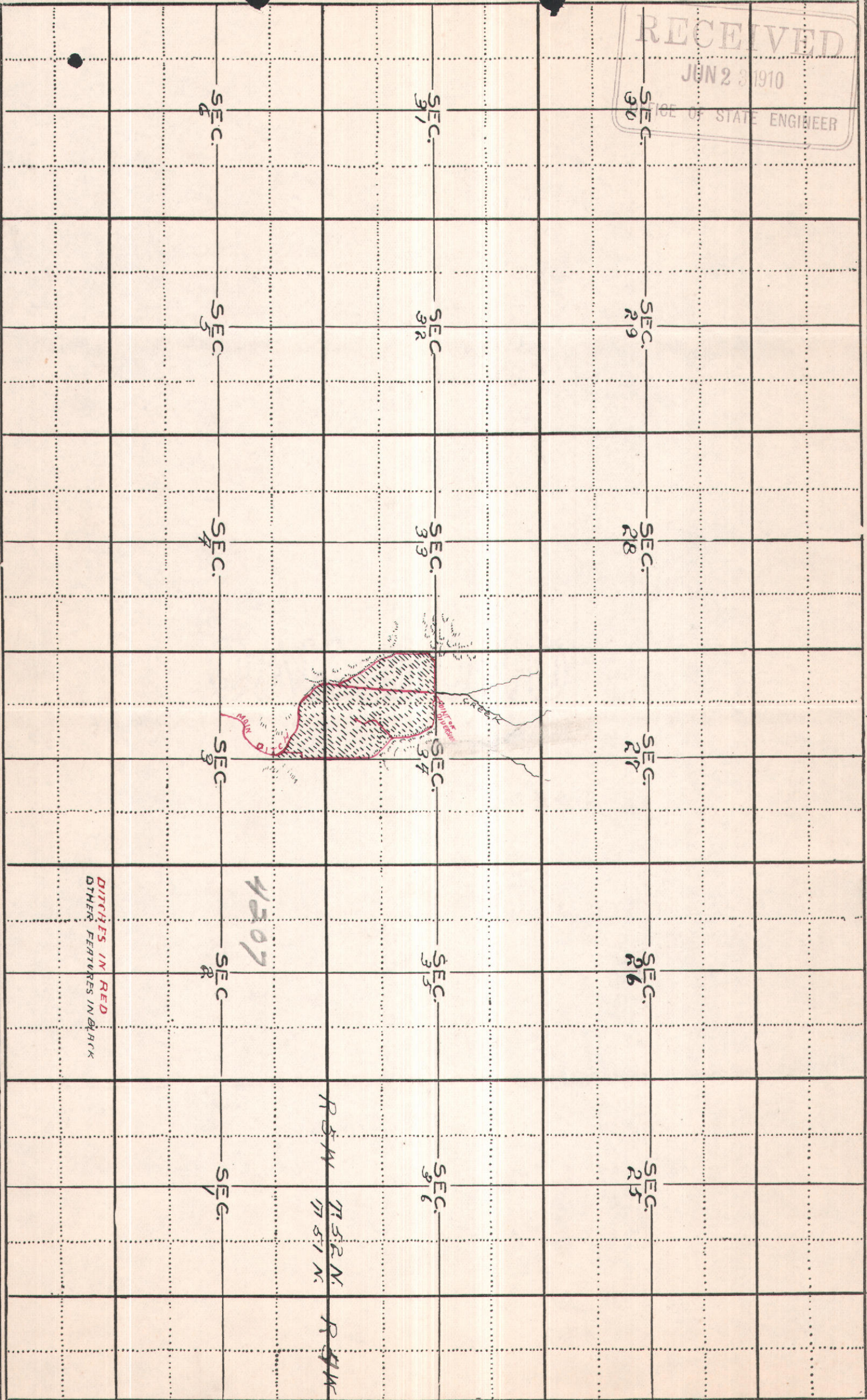


RECEIVED
JAN 23 1910
OFFICE OF STATE ENGINEER



DITCHES IN RED
OTHER FEATURES IN BLACK

4207

R 34 N. 71.5 E. N. R 34 W.

