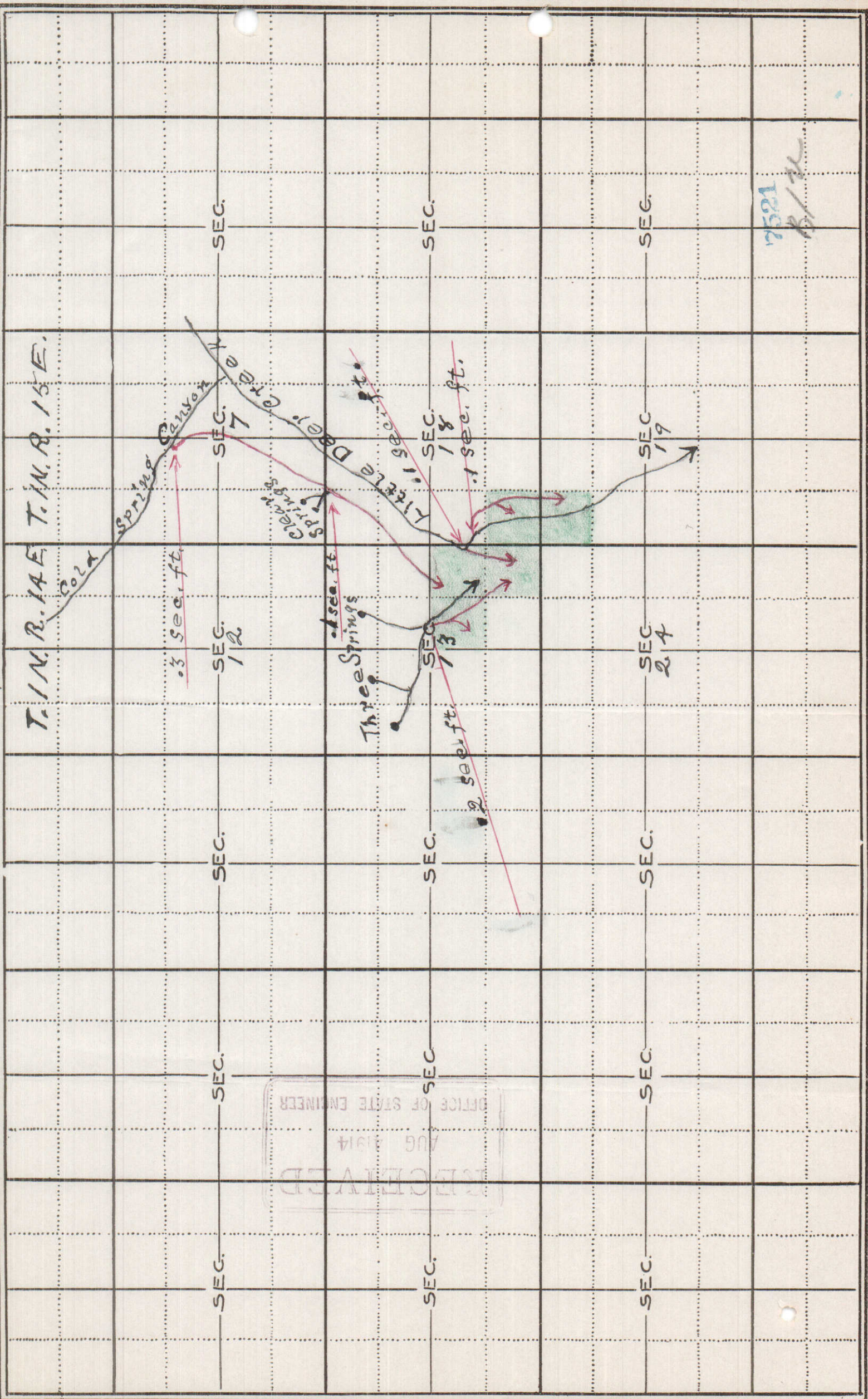
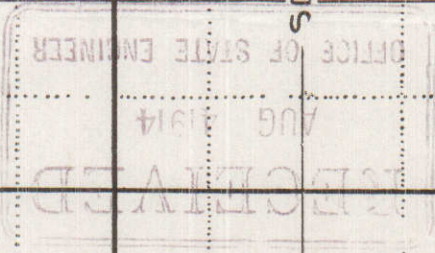


Name of Applicant *Eva A. Simmons*



12521
B/14

INTER-DEPARTMENT MEMO — 1

FROM D. Hollingshead

DATE April 25, 1985

TO W. R. File 37-2215

SUBJECT: P/D descriptions & locations

Note: License DOES NOT correctly indicate Location of P/D's
Refer to Engr's Report

- 1) Cold Spring Canyon SE NW Sec 7, T1N R1E
- 2) Clear Springs ^(diverted into ditch from Cold Spring canyon) at -- NW, NW, Sec 18, T1N, R1E
- 3) L. Deer Creek (Lower P/D) NW, SW, Sec 18, T1N, R1E
- 4) L. Deer Creek (Upper P/D) NE, SE Sec 13, T1N, R1E
- 5) Un named stream
(locally known as 3 Springs) SW, NE Sec 13, T1N, R1E

SIGNATURE

37-2215

Diversion from Little
Deer Creek in NW 1/4 SW 1/4
of Sec. 18 should be in
R15E rather than R14E.

-JP 7-23-79

County: Blaine
 Stream: Cold Spring Canyon, Clear Springs, Little ^{Deer} Creek Three Springs
 Amount: 42/50 sec. ft.
 Use: irrigation
 Priority: June 21, 1911

STATE OF IDAHO

Water License No. 7521

WHEREAS, On the 21st day of June, A. D. 1911,

Eva A. Simmonds

of Soldier, County of Blaine, State of Idaho, duly made application (No. 10946) to me for a permit to use 2 cubic feet per second of water, as follows: 5 of 1 cubic foot per second from Cold Spring Canyon; 2 of 1 cubic foot per second from Clear Springs; 5 of 1 cubic foot per second from Little Deer Creek; 6 of 1 cubic foot per second from 3 Springs Creek and 2 of 1 cu. ft. per sec. from Little Deer Creek County of Blaine, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 12th day of August, A. D. 1911, Permit No. 7521 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 12th day of August, A. D. 1914, and for the application to beneficial use of said water on or before the 12th day of August, A. D. 1914, and,

WHEREAS, On the 20th day of June, A. D. 1914,

Eva A. Simmonds

the holder of said permit, duly made proof of the completion of adequate works for the diversion of two (2) cubic feet per second of said waters, as evidenced by my Certificate No. 7521 dated September 16, 1914 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use two (2) cubic feet per second of said water, with date of priority of June 21, 1911, and

WHEREAