

Name of Applicant.

OFFICE OF STATE ENGINEER

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Barrow Creek
Wool Creek

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B/a

County: Adams
 Stream: Gray's creek
 Amount: 5/50 sec.ft.
 Use: Irrigation
 Priority: 12/23/11

STATE OF IDAHO

Water License No. 7971

WHEREAS, On the 23rd day of December, A. D. 1911, JOHN LAY

of Council, County of Adams, State of Idaho, duly made application (No. 11810) to me for a permit to use 4/5ths of 1 cubic foot per second of the waters of GRAY'S CREEK,

County of Adams, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 20th day of January, A. D. 1912, Permit No. 7971 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 20th day of January, A. D. 1913, and for the application to beneficial use of said water on or before the 20th day of January, A. D. 1913 and,

WHEREAS, On the 20th day of January, A. D. 1913, John Lay

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 4/5ths of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 7971, dated January 31, 1913, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 4/5ths of 1 cubic foot per second of water, with date of priority of December 23, 1911, and

WHEREAS, On the 20th day of January, A. D. 1913, John Lay

the holder of said permit, duly made proof of the application to beneficial use of 5/50ths 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

John Lay

of Council, County of Adams, State of Idaho, the holder and owner of said Permit No. 7971, a perpetual right, dating from December 23, 1911, to the use of 5/50ths of 1 cubic foot per second of the waters of Gray's Creek,

in the County of Adams 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 SW4 of NE4 Sec. 33, T. 15 N. R. 1 W.B.M.,

and conducted to and upon 5 acres in the SW4 of NW4, Sec. 33, T. 15 N. R. 1 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 31st day of January, A. D., nineteen hundred and thirteen.

A.E. Robinson,

(Seal)

State Engineer.

67 2066

67-2066

No. 11810.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant: John Lay.

Postoffice address: Council (care Mesa Orchards).

County: Adams State: Idaho.

2. The quantity of water claimed is four-fifths ($4/5$) cubic feet per second.

3. Source of water supply: Gray's Creek.

4. Location of point of diversion: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 33, Tp. 15 N. R. 1 W. B. M.

County of Adams.

5. To be used for:

I. Irrigation and domestic use:

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

(b) In the following legal subdivisions: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33, Tp. 15 N. R. 1 W. B. M.

6. Estimated cost of works: \$100.00

7. Description of works for diversion:

I. Kind of works: Headgate and ditch.

II. Dimensions of works:

(c) Size of headgate: Width 2 feet, height 1 foot.

(d) Conduit ditch, width at bottom $1\frac{1}{2}$ feet, width at water line 2 feet, depth of water 1 foot. Average grade per mile is 15 feet. Length of conduit is $\frac{1}{2}$ mile and it crosses the following quarter sections: NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of Sec. 33, Tp. 15 N. R. 1 W. B. M.

8. The time required for the completion of the construction of such work is one year.

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.

John Lay,

Applicant.

Remarks: The foregoing is an application for permit under the law to secure a license for water already used upon this land, the ditch being already built, but applicant desires one year's time to make repairs, and to put land in shape to complete his water right.

APPROVAL OF STATE ENGINEER.

The number of this permit is 7971.

Date of first receipt at office of State Engineer: 9.00 a.m. December 23, 1911.

Recorded in Book 25 Page 7971 Approved January 20, 1912.

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 approve the same, subject to the following limitations and conditions:

Work to begin on or before March 20, 1912, 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 July 20, 1912.

The whole of said work to be completed on or before January 20, 1913.

Beneficial use of water appropriated in accordance herewith, to be made on or before January 20, 1913.

Witness my hand this twentieth day of January, 1912.

A. E. Robinson,

State Engineer.

Notice of proof of completion of works and beneficial use of water received fixing January 20, 1913, as date and Council as place of proof.

Notice for publication mailed the Council Leader December 9, 1912.

Depositions blanks mailed the Notary Public at Council December 14, 1912.

R. F. Coutts, of Indian Valley, Idaho, authorized December 14, 1912, to make examination of works and report.

His report received January 8, 1913.

Depositions, fees and affidavit of publication received January 23, 1913.

Certificate of Completion and License issued January 31, 1913.

Permit No. 7971.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that John Lay, of Council, County of Adams, and State of Idaho, the holder of Permit No. 7971, issued upon Application No. 11810, bearing date of priority of December 23, 1911, authorizing the diversion of 4/5ths of 1 second foot of the waters of Gray's Creek, County of Adams, 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 4/5ths of 1 second foot of the waters of Gray's Creek, that the point of diversion of said waters is at a point in the SW4 of NE4 Sec. 33, T. 15 N., R. 1 W. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows; to-wit: SW4 of NW4 Sec. 33, T. 15 N. R. 1 W. B. M.

Witness my hand this 31st day of January, A. D. 1913.

A. E. Robinson,

State Engineer of the State of Idaho.

License issued for 5/50 second feet
Page 1298

WATER RIGHT NUMBER 67-2066

OWNER LAST NAME - LAY FIRST NAME - JOHN ORIG OWNER -
ADDRESS LINE 1 - ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - COUNCIL STATE - ID ZIP CODE -
SOURCE - GRAYS CREEK TRIBUTARY OF - LITTLE WEISER RIVER
STAGE - LICENSE STATUS - PRIORITY - 12-23-1911 COUNTY - ADAMS TOTAL DIV. RATE - .1000 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SWNE 33 15N 01W LOT REDIV - 272.0 288.0 21.0 1.0 0.0 0.0 0.0 0.0 0.0 0.0 1.2
FROM - TO - USE - IRRIGATION USE DIV. RATE - .1000 CFS USE DIV. VOLUME - .00 AFA
FROM - TO - USE - DOMESTIC USE DIV. RATE - .0000 CFS USE DIV. VOLUME - .00 AFA
USE - IRRIGATION PLACE OF USE - TWN 15N RNG 01W SEC 33 TRACT SWNW LOT AC 05
DECREE NAME - DATE - TOTAL ACRES 5
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 7971
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

9/78

IDENT. NO.

IDENT. NO. 67-2066

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]

REPORT OF ENGINEER.

1. State name of applicant and number of permit: *John Lay*
2. State source of water supply: *Grays Creek*
3. Location of point of diversion: *S.W. of N.E. 1/4*
4. State whether or not the works of diversion are fully completed and in accordance with the terms of permit: *they are fully completed*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *24 inches*
 - (b) Width at water line: *24 inches*
 - (c) Depth of water: *18 inches*
 - (d) Grade per mile: *1 inch to rod*
 - (e) Capacity of ditch: *about 200 miners inches* second feet.
6. State whether or not water has been turned into works of diversion, and if so, to what extent: *used all through irrigation of 1912*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: *South W. of N.W. 1/4 Sec. 33*
Town 15 N Range 1 W
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: *this ditch is only a small ditch as the applicant has only 40 acres of land.*

R. F. Boutte

STATE OF IDAHO,

County of *Adams*

ss.

R. F. Boutte, 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 *Fifth* day of *January* 191*3*.

My Commission Expires *June 26 - 1914*

James C. Stinson
Notary Public.

1921

B. E.

Name of Applicant.....

679

SEC-

SEC:

CONFIDENTIAL

Erays Creek
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seen with
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2/12/21