Unnamed stream *
Kootenai *
2.95 secondnfeet *
Irrigation and domestic **
Priority 12-7-1908 *

S T A T E C o f I D A H O _

Water License No. 4207

WHEREAS, On the 7th day of December, A.D.1908, FRANK WENZ, of Rathdrum, County of Kootenai, State of Idaho, duly made application (No.5947) to me for a permit to use 3.5 cubic feet per second of the waters of an unnamed STREAM, County of Kootenai, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 19th day of December, A.D.1908, Permit No. 4207, 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 19th day of June, A.D.1909, and for the application to beneficial use of said water on or before the 19th day of June, A.D.1910, and

WHEREAS, On the 19th day of June, A.D. .1909, FRANK WENZ, the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.5 cubic feet per second of said waters, as evidenced by my Certificate No. 4207, dated July 15,1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.5 cubic feet per second of the waters of an UNNAMED STREAM, with date of priority of December, 7,1908, and

WHEREAS, On the 20th day of June, A.D. 1910, FRANK WENZ, the holder of said permit duly made proof of the application to beneficial use of 2.95 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 FRANK WENZ, of Rathdrum, County of Kootenai, State of Idaho, the holder and owner of said Permit No. 4207, a perpetual right, dating from December 7,1908, to the use of 2.9 cubic feet per second of the waters of an unnamed stream, in the County of Kootenai, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted 290' east of the Northeast corner of the northwest quarter of the southwest quarter of section 34, township 52 North, Range 5 W.B.M., and conducted to and (upon 38.5 acres in NW4 SW4, 18 acres in NE4 SW4, 37 acres in SE4 SW4, 17.5 acres in the SW4 SW4, all in sections 34, T. 52 North, Range 5 W.B.M., also 32 acres in the NE4 NW4, and 4.5 acres in the NW4 NW4 all in Sec.,3, Township 51 North, Range 5 W.B.M., 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 20th day of June,

A.D.Nineteen hundred and ten.

D.G.Martin

State Engineer

(SEAL)

Recorded June 20,1910

95 2029

No. 5947.

95-2029

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Frank Wenz.

Postoffice address: Rathdrum.

County: Kootenai. State: Idaho.

2. The quantity of water claimed is Three and one half cubic feet per second.

3. Source of water supply: Unnamed stream.

County of Kootenai, Idaho.

4. Location of point of diversion: 290' East of the NE Cor. of NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Sec. 34, T. 52 N., R. 5 W. B. M.

5. To be used for: Irrigation.

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 180 acres.

(b) In the following legal subdivisions: NE $\frac{1}{4}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of SW $\frac{1}{4}$, SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 34, T. 52 N. R. 5 W. also NW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$, sec. 3 T. 51 N. R. 5 W.

6. Estimated cost of works: One thousand (\$1000.00) Dollars.

7. Description of works for diversion:

I. Kind of works: Ditches with gates arranged for overflowing land.

II. Dimensions of works:

(d) Conduit ditches, width at bottom three feet, width at water line 3 $\frac{1}{2}$ feet, depth of water two feet. Average grade per mile is 7.3 feet. Length of conduit is two and one half miles, and it crosses the following quarter sections: SW $\frac{1}{4}$ of Sec. 34, T. 52 N., R. 5 W. and the NW $\frac{1}{4}$ of Sec. 3 T. 51 N. R. 5 W. 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 six months.

9. Time required for the complete application of the water to the proposed use is one additional year.

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.

Frank Wenz,

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 4207.

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

Recorded in Book 12 Page 4207 Approved December 19, 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 February 17, 1909, 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 March 19, 1909.

The whole of said work to be completed on or before June 19, 1909.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to June 19, 1910.

