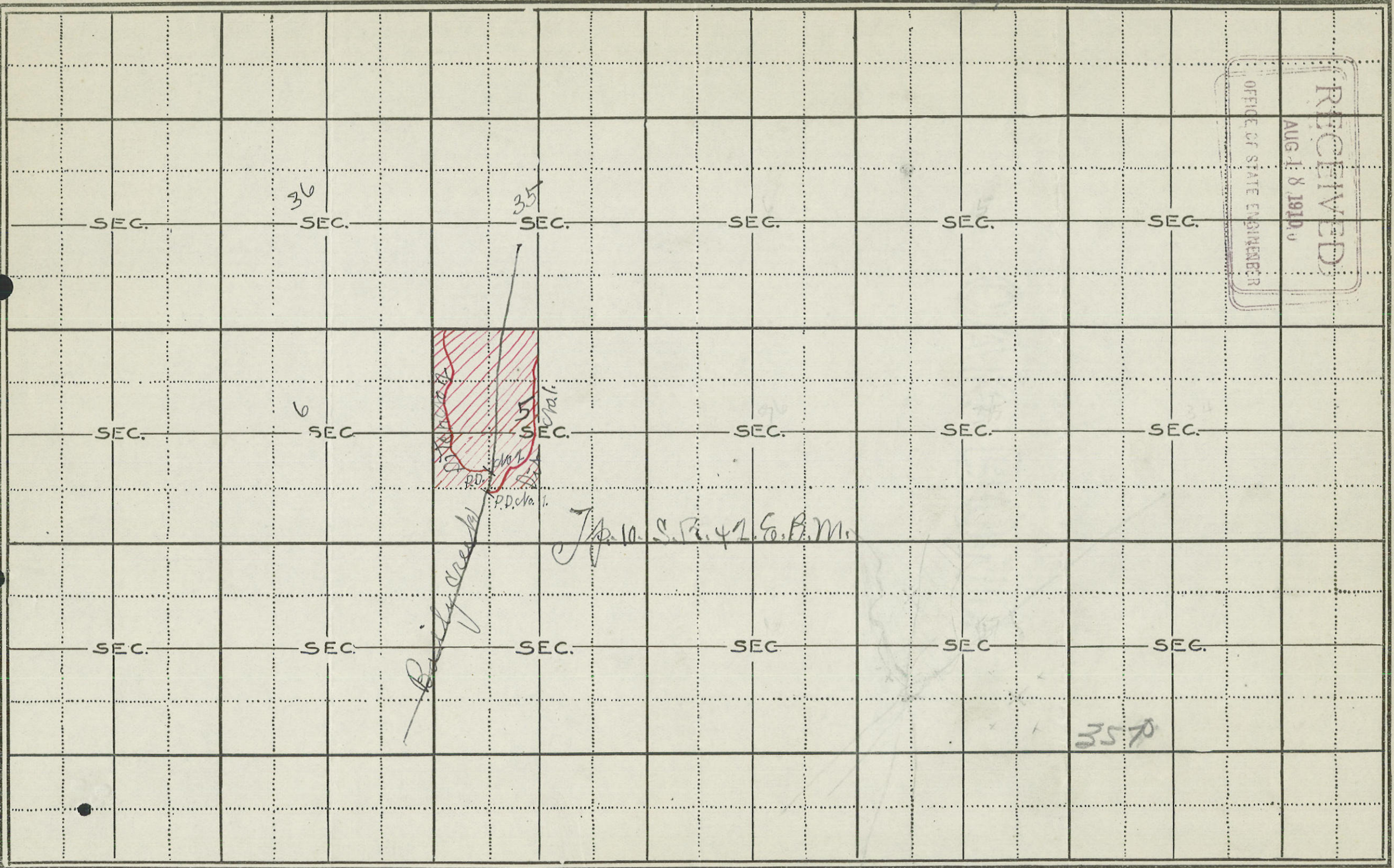


7p 10 S R 42.

RECEIVED
AUG 18 1910
OFFICE OF STATE ENGINEER



Bear Lake County,
 3 cu.ft. per sec.
 Bailey Creek
 Irrigation and domestic
 Priority, April 7, 1908.

