

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

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— Permit, No. 3827

-Daniel Males

— $M_{2/p}$ —

C. B. Wilcox
Soda Springs
22 Dec 1908

48

 Bannock County *
 Second Creek *
 2.6 second feet *
 Irrigation *
 Priority 7-11-08 *

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

Water License No. 3827.

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I could not
 find any similarities
 between this Rt.
 and above mentioned
 decree - therefore I
 have not coded
 any mention of
 above decree -
 see complex review -
 Kay Wally
 12-10-1985

see also decree 11-0536

WHEREAS, On the 11th day of July A.D.1908, DANIEL MILES, of Soda Springs, County of Bannock, and State of Idaho, duly made application (No. 5436) to me for a permit to use 4.8 cubic feet per second of the waters of Second Creek, County of Bannock, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 18th day of July A.D.1908, Permit No. 3827, 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 18th day of Jan. A.D. 1909, and for the application to beneficial use of said water on or before the 18th day of Jan. A.D.1909, and,

WHEREAS, On the 22nd day of December A.D.1908, the holder of said permit duly made proof of the completion of adequate works, for the diversion of 4.8 cubic feet per second of said waters, as evidenced by my Certificate No. 3827, dated December 28, 1908, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 4.8 cubic feet per second of said water, with date of priority of July 11, 1908, and,

WHEREAS, On the 22nd day of December A.D.1908, proof was duly made of the application to beneficial use of 2.6 cubic feet 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 DANIEL MILES, of Soda Springs, Idaho, the holder and owner of said Permit No. 3827, a perpetual right, dating from July 11, 1908, to the use of 2.6 cubic feet per second of the waters of Second Creek, County of Bannock, State of Idaho, or so much thereof as may be necessary for the purposes herein below mentioned, to be diverted at two points in the northeast quarter of northwest quarter of section 15, township 9 south, range 41 E.B.M., and conducted to and upon (10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 35 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 30 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 25 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; all in section 11, 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 28th day of December A.D.
 Nineteen Hundred and eight.

Jas. Stephenson, Jr
 State Engineer

(SEAL)

Recorded December 28, 1908

11 2026

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Daniel Miles.

Postoffice address: Soda Springs.

County: Bannock State: Idaho.

2. The quantity of water claimed is $4 \frac{4}{5}$ cubic feet per second.

3. Source of water supply: Second Creek

County of Bannock. *Carbon*

4. Location of point of diversion: No. 1 Ditch 120 ft. Easterly from NW corner $NE\frac{1}{4}$ Sec. 11 T.9S.R 41
No. 2 Ditch 400ft.S.Easterly " NW " $NE\frac{1}{4}$ NW $\frac{1}{4}$ Sec.11T9S'R41

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 240 acres.

~~(b) In the following legal subdivisions: NW $\frac{1}{4}$ Sec. 11 and SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11 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: 2 Dams and 2 Ditches.

II. Dimensions of works:

(a) Height of dam No. 1 5' feet, length of dam at top 90 feet, length of dam at bottom

No 2 4' " Do 25 " Do

(No.1) 90 feet. Material used in construction: (No.1) Earth & stone

(No.2) 25 " Do (No.2) Earth & stone

(c) Size of headgates: No.1 Width $3\frac{1}{2}$ feet, height 2 feet.

Do No.2 " $5\frac{1}{2}$ " " 4 "

(d) Conduit Ditch No. 1, Width at bottom 5 feet, width at water line $5\frac{1}{2}$ feet, depth of

Ditch No. 2 D ϕ $2\frac{1}{2}$ " Do do $2\frac{1}{2}$ " do

water $1\frac{1}{2}$ feet. Average grade per mile is (No.1) 7 feet. Length of conduit is

$\frac{1}{2}$ " do (No2) 14 "

No. 1 (Main ditch $\frac{1}{2}$ mile)
No. 1 (East Fork $\frac{1}{2}$ ")

No. 2 $\frac{1}{2}$ miles.,

and it crosses the following quarter sections: all on

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 already completed.