Witness my hand this 19 day of December, 1908.

Jas. Stephenson, Jr.,

State Engineer.

Blank notice of proof of completion of works mailed applicant March 1, 1909.

Notice received March 27th, 1909 fixing June 19, 1909 as date, and Rathdrum as place of proof.

Notice for publication mailed Rathdrum Tribune May 4th, 1909.

Deposition blanks mailed applicant May 4th, 1909.

W. H. Edelblute authorized May 4, 1909 to make examination of works.

His report received June 22nd, 1909.

Affidavit of publication, depositions of holder and witnesses and fees received June 23,

Certificate of completion of works issued July 15th, 1909.

Permit No. 4207.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that FRANK WENZ, of Rathdrum, County of Kootenai, and State of Idaho, the holder of Permit No. 4207, issued upon Application No. 5947 bearing date of priority of December 7th, 1908, authorizing the diversion of 3.5 second feet of the waters of an un-named stream, County of Kootenai, 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 3.5 second feet of the waters of said un-named stream; that the point of Diversion of said waters is at a point 290' East of the Northeast corner of the Northwest quarter of the Southwest quarter ($NW\frac{1}{4}SW\frac{1}{4}$) of Section 34, Township 52 North of Range 5 West of Boise Meridian; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northeast quarter of the Southwest quarter ($NE\frac{1}{4}SW\frac{1}{4}$); Northwest quarter of the Southwest quarter ($NW\frac{1}{4}SW\frac{1}{4}$); Southwest quarter of the Southwest quarter ($SW\frac{1}{4}SW\frac{1}{4}$); Southeast quarter of the Southwest quarter ($SE\frac{1}{4}SW\frac{1}{4}$) Section 34, Township 52 North of Range 5 West of Boise Meridian; also the Northwest quarter of the Northwest quarter ($NW\frac{1}{4}NW\frac{1}{4}$) and Northeast quarter of the Northwest quarter ($NE\frac{1}{4}NW\frac{1}{4}$) of Section 3, Township 51 North of Range 5 West of Boise Meridian.

Witness my hand this 15th day of July, A.D. 1909.

Jas Stephenson, Jr.

State Engineer of the State of Idaho.

License issued for 2 95 second fee.

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Report of Engineer

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OFFICE OF STATE ENGINEER

1. State name of applicant and number of permit: Frank Wenz, No. 4207
2. State source of water supply: An unnamed stream flowing thru sec 34 T52NR5
3. Location of point of diversion: 290 ft. West of the NE cor. of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of sec. 34 T. 52 N., R. 5 W.B.M.
4. State whether or not the works of diversion are *fully* completed and in accordance with terms of permit: They are.
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 5 feet
 - (b) Width at water line: 5 $\frac{1}{2}$ feet
 - (c) Depth of water: 12 inches.
 - (d) Grade per mile: 2.7 feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent: Water has been turned onto the land during the last two seasons flooding the entire tract. The ditches are carrying water during the entire season.
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: 38 $\frac{1}{2}$ acres in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; 18 acres in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; 37 acres in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$; and 17 $\frac{1}{2}$ acres in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ all of section 34 Twp. 52 N., R. 5 W.B.M.; also 32 acres in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; and 4 $\frac{1}{2}$ acres in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 3, Twp 51 North, Range 5 W. B.M.
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 main ditch is also used as a drainage ditch for the floods which are due during the early spring. During the dry weather the soil which is similar to that found in old lake beds, becomes very dry and requires a great deal of water.

W. H. Edelblute

STATE OF IDAHO,

County of Kootenai

} ss.

W. H. Edelblute

, 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 18th day of June, 1910

My Commission Expires

Nov 13th 1912.

Notary Public.

Rescor Elam

4207

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SEC.
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SEC.
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SEC.
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SEC.
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SEC.
11

4307

DITCHES IN RED
OTHER FEATURES IN BLACK

R 5 W T 5 E N R 4 W
17 51 N.