Lund No. 5450

2. State source of water supply: Ansley Creek

3. Location of point of diversion: S.W. Corner S.E. 1/4 NW 1/4, Sec. 2, T. 9, S. R. 41, E. B. M.

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

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 2 feet
- (b) Width at water line: 2 1/2 feet
- (c) Depth of water: 1 foot
- (d) Grade per mile: 7 feet / 3 1/2
- (e) Capacity of ditch: 1 1/5 second feet.

6. State whether or not water has been turned into works of diversion, and if so, to what extent:
Yes to the full extent

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: S. 1/2, N. E. 1/4, Sec. 10, T. 9, S. R. 41, E. B. M.
S. E. 1/4, N. E. 1/4, Sec. 10, T. 9, S. R. 41, E. B. M. = 2.5 Acres.
S. W. 1/4, N. E. 1/4, Sec. 10, T. 9, S. R. 41, E. B. M. = 3.5 Acres.

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:

STATE OF IDAHO,
County of Bannock } ss.

Chas. B. B. B.

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 18 day of June, 1912.

W. C. B. B.

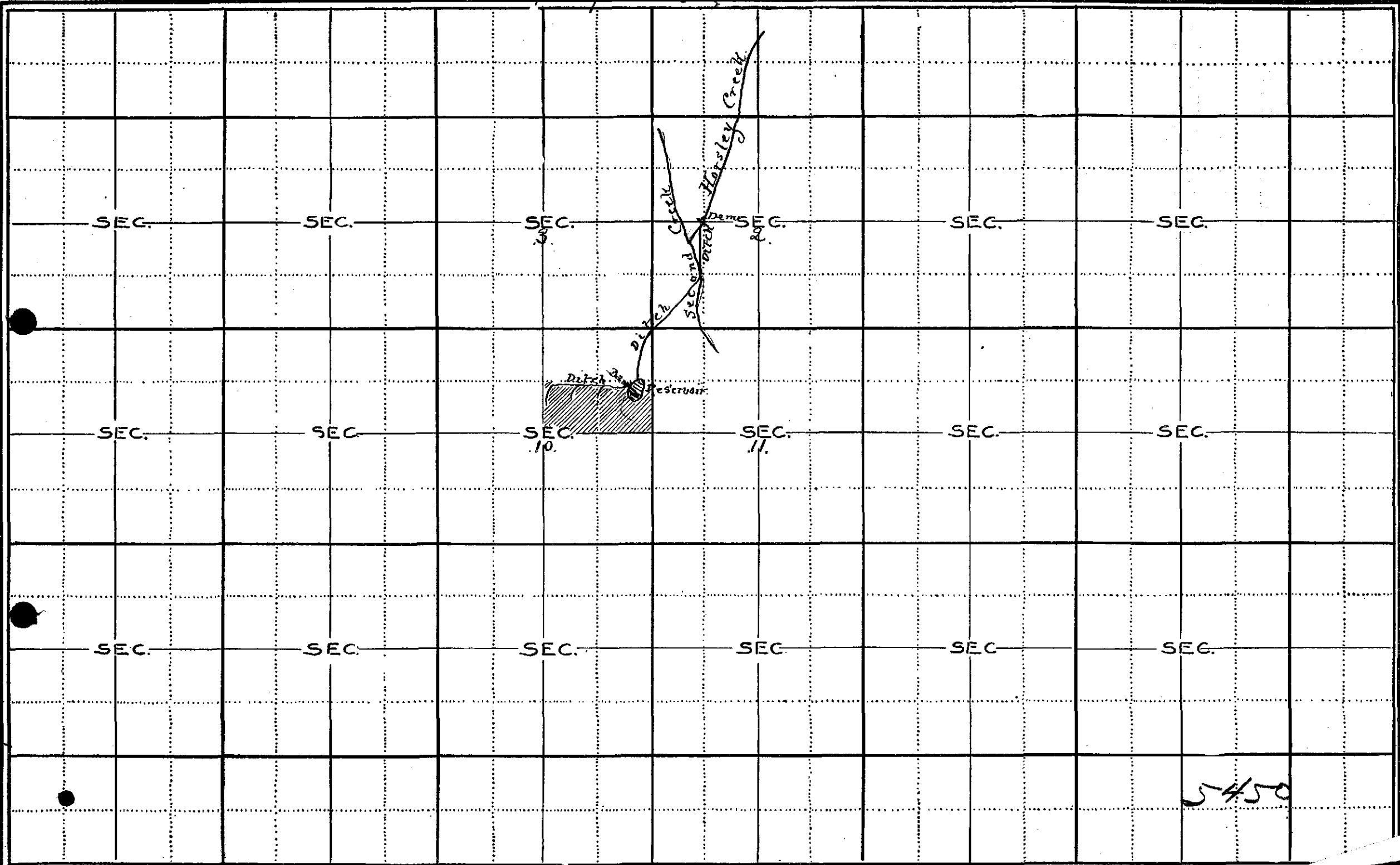
My Commission Expires. Feb. 14, 1914.

Notary Public

5450

Name of Applicant. Peter Lund

Township No 9, South Range No 41, E. B. M.



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

Printed and for sale by the Statesman Printing Co., Boise

5450