9. Time required for the complete application of the water to the proposed use is already completely applied.

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.

Daniel Miles, Applicant.

By.....Chas. B. Wilson.....Agent.

APPROVAL OF STATE ENGINEER.

The number of this permit is 3827.

Date of first receipt of application 9.00 a.m. July 11, 1908.

Recorded in Book 11 Page 3827 Approved July 18, 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 16, 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 October 18, 1908.

The whole of said work to be completed on or before January 18, 1909

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to January 18, 1909.

Witness my hand this eighteenth day of July, 1908.

Jas. Stephenson, Jr.,

State Engineer.

Blank notice for proof of completion mailed applicant, Sept, 28, 1908.

Notice received October 17, 1908, fixing, Nov. 30, 1908 as date and Soda Springs as place of proof.

Notice for publication mailed Soda Springs Chieftian, October 28, 1908.

Deposition blanks mailed applicant :October 28, 1908

C.B. Wilson, authroized, December 8, 1908 to make examination of works.

His report received December 26, 1908.

Depositions, affidavit of publication and fees received December 26, 1908.

Certificate and Water License issued December 28, 1908.

Permit No. 3827.

CERTIFICATE OF COMPLETION OF WORKS

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To All Whom it May Concern:

This is to certify that DANIEL MILES, of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No. 3827, issued upon Application No. 5436, bearing date of priority of July 11, 1908, authorizing the diversion of 4.8 second feet of the waters of Second 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 4.8 second feet of the waters of Second Creek, that the point of Diversion of said waters is ^{at} two points in the northeast quarter of northwest quarter of section 11, township 9 south, range 41 east of Boise meridian, and that the lands proposed to be irrigated by the use of said waters are described as follows, to-wit : The northwest quarter southwest quarter of northeast quarter and the northwest quarter of southeast quarter of section 11, township 9 south, range 41 east of the Boise meridian.

Witness my hand this 28th day of December A.D. 1908.

Jas. Stephenson, Jr.

State Engineer.

License issued for ²⁶ second feet

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IDENT. NO. 11-2026

WATER RIGHT
DATA ENTRY LOG

[illegible]

Report of Engineer

1. State name of applicant and number of permit: Daniel Mules No. 3827
2. State source of water supply: Second Creek Bannock County Idaho
3. Location of point of diversion: No. 1 Ditch 120 ft E from NW Corner NE 1/4 NW 1/4 Sec 11 T9 S R. 41 E B. No.
No. 2 5° 40' SE NW NE 1/4 NW 1/4 11 9 41
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 of same as follows:
- (a) Width of conduit at bottom: No. 1 = 5.0 No. 2 = 2.6
- (b) Width at water line: No. 1 = 5.0 No. 2 = 2.6
- (c) Depth of water: No. 1 = 16 inches No. 2 = 6 inches
- (d) Grade per mile: No. 1 = 6.8 No. 2 = 13.4
6. State whether or not water has been turned into works of diversion and if so, to what extent: Yes all the water in Creek, as above

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: NW 1/4 Sec 11 SW 1/4 NE 1/4, NW 1/4 SE 1/4 Sec 11 T9 S R. 41 E B. No.
NW 1/4 NW 1/4 10 acres SE 1/4 NW 1/4 30 acres
SW 1/4 NW 1/4 10 SW 1/4 NE 1/4 30 } Sec 11 T9 S R. 41 E B. No.
NE 1/4 NW 1/4 35 NW 1/4 SE 1/4 25

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: Vide Map No. 1 Ditch runs E of NW 1/4 NW 1/4 Sec 11. and
East Fork crosses SW Corner NW 1/4 NE 1/4 Sec 11.

STATE OF IDAHO,

County of Bannock } ss.

