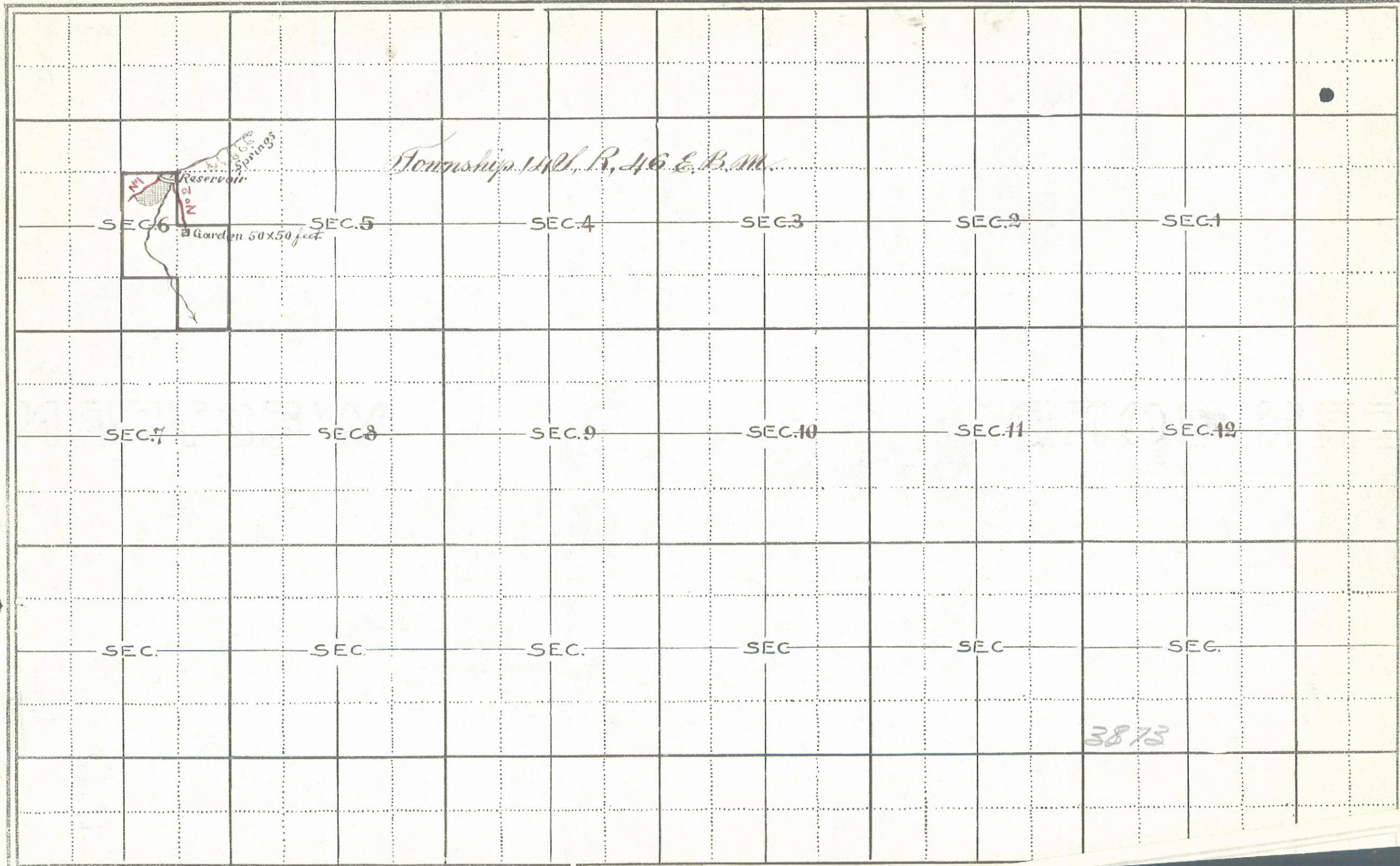




 Bear Lake County *
 Springs *
 .1 of 1 second foot *
 Irrigation and domestic *
 Priority 7-15-1908 *

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

Water License No. 3873

--0--

WHEREAS, On the 15th day of July, A.D.1908, JOHN WUTHRICH, of Montpelier, County of Bear Lake, and State of Idaho, duly made application (No. 5444) to me for a permit to use .1 of 1 cubic foot per second of the waters of Springs, County of Bear Lake, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 1st day of August, A.D.1908, Permit No. 3873 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.1909, and for the application to beneficial use of said water on or before the 1st day of February, A.D.1909, and

