

No Color

Documents

In File

Bear Lake County
Four Springs NE $\frac{1}{4}$ of SE $\frac{1}{4}$
of sec. 2, & NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of
sec. 3, T. 14 S., R. 43 E.
1/5 sec. ft.
Irrigation
Priority 10-21-05.

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

- Water License No. 1647 -

WHEREAS, On the 21st day of October, A. D. 1905, John P. Passey, of Paris, County of Bear Lake, and state of Idaho, duly made application (No. 2260) to me for a permit to use two-fifths of one cubic foot per second of the waters of four springs, County of Bear Lake, state of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the second day of November, A. D. 1905, Permit No. 1647 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 second day of May, A. D. 1906, and for the application to beneficial use of said water on or before the second day of May, A. D. 1907; and,

WHEREAS, On the second day of May, A. D. 1906, the holder of said permit duly made proof of the completion of adequate works for the diversion of two-fifths of one cubic foot per second of said waters, as evidenced by my Certificate No. 1647 dated May 31, 1906, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use two-fifths of one cubic foot per second of water, with date of priority of October 21, 1905, and,

WHEREAS, On the second day of May, A. D. 1906, proof was duly made of the application to beneficial use of one-fifth of one 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 P. PASSEY of Paris, Bear Lake Co., Idaho, the holder and owner of said Permit No. 1647 a perpetual right, dating from October 21, 1905, to the use of one-fifth of one cubic foot per second of the waters of four springs, in the County of Bear Lake, and state of Idaho, or so much thereof as may be necessary for the purposes herein below mentioned, to be diverted at two springs near center of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 4, and two springs near center of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 3, in Tp. 14 S. of R. 43 E. B. M., and conducted to and upon the (NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of sec. 3, Tp. 14 S., R. 43 E. B. M., for the purpose of irrigation and domestic, 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 thirty-first day of May, A. D. Nineteen Hundred and six.

Jas. Stephenson, Jr.

(Seal)

state engineer.

11-2007

No. 2260.

A P P L I C A T I O N F O R P E R M I T

To Appropriate the Public Waters of the State of Idaho.

1. Name of applicant - JOHN P. PASSEY
Postoffice address: P. O. - Paris
County of Bear Lake.
2. The quantity of water claimed is $2/5$ cubic feet per second.
3. Source of water supply - Four Springs or boggs North West from Paris.
County of Bear Lake, State of Idaho.
4. Location of point of diversion - Two Springs or boggs near the center of the NE4 of SE4 Sec. 4 and the other two are near the center of the NW4 SW4 Sec. 3 in Tp. 14 S. of R. 43 E. B. M
5. To be Used for:
 - I. Irrigation and domestic use: irrigation purposes.
 - (a) Number of acres to be irrigated about twenty acres.
 - (b) In the following legal subdivisions - the NE4 of SW4 Sec. 3, Tp. 14 S., R. 43 E. B. M.
6. Estimated cost of works.....
7. Description of Works for Diversion:
 - I. Kinds of works - Two small dams not over two feet high.
 - II. Dimensions of Works:
 - (a) Height of dams 2 feet, length of dam at top about 10 feet, length of dam at bottom about 7 feet, material used in construction - earth and stone.
 - (b) Capacity of reservoir - No reservoir - acre-feet.
 - (d) Ditch (flume or pipe) width at bottom 2 feet, width at water line $2\frac{1}{2}$ feet, depth of water 8 inches. Average grade per mile is 4 feet. Length of ditch is 80 rods, and it crosses the following quarter sections - NE4 of SW4 Sec. 3, Tp. 14 S. of R. 43 E. B. M., to the NW4 of the SE4 same Tp. & R. The point of intended use is on the NE4 of SW4 Sec. 3, Tp. 14 S., R. 43 E. B. M.
8. Time required for the completion of the construction of such work is - works completed.
9. Time required for the complete application of the water to the proposed use is additional years.

Remarks:

As stated above there are four springs or boggs which flow into what is known as "Sleights Canyon Creek". The water from same has been used by the applicant on the land described in this application for a number of years. His right to the use of this water has been undisputed. As indicated in the plat there are two small ditches which convey the water from Sleights Canyon Creek to the land which is irrigated; one running in a north easterly direction and another in a south easterly direction.

The amount of water claimed from each diversion is $1/5$ cubic foot per second of time, or $2/5$ cubic feet per second of time from the two diversions.

Approval of State Engineer.

The number of this permit is 1647.

Date of first receipt of application 9 a. m. October 21, 1905.

Returned to applicant for correction October 21, 1905.

Corrected application received October 28, 1905.

Recorded in Book 5, page 1647 Approved November 2, 1905.

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 1, 1905, 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 February 2, 1906.

The whole of said work to be completed on or before May 2, 1906.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to May 2, 1907.

Witness my hand this 2nd day of November, 1905.