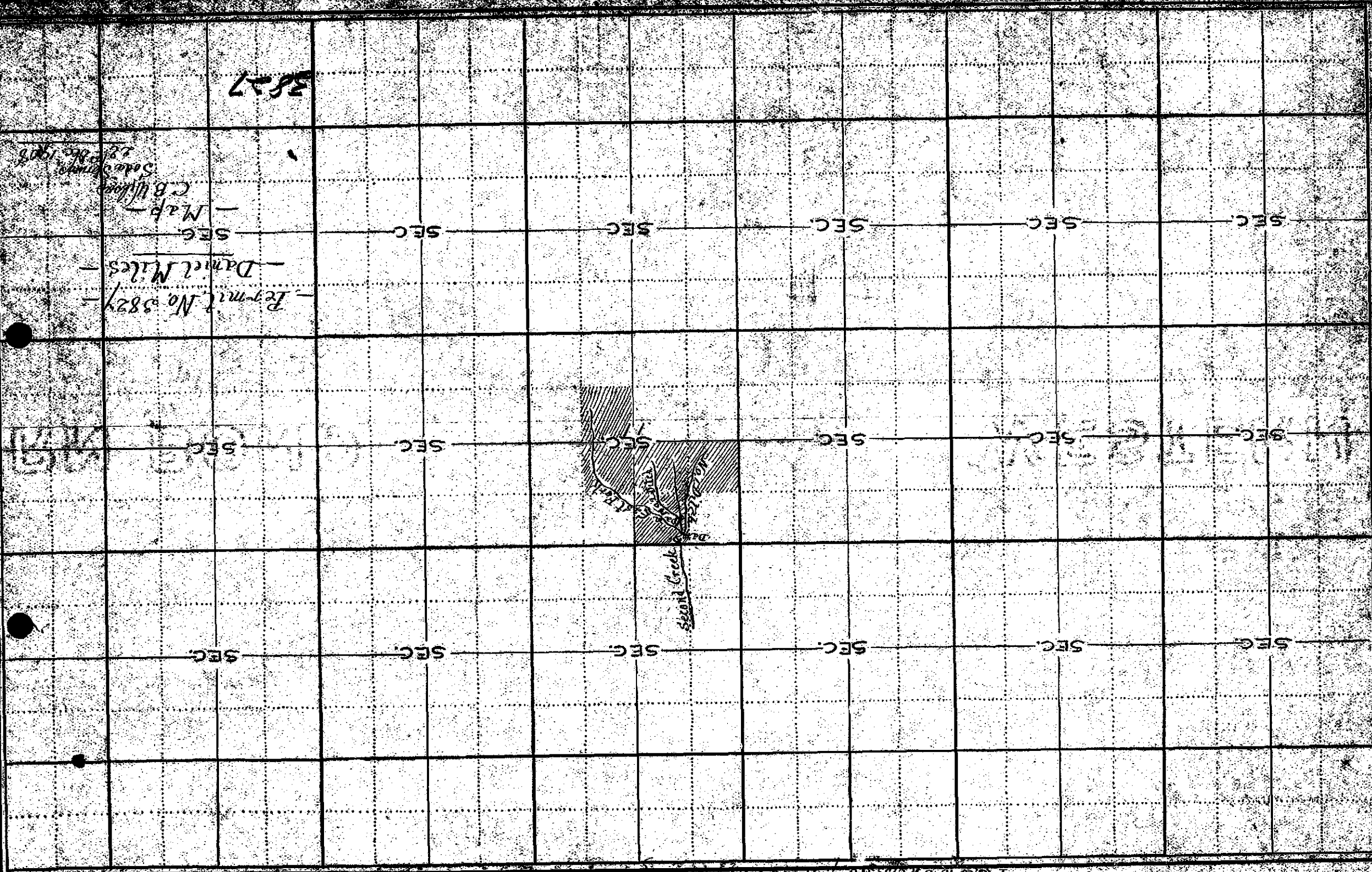
Charles B. Wilson, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 22nd day of December 1908.

My Commission Expires March 28, 1912,

E. S. Whittier
Notary Public.

3827



3827

Permit No. 3827
Damel Miles
Map
C.B. Wilson
Soda Springs
28th Dec 1908

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