S T A T E O F I D A H O
 WATER LICENSE No. 3570

WHEREAS, On the 7th day of April A.D. 1908 HARVEY W. HIGLEY of Soda Springs, County of Bannock, State of Idaho, duly made application (No. 5064) to me for a permit to use four (4) cubic feet per second of the waters of BAILEY CREEK, County of Bear Lake, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 11th day of April, A.D. 1908, Permit No. 3570 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 11th day of April, A.D. 1909 and for the application to beneficial use of said water on or before the 11th day of April A.D. 1911, and,

WHEREAS, On the 10th day of April A. D. 1909, HARVEY W. HIGLEY the holder of said permit duly made proof of the completion of adequate works for the diversion of four (4) cubic feet per second of said waters, as evidenced by my Certificate No. 3570 dated April 21, 1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use four (4) cubic feet per second of said waters, with date of priority of April 7, 1908 and,

WHEREAS, On the 21st day of September, A.D. 1910, HARVEY W. HIGLEY the holder of said permit duly made proof of the application to beneficial use of three (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 HARVEY W. HIGLEY, of Soda Springs, County of Bannock, State of Idaho the holder and owner of said Permit No. 3570 a perpetual right, dating from April 7, 1908 to the use of three (3) cubic feet per second of the waters of BAILEY CREEK, 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 as follows: Diversion #1, near center of SW4 Section 5; Diversion #2, in eastern part of NW4 SW4 Section 5, Township 10 South, Range 42 East of Boise Meridian, and conducted to and upon 30 acres in NE4 SW4; 30 acres in SE4 NW4; 35 acres in NE4 NW4; 10 acres in NW4 SW4; 25 acres in SW4 NW4; and 20 acres in NW4 NW4 Section 5, Township 10 South, Range 42 East 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 sixth day of October A. D. Nineteen hundred and ten.

D. G. Martin

State Engineer

(SEAL)

Recorded Oct 6, 1910.

No. 5064

11-2020

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Harvey W. Higley

Postoffice address: Soda Springs

County: Bannock

State: Idaho

2. The quantity of water claimed is #1 - 2 cu.ft. per second.
#2 - 2 " "

3. Source of water supply: Bailey Creek

County of Bear Lake

4. Location of point of diversion: #1, near center of SW4 Sec.5, Tp.10 S. R.42 E.
#2, East part of NW4 SW4 Sec.5, Tp.10 S. R. 42 E.

5. To be used for:

I. Irrigation and domestic use:

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

(b) In the following legal subdivisions: NW4 & N2 SW4 Sec.5, Tp. 10 S., R.42 E.

6. Estimated cost of works: 100.00

7. Description of works for diversion:

I. Kind of works: 2 Dams and 2 ditches.

II. Dimensions of works:

(a) Height of dam #1 - 2) feet, length of dam at top #1 - 16) feet, length of
#2 - 2) #2 - 8)

dam at bottom #1 - 10) feet. Material used in construction: #1 - poles,
#2 - 4) brush, dirt & rocks. #2 - poles, plank, etc.

(c) Size of headgate: Width #2-two feet, height #2 - two feet.

(d) Conduit Ditches, width at bottom #1 - 10) feet; width at water line
#2 - 4)

#1 - 14) feet, depth of water #1 - 1 1/2)
#2 - 8) #2 - 1 1/2) feet. Average grade per mile is

#1 - 12) feet. Length of conduit is #1 - one
#2 - 12) #2 - three fourths miles and it crosses

the following quarter sections: W2 Sec.5, T.10 S., R.42 E. 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 One year.

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

Harvey W. Higley

Applicant

APPROVAL OF STATE ENGINEER.

The number of this permit is 3570.

Date of first receipt of application 9.00 a.m. April 7, 1908.

Returned to applicant for correction April 7, 1908.

Corrected application received April 9, 1908.

Recorded in Book 10 Page 3570 Approved April 11, 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 June 10, 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 11, 1908.

The whole of said work to be completed on or before April 11, 1909.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to April 11, 1911.

Witness my hand this eleventh day of April, 1908.

Jas. Stephenson, Jr.

State Engineer.

Blank notice for proof of completion mailed applicant January 6, 1909.

Notice received February 23, 1909, fixing April 10, 1909, as date and Soda Springs as place of proof.

Notice for publication mailed Montpelier Examiner February 23, 1909.

Deposition blanks mailed applicant: February 23, 1909

C.B. Wilson authorized February 23, 1909, to make examination of works.