WHEREAS, On the 1st day of February A.D.1909, the holder of said permit duly made proof of the completion of adequate works for the diversion of .1 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 3873, dated March 23, 1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use .1 of 1 cubic foot per second of water, with date of priority of July 15, 1908, and

WHEREAS, On the 1st day of February A.D.1909, proof was duly made of the application to beneficial use of .1 of 1 cubic foot per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to JOHN WUTHRICH, of Montpelier, Idaho, the holder and owner of said Permit No. 3873, a perpetual right, dating from July 15, 1908, to the use of .1 of 1 cubic foot per second of the waters of springs, in the County of Bear Lake, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in northwest quarter of northwest quarter, section 5, township 14 south, range 46 east of Boise meridian, and conducted to and upon about 15 acres in south west quarter of northeast quarter of section 6, township 14 south, range 46 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 23rd day of March,
 A.D. Nineteen Hundred and nine.

(SEAL)

Jas. Stephenson, Jr.

Recorded March 23, 1909

State Engineer.

11 2028

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: John Wuthrich.

Postoffice address: Montpelier.

County: Bear Lake State: Idaho.

2. The quantity of water claimed is 1/10 of one cubic foot per second.

3. Source of water supply: Seven small springs in Sections 5 and 6 Tp. 14 S. R. 46 East B.M.

County of Bear Lake, State of Idaho.

4. Location of point of diversion: NW4 NW4 Sec. 5, Tp. 14 S. R. 46 E. B. M.

5. To be used for:

I. Irrigation and domestic use: Yes.

(a) Amount of land to be irrigated: Fifteen acres.

(b) In the following legal subdivisions: SW4 NE4 Sec. 6, Tp. 14 S. R. 46 E. B.M.

6. Estimated cost of works: 75.00/100

7. Description of works for diversion:

I. Kind of works: Ditch from Upper Spring 3/4 of a mile and small Reservoir.

II. Dimensions of works:

(a) Height of dam 6 feet, length of dam at top 100 feet, length of dam at bottom 50 feet. Material used in construction: Earth.

(b) Capacity of reservoir: about 10 acre-feet.

(c) Size of headgate: Width 4 X 6 inches.

(d) Conduit....., width at bottom 12 inches, width at water line 18 inches, depth of water 6 inches. Length of conduit is 3/4 of a mile, and it crosses the following quarter sections: NW4 Sec. 5, NE4 NE4 Sec. 6, Tp. 14 S. R. 46 E. B. M. to land described in 5 I (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is now completed.

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

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.

John Wuthrich,

Applicant.

By.....Walter Hoge....Agent.

Remarks: There are four small springs on NE4 NE4 Sec. 6, and two small springs on SW4 NE4 of Sec. 6, Tp. 14 S. R. 46 E. B. M. All of the springs combined will not measure 1/50 cubic foot of water but by cleaning them out and reservoiring he expects to be able to obtain sufficient water to irrigate 10 acres of land in the NE Corner of SW4 of NE4 of Sec. 6 Tp. 14 S. R. 46 E. B. M.

APPROVAL OF STATE ENGINEER.

The number of this permit is 3873.

Date of first receipt of application 9.00 a.m. July 15, 1908.

Returned to applicant for correction July 15, 1908.

Corrected application received July 30, 1908.

Recorded in Book 11 Page 3873m Approved August 1, 1908.

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 September 30, 1908, 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 1, 1908.

The whole of said work to be completed on or before February 1, 1909.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to February 1, 1909.

Witness my hand this first day of August, 1908.

Jas. Stephenson, Jr.,

State Engineer.

Blank notice for proof of completion mailed applicant, also notice for beneficial use December 14, 1908.

Notices received December 19, 1908, fixing February 1, 1909 as date and Montpelier as place of proof.

Notice for publication mailed Montpelier Examiner, December 28, 1908.

Deposition blanks mailed Applicant December 28, 1908.

E.V. Bucher, authorized December 28, 1908, to make examination of works.

His report received January 4, 1909.

Depositions, affidavit of publication and fees received February 3, 1909.

Certificate of completion and water license issued March 23, 1909/

Permit No. 3873.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that JOHN WUTHRICH, of Montpelier, County of Bear Lake, and State of Idaho, the holder of Permit No. 3873, issued upon Application No. 5444, bearing date of priority of July 15, 1908, authorizing the diversion of .1 of 1 second foot of the waters of Springs, County of Bear Lake, 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 of 1 second foot of the waters of Springs, that the point of Diversion of said waters is at a point in the northwest quarter of northwest quarter of section 5, township 14 north, range 46 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: Southwest quarter of northeast quarter, section 6, township 14 south, range 46 east of the Boise meridian.

