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INTER-DEPARTMENT MEMO — 1

FROM *Glen*

DATE *11-7-84*

TO *File*

SUBJECT *- Trub determined from quad.*

WJ

SIGNATURE

Carmen Creek *
Lemhi County *
1.0778 *
Irrigation and Domestic *
Priority 10-23-1905 *

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

Water License No. 1631.

WHEREAS, On the 23rd day of October A.D.1905, WILLIAM J. WITTENBURG, of Carmen, County of Lemhi, State of Idaho, duly made application (No. 2263) to me for a permit to use 1.6 cubic feet per second of the waters of Carmen Creek, County of Lemhi, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 24th day of October A.D.1905, Permit No. 1631, 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 October, A.D.1907, and for the application to beneficial use of said water on or before the 24th day of October, A.D.1909, and

WHEREAS, On the 21st day of October A.D.1907, WILLIAM J. WITTENBURG, the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.6 cubic feet per second of said waters, as evidenced by my Certificate No. 1631, dated November 13, 1907, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.6 cubic feet per second of said waters with date of priority of October 23, 1905, and

WHEREAS, On the 21st day of October A.D.1909, WILLIAM J. WITTENBURG, the holder of said permit duly made proof of the application to beneficial use of 1.0778 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 WILLIAM J. WITTENBURG, of Carmen, County of Lemhi, State of Idaho, the holder and owner of said Permit No. 1631, a perpetual right, dating from October 23, 1905, to the use of 1.0778 cubic feet per second of the waters of Carmen Creek, in the County of Lemhi, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the southeast quarter of southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) Section 13, Township 23 North of Range 22 East of the Boise Meridian, and conducted to and upon (6.2 acres in Northwest quarter of Northwest, 6.08 acres in northeast quarter of northwest quarter, 15.32 acres in southeast quarter of northwest quarter, and 35 acres in southwest quarter of northwest quarter of section 24, and 1.29 acres in southeast quarter of northeast quarter of section 23, township 23 North of Range 22 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 8th day of December,
A.D. Nineteen hundred and nine,

(SEAL)

Recorded December 8, 1909

Jas. Stephenson, Jr.

State Engineer

No. 2263.

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 - WILLIAM J. WITTENBURG
 Postoffice address: P. O. - Carmen, Idaho.
 County - Lemhi.
2. The quantity of water claimed is 1.6 cubic feet per second.
3. Source of water supply - Carmen Creek.
 County of Lemhi.
4. Location of point of diversion - SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13, in Township 23 N. of Range 22 East.
5. To be used for:
 - I. Irrigation and domestic use, and other beneficial purposes.
 - (a) Number of acres to be irrigated 80 acres.
 - (b) In the following legal subdivisions - S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 24, in Township 23 N. of Range 22 East.
6. Estimated cost of works - \$500.00
7. Description of Works for Diversion:
 - I. Kinds of works - Dam, Ditch and Flume
 - II. Dimensions of Works:
 - (a) Height of dam 3 feet, length of dam at top 20 feet, length of dam at bottom 16 feet, material used in construction wood.
 - (c) Size of headgate, width 3 feet, height 14 inches.
 - (d) Ditch (flume or pipe) width at bottom 2 feet, width at water line 2 $\frac{1}{2}$ feet, depth of water one foot. Average grade per mile is 12 feet. Length of ditch is one mile, and it crosses the following quarter sections - S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 13, and N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 24, in Twp. 23 N. of R. 22 East, to S $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 24, in Twp. 23 N. of R. 22 East, which is the point of intended use.
8. Time required for the completion of the construction of such work is 2 years.
9. Time required for the complete application of the water to the proposed use is 2 additional years.

Approval of State Engineer.

The number of this permit is 1631.

Date of first receipt of application 9 a. m. October 23, 1905.

Recorded in Book 5, page 1631. Approved October 24, 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 December 23, 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 October 24, 1906.

The whole of said work to be completed on or before October 24, 1907.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to October 24, 1909.

Witness my hand this 24 day of October, 1905.

Jas. Stephenson, Jr.

State Engineer.

