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 Cassia County *
 Chokecherry Springs, *
 1/10th second-foot *
 Irrigation *
 Priority 10/1/09. *

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

Water License No. 5484.

WHEREAS, On the 1st day of October, A. D. 1909, L. M. WILSON, of Conant, County of Cassia, State of Idaho, duly made application (No. 7620) to me for a permit to use 8/10ths of one cubic foot per second of the waters of CHOKECHERRY SPRINGS, County of Cassia, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 24th day of November, A. D. 1909, Permit No. 5484 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 24th day of November, A. D. 1913, and for the application to beneficial use of said water on or before the 24th day of November, A. D. 1913, and,

WHEREAS, On the 18th day of July, A. D. 1912, L. M. WILSON, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 8/10ths of one cubic foot per second of said waters, as evidenced by my Certificate No. 5484, dated September 14th, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 8/10ths of one cubic foot per second of water, with date of priority of October 1st, 1909, and,

WHEREAS, On the 18th day of July, A. D. 1912, L. M. WILSON, the holder of said permit, duly made proof of the application to beneficial use of 1/10th of 1 cubic foot 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 L. M. WILSON, of Conant, County of Cassia, State of Idaho, the holder and owner of said Permit No. 5484, a perpetual right, dating from October 1, 1909, to the use of 1/10th of one cubic foot per second of the waters of CHOKECHERRY SPRINGS, in the County of Cassia and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned to be diverted, first, at a point in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, second, at a point in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and third, at a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 36, Township 13 South, Range 25, East of the Boise Meridian, and conducted to and upon 5 acres in the Southeast quarter of the Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 25, Township 13 South, Range 25, 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 14th day of September, A.D. Nineteen hundred and twelve.

A. E. Robinson,

State Engineer.

(SEAL)

43 2080

No. 7620.

43-2060

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: L.M. Wilson

Postoffice address: Elba

County: Cassia

State: Idaho

2. The quantity of water claimed is 8/10 of one cubic foot per second, one-fifth of one cubic foot per second from each spring 4 in number.

3. Source of water supply: Chokecherry Springs #1, #2, #3, and #4.

County of Cassia

4. Location of point of diversion: From each spring at the head: #1 and #2 on NE4 NE4 Sec. 36, #3 on SW4 NE4 Sec. 36, and #4 on SE4 NW4 Sec. 36, all in Tp. 13 S. of R. 25 E.B.M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: forty (40) acres

(b) In the following legal subdivisions: SE4 SE4 Sec. 25, Tp. 13 S.R. 25 E.B.M.

6. Estimated cost of works: Five hundred dollars (\$500.00)

7. Description of works for diversion:

I. Kind of works: Dams, ditches and open cuts

II. Dimensions of works:

(a) Height of dams 8 feet, lengths of dams at top 30 feet, length of dams at bottom 20 feet. Material used in construction: Wood, earth and stone

(c) Size of headgate: Width two feet, height one foot.

(d) Conduit ditch, width at bottom one and one half feet, width at water line four feet. depth of water one foot. Average grade per mile is 20 feet. Length of conduit is three-fourths of one mile, and it crosses the following quarter sections: NW4 and NE4 Sec. 36, Tp. 13 S.R. 25 E.B.M., to land described in 5 I (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is four years.

9. Time required for the complete application of the water to the proposed use is no 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.

L.M. Wilson,

Applicant

By Frank Riblett...Agent

Remarks: This land to be irrigated and the springs mentioned are at the mouth of a Canyon.

The amount of water mentioned will have to be developed by open cuts and other means, at present the perrenial flow is small, The flood waters flow into Cassia Creek, and are tributary to the same. Whether I can obtain any of these flood or high waters on account of the decree is a question. The perrenial or low water flow does not reach Cassia Creek but is not sufficient for much irrigation will have to be developed, from which spring, I may be able to obtain the most flow I cannot at present determine. May take much work to do so. These springs appear to be all supplied by the drainage of the same canyon, would like the permit worded so that I may be sure of a sufficient quantity of water, whether I am able to develop it from one spring, two springs, three springs or all of them. That is to say that No. One, or No. Two or No. Three or No. four might be developed to furnish the required quantity of water, or say that it takes two or more of them, I want to get the benefit of my labor, even though I have mentioned in the beginning of this application a division of quantity claimed between the different springs. It is in reality one group although about one half mile from the upper to the lower one. I desire to make final proof of completion of construction of works and complete application of water to the proposed use on the same date.

APPROVAL OF STATE ENGINEER

The number of this permit is 5484.

Date of first receipt of application: 9.00 a.m. October 1, 1909

Returned to applicant for correction: October 1, 1909

Corrected application received November 24, 1909

Recorded in Book 16. Page 5484. Approved November 24, 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:

Work to begin on or before January 23, 1910, 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 24, 1911

The whole of said work to be completed on or before November 24, 1913.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to November 24, 1913.

Witness my hand this twenty-fourth day of November 1909.

Jas. Stephenson, Jr.
State Engineer

Both Notices received May 23rd, 1912, fixing July 18th, 1912, as date, and Malta, Idaho, as place of proof.

Publication Notice mailed The Nugget on June 10th.

Deposition blanks mailed June 20th, 1912, to W. R. Stevens.

Rob't. Glenn authorized June 25th, 1912, to make the required examination.

Depositions, affidavit and report received July 25th, 1912.

Fees received September 11th, 1912.

Certificate and License issued September 14th, 1912.

License issued for 1/10th second-foot.

Permit No. 5484

CERTIFICATE OF COMPLETION OF WORKS

To All Whom it May Concern:

This is to certify that L. M. WILSON, of Conant, County of Cassia, and State of Idaho, the holder of Permit No. 5484, issued upon Application No. 7620, bearing date of priority of October 1st, 1909, authorizing the diversion of 8/10ths of 1 second foot of the waters of CHOKECHERRY SPRINGS, County of Cassia, 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 8/10ths of 1 second-foot of the waters of Chokecherry Springs, that the point of diversion of said waters is at a point, first, in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, second, at a point in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and third, at a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 36, Township 13 South, Range 25, 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: Southeast quarter of the Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 25, Township 13 South, Range 25, East of the Boise Meridian.

Witness my hand this 14th day of September, A.D. 1912.

A. E. Robinson,
State Engineer.

License issued for 4/10 second fee.

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RECORDED & INDEXED.

Upon the records of J. C. [unclear], holder of Permit No. 5484

REPORT OF ENGINEER.

1. State name of applicant and number of permit: *Low Nelson permit 5484*
2. State source of water supply: *Chick Henry Spring*
3. Location of point of diversion: *Section 36*
4. State whether or not the works of diversion are fully completed and in accordance with the terms of permit: *the work being completed*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *1 foot*
 - (b) Width at water line: *2 feet*
 - (c) Depth of water: *6 inches*
 - (d) Grade per mile: *20 feet*
 - (e) Capacity of ditch: *8 ft. 6 in. 1000 ft.* second feet.
6. State whether or not water has been turned into works of diversion, and if so, to what extent:
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: *So east 1/4 South east 1/4 Sect 25 40 acres under cultivation 1900*
8. Submit map on enclosed plat, showing source of supply, point of diversion, route of ditch or ditches and cross-hatch lands to be irrigated.

Remarks: *The Spring is located on a side hill hence the grade*

Robert Glenn

STATE OF IDAHO, }
County of *Cassia* } ss.

Robert Glenn, 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 *7th* day of *July*, 191*2*

My Commission Expires *Jan 11 - 1915*

J. P. Stevens
Notary Public.

5484

Lon Carlson

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6-15

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