Witness my hand this 23rd day of March, A.D. 1909.

Jas. Stephenson, Jr.

State Engineer.

License issued for 1/10 second feet

Page 447

RECEIVED KAW
12-17-85

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

02 OLD (D) NUMBER - 3873

ORIG. OWNER
05001 - C

07 ADD LINE 2 -

09 CITY - MONTPELIER

10 STATE - ID 11 ZIP - 832540000

13 STATUS -

15001 - TRIBUTARY OF

17 COUNTY - 07 BEAR LAKE

19 TOTAL DIVERSION RATE - .100

20 TOTAL DIVERSION VOLUME = .00

TRACT				SEC	TWN	RNG	DIVERSION POINTS		STREAM INDEX FIELDS								
							LOT	RFLG									
22001 -	NWNW	23001 - 05	24001 - 14S	25001 - 46E	26001 -	27001 -											
					28001 -	0	100.0	181.0	1.6	0.0	0.0	0.0	0.0	0	0	0	2.6

USE CODE / USE	TWN	RNG	PLACE OF USE SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 14S	32001 - 46E	33001 - 06	34001 - SWNE	35001 - 15	36001 -
						TOTAL ACRES: 15

PERIOD FROM		PERIOD TO		USE CODE / USE		WATER USE		DIVERSION RATE		DIVERSION VOLUME	
37001 -	38001 -	39001 -	01	IRRIGATION ✓	40001 -	0.100 ✓	41001 -	0.00 ✓			
37002 -	38002 -	39002 -	43	DOMESTIC ✓	40002 -	0.000 ✓	41002 -	0.00 ✓			

43 DECREE DEFENDANT NAME -

APPROVAL CONDITIONS: 45001 -

D A T E S		D A T E S		F L A G S	
47	PRIORITY - 15-JUL-1908	55	LICENSE - 23-MAR-1909 ✓	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 -		
53	VERIFIED -	61	DATE_1 -		

WRR100
11-2028

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 -----

54 LAST UPDATE - 11-DEC-1985

62 DATE_2 -

IDENT. NO. 11-2028

WATER RIGHT
DATA ENTRY LOG[illegible]

Township 14 N., R. 46 E. B. M.

*Wells
No. 1
No. 2
Reservoir
Spring*

Garden 50x50 feet

SEC. 6

SEC. 5

SEC. 4

SEC. 3

SEC. 2

SEC. 1

SEC. 7

SEC. 8

SEC. 9

SEC. 10

SEC. 11

SEC. 12

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

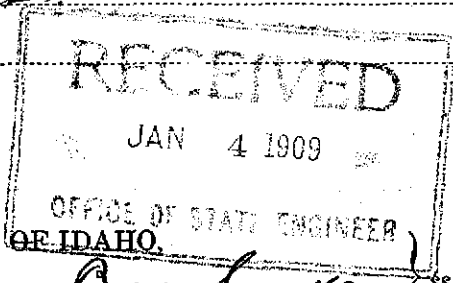
3873

SCALE 2 INCHES = 1 MILE DRAWN BY J. H. B. 1917

Report of Engineer

1. State name of applicant and number of permit: *John Muthrich N° 3873*
2. State source of water supply: *Several small springs in Sec 5 and 6*
3. Location of point of diversion: *NE corner SW 1/4 of NE 1/4 Sec 6*
TP 14 S, R 46 E BM springs get lost in lower part of claim.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *Dam and two ditches are complete and in use.*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *1 1/2 feet*
 - (b) Width at water line: *2 feet*
 - (c) Depth of water: *4-5 inches*
 - (d) Grade per mile: *14 feet.*
6. State whether or not water has been turned into works of diversion and if so, to what extent: *Reservoir was half filled and water was flowing in ditch No 1. Ditch No 2 is used for irrigating a garden spot.*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *About 15-17 acres of meadow in SW 1/4 NE 1/4 Sec 6 TP 14 S, R 46 E BM that can possibly be irrigated and is actually applied.*
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: *The reservoir dam has a height of 6 feet for a length of 20 feet. Top of dam 5 feet, outside slope 2.5/1 inside slope 1:1, length of dam 120 feet.*
Amount of water when reservoir is filled: 2,5000 cub. feet.



Edward V. Bucher, surveyor

County of *Bear Lake* ss.

Edward V. Bucher, 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 *31st* day of *Dec* 190*8*

My Commission Expires *Feb 14, 1912*

Chas E Harris
Notary Public.

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