Affidavit of Publication, depositions, fees and report received April 12, 1909

Certificate issued April 21, 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:

Permit No. 3570.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that HARVEY W. HIGLEY, of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No. 3570, issued upon Application No. 5064, bearing date of priority of April 7, 1908, authorizing the diversion of 4 second feet of the waters of Bailey Creek, 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 4 second feet of the waters of Bailey Creek, that the point of Diversion of said waters is at two points: Near center of south west quarter of section 5, township 10 south, range 42 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: Northwest quarter and north half of southwest quarter of section 5, township 10 south, range 42 east of the Boise meridian.

Witness my hand this 21st day of April, A.D. 1909.

Jas. Stephenson, Jr.

State Engineer.

License issued for 3 second feet

P. 694

VERIFIED LAW
12-17-85

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

01 WATER RIGHT NUMBER - 11-2020

02 OLD (D) NUMBER - 3570

03001 - HIGLEY LAST NAME

04001 - HARVEY W. 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 -

14001 - BAILEY CREEK SOURCE

15001 - BEAR RIVER TRIBUTARY OF

16 DIVERSION MEANS - DITCHES.

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 3.000

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT - 11A

DIVERSION POINTS													
TRACT	SEC	TWN	RNG	LOT	RFLG	STREAM INDEX FIELDS							
22001 - NWSW	23001 - 05	24001 - 10S	25001 - 42E	26001 - 27001 -									
			28001 - 0	100.0	147.0	0.0	0.0	0.0	0.0	0.0	0	0	0 2.9
22002 - NESW	23002 - 05	24002 - 10S	25002 - 42E	26002 - 27002 -									
			28002 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0 0.0
22003 - SWSW	23003 - 05	24003 - 10S	25003 - 42E	26003 - 27003 -									
			28003 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0 0.0
22004 - SESW	23004 - 05	24004 - 10S	25004 - 42E	26004 - 27004 -									
			28004 - 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 - 10S	32001 - 42E	33001 - 05	34001 - NESW	35001 - 30	36001 -			
30002 - 01 IRRIGATION	31002 - 10S	32002 - 42E	33002 - 05	34002 - SENW	35002 - 30	36002 -			
30003 - 01 IRRIGATION	31003 - 10S	32003 - 42E	33003 - 05	34003 - NENW	35003 - 35	36003 -			
30004 - 01 IRRIGATION	31004 - 10S	32004 - 42E	33004 - 05	34004 - NWSW	35004 - 10	36004 -			
30005 - 01 IRRIGATION	31005 - 10S	32005 - 42E	33005 - 05	34005 - SWNW	35005 - 25	36005 -			
30006 - 01 IRRIGATION	31006 - 10S	32006 - 42E	33006 - 05	34006 - NWNW	35006 - 20	36006 -			

TOTAL ACRES: 150

WATER USE									
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME					
37001 -	38001 -	39001 - 01 IRRIGATION	40001 - 3.000	41001 - 0.00					
37002 -	38002 -	39002 - 43 DOMESTIC	40002 - 0.000	41002 - 0.00					

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 - 1 P/D IN CENTER OF SW1/4, S5, T10S, R42E.
44002 - 1 P/D IN NWSW, S5, T10S, R42E.

WRR100
11-2020

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

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

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 - 7-APR-1908	55	LICENSE - 6-OCT-1910 ✓	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 -		
54	LAST UPDATE - 11-DEC-1985	62	DATE_2 -		

WATER RIGHT
DATA ENTRY LOG

[illegible]

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AUG 18 1910

Report of Engineer

OFFICE OF STATE ENGINEER

1. State name of applicant and number of permit: Harvey W. Higley, Permit #3570
2. State source of water supply: Bailey Creek
3. Location of point of diversion: #1 near center SW $\frac{1}{4}$ Sec. 5, T.10 S.R. 42 E.,
#2 East part of NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, T. 10 S.R. 42 E.
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: 2 feet
- (b) Width at water line: 3 "
- (c) Depth of water: 1 "
- (d) Grade per mile: 20 Both ditches

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

about 3 second feet is now being used
now has been used earlier in season

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:

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: WN $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 5 Tp 10 S R 42 E. cultivated
30 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ 30 a. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 35 a. in NE $\frac{1}{4}$ of NW $\frac{1}{4}$
10 a. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 25 a. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 20 a. in
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5 Tp. 10 S. R. 42 E. B.M.