Jas. Stephenson, Jr.

State Engineer.

Blank Notice of Proof of Completion of Works mailed applicant February 1, 1906.

Blank Notice of Proof of Application of Water to Beneficial Use mailed James E. Hart, Paris, Idaho, March 10, 1906.

Notice of Proof of Completion of Works and Notice of Proof of Application of water to Beneficial use received March 15, 1906, fixing Paris, Idaho, as the place and May 2nd, 1906 as the date of proof.

Notice for publication mailed Paris Post, Paris, Idaho, March 22, 1906, and deposition blanks mailed permit holder same date.

Report of Edward V. Bucher, affidavit of publication of notice, fee of \$5.00 for proof of Completion of Works, fee of \$2.00 for proof of application of water to beneficial use, and depositions of permit holder and two witnesses received May 5, 1906.

Report of Mr. Bucher returned May 5th for some additional information.

Corrected report received May 31, 1906.

Depositions and report show that works have been completed of a capacity to divert and convey to the place of intended use the amount of water for which application was made and that water has been beneficially applied to 10 acres of land.

Certificate of completion of works issued May 31, 1906.

License issued May 31, 1906 and recorded June 1, 1906.

Permit No. 1647

C E R T I F I C A T E O F C O M P L E T I O N O F W O R K S

To All Whom It May Concern:

This is to certify that JOHN P. PASSEY of Paris, County of Bear Lake, and State of Idaho, the holder of Permit No. 1647, issued upon Application No. 2260, bearing date of priority of October 21, 1905, authorizing the diversion of two-fifths of one second-foot of the waters of four springs, County of Bear Lake, State of Idaho, two of the springs being located near center of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 4, and two near center of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ sec. 3, Tp. 14 S., R. 43 E. B. M., 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 two-fifths of one second-foot of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northeast Quarter (NE $\frac{1}{4}$) of Southwest quarter (SW $\frac{1}{4}$) of section Three (3), Township Fourteen (14) south, Range Forty-three (43) East of Boise Meridian,

Witness my hand this thirty-first day of May, A. D. 1906.

Jas. Stephenson, Jr.

State Engineer of the state of Idaho.

License issued for $\frac{2}{10}$ second feet
P. 58

VERIFIED KAN

12-12-85

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

01 WATER RIGHT NUMBER - 11-2007 ✓ 02 OLD (D) NUMBER - 1647

03001 - PASSEY
LAST NAME04001 - JOHN P.
FIRST NAME05001 - C
ORIG. OWNER

06 ADD LINE 1 -

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - PARIS

10 STATE - ID

11 ZIP - 832610000 ✓

12 STAGE - L LICENSE

13 STATUS -

14001 - SPRINGS ✓
SOURCE15001 - SLEIGHT CANYON ✓
TRIBUTARY OF

16 DIVERSION MEANS - CANALS & DITCHES.

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .200

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT - 11 ✓

----- 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 - NESE ✓	23001 - 04 ✓	24001 - 14S ✓	25001 - 43E ✓	26001 - 27001 -											
			28001	0	100.0	172.0	6.0	1.2	0.0	0.0	0.0	0	0	0	2.4
22002 - NWSW ✓	23002 - 03 ✓	24002 - 14S ✓	25002 - 43E ✓	26002 - 27002 -											
			28002	0	100.0	172.0	6.0	1.2	0.0	0.0	0.0	0	0	0	2.2

29 NON-IRRIGATION USE -

----- PLACE OF USE -----							
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT	
30001 - 01 IRRIGATION ✓	31001 - 14S ✓	32001 - 43E ✓	33001 - 03 ✓	34001 - NESW ✓	35001 -	36001 -	
							TOTAL ACRES: 0 ✓

----- WATER USE -----				
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 -	38001 -	39001 - 01 IRRIGATION	40001 - 0.200	41001 - 0.00
37002 -	38002 -	39002 - 43 DOMESTIC	40002 - 0.000	41002 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 - 2 P/D IN NESE, S4, T14S, R43E ✓ 2 P/D IN NWSW, S3, T14S,
44002 - R43E ✓ AC. IRR. UNKNOWN. ✓

APPROVAL CONDITIONS: 45001 - ✓

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----				----- F L A G S -----			
47 PRIORITY	- 21-OCT-1905	55 LICENSE	- 31-MAY-1906 ✓	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	-		

WRR100.
11-2007

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 -----

51 PROTESTED -
52 HEARING -
53 VERIFIED -
54 LAST UPDATE - 11-DEC-1985

59 START WORK -
60 ORDER SHOW CAUSE -
61 DATE_1 -
62 DATE_2 -

67 FLAG_3 -

IDENT. NO. ~~11-2007~~ 11-2007

WATER RIGHT
DATA ENTRY LOG

Date _____

Item

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved



9-1279

KP