Blank notice of proof of completion mailed applicant July 1, 1907.

Notice received August 14, 1907, fixing October 21, 1907, as date and Salmon as place of proof.

Notice for publication mailed Lemhi Herald, at Salmon, Idaho, August 29, 1907.

Deposition blanks mailed applicant August 29, 1907.

Allen C. Merritt authorized September 14, 1907, to examine works.

His report received November 9, 1907.

Affidavit of publication, depositions and fees received October 25, 1907.

Permit No. 1631.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that WILLIAM J. WITTENBURG of Carmen, County of Lemhi and State of Idaho, the holder of Permit No. 1631, issued upon Application No. 2263, bearing date of priority of October 23, 1905, authorizing the diversion of 1.6 second feet of the waters of Carmen Creek, County of Lemhi 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 1.6 second-feet of the waters of Carmen Creek; that the point of diversion of said waters is in the Southeast quarter of Southeast quarter Section 13, Township 23 North, Range 22 East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: South half of Northwest quarter Section 24, Township 23 North, Range 22 East of Boise Meridian.

Witness my hand this 13th day of November, A. D. 1907.

Jas. Stephenson, Jr.

State Engineer.

License issued for 1.6778 second feet

P. 561

AMENDED LIST OF LANDS TO BE INCLUDED IN PERMIT OF W.J.WITTENBURGNO 1631

Hon. Jas. Stephenson, Jr.
State Engineer,
Boise, Idaho.

Sir:

The undersigned requests that in addition to the lands described in his Permit No. 1631, to-wit: The $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 24, Twp. 23 North of Range 22 East of Boise meridian, that the following described lands be included in the Permit., to wit: the $N\frac{1}{2}$ of the $NW\frac{1}{4}$ of section 24, and 1.29 acres in the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 23, so that the irrigated lands covered by the Permit will be all of the $NW\frac{1}{4}$ of Section 24, and 1.29 acres in Section 23 in Township 23 North of Range 22 East of Boise meridian.

W.J.Wittenburg

Salmon, Idaho
October 30th.1909

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 9 A. M. November 10, 1909.

Jas. Stephenson, Jr.,
E. State Engineer.

WATER RIGHT NUMBER 75-2002

OWNER LAST NAME - WITTERBURG

FIRST NAME - WILLIAM J.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - CARMEN

STATE - ID ZIP CODE -

SOURCE - CARMEN CREEK

TRIBUTARY OF - SALMON RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 10-23-1905 COUNTY - LEMHI

TOTAL DIV. RATE - 1.0800 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. - 750 DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SESE 13 23N 22E LOT

REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 04-01 TO - 11-01 USE - IRRIGATION

USE DIV. RATE - 1.0800 CFS USE DIV. VOLUME - .00 AFA

FROM - 10 - 10 -

USE - DOMESTIC

USE DIV. RATE - .0000 CFS USE DIV. VOLUME - .00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 23N RNG 22E SEC 24 TRACT NENW LOT AC 06 TRACT NWNW LOT AC 06

TRACT SWNW LOT AC 35 TRACT SENW LOT AC 15

USE - IRRIGATION

PLACE OF USE - TWN 23N RNG 22E SEC 23 TRACT SENE LOT AC 01

DATE - TOTAL ACRES 63

DECREE NAME -

REMARKS - AC. IRR. = 63.85.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 1631

PROOF MADE - FILE EXAM - CONC. OF APPROVAL -

DIVERSION MEANS -

VERIFIED LGS

201 12/05/94

3/79

IDENT. NO. 75-2002

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 11031 / 75-2002
 Old No. New No.

Record

1. Original Owner: William R. Willenbury

Present Owner: _____

2. Address:

3. City: Carmen State: Id Zip: _____

4. A. Source of Water: Carmen Creek

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 10-23-1905

D. County: Sn

E. Total Diversion Rate: 1.08

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: MSD

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SESE</u>	<u>13</u>	<u>23^N</u>	<u>22^E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 1.08
 (cfs or AC-FT/yr)

from _____ to _____ for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

10-1-77

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. Ac. Inv. = 49.29
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 1631

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):