STATE OF IDAHO,

County of _____

ss.

J. O. Webster
Water Commissioner
1st Div.

_____, 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.

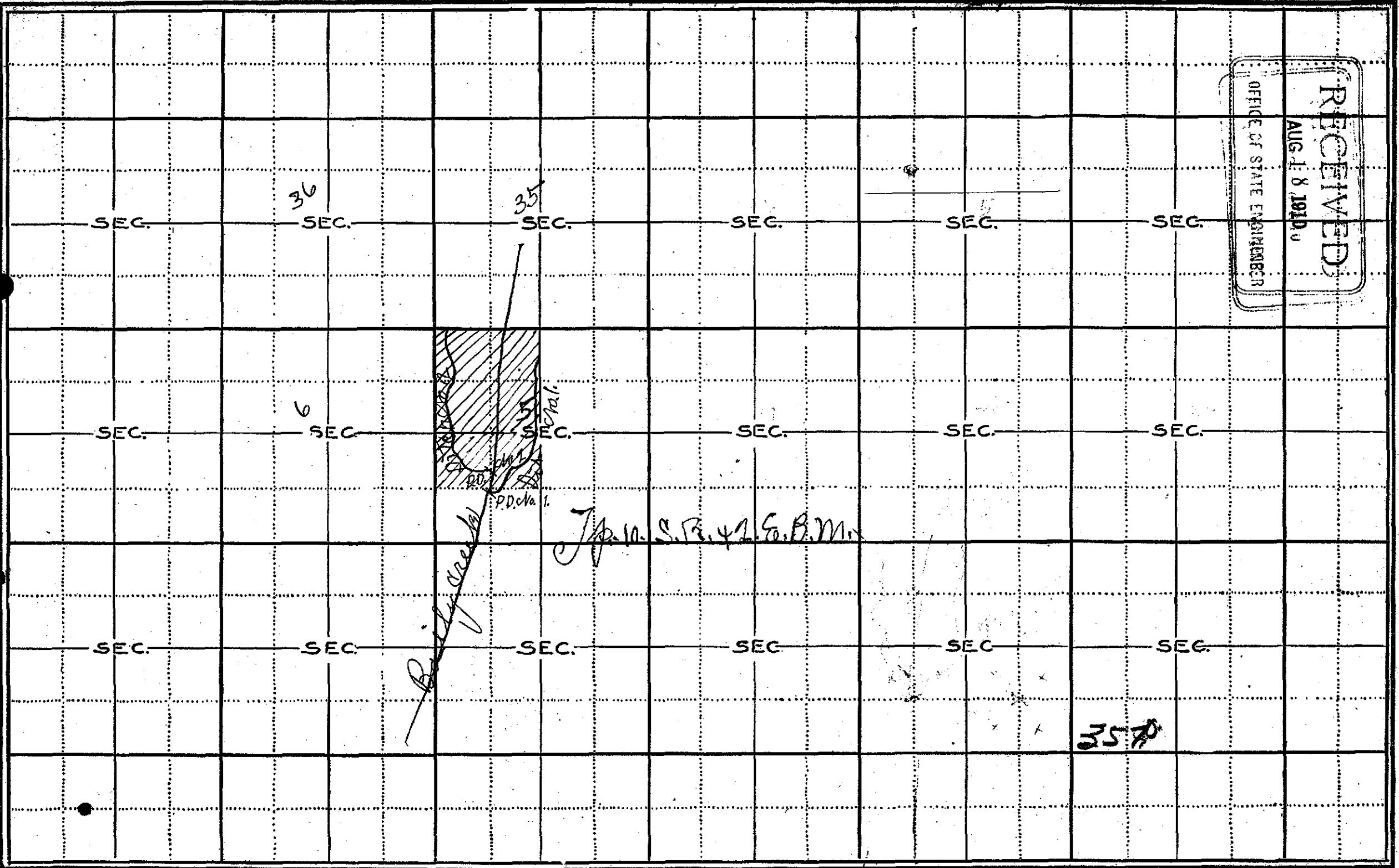
Subscribed and sworn to before me this _____ day of _____ 190_____.

My Commission Expires _____

Notary Public.

3570

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AUG 18 1910
OFFICE OF STATE ENGINEER



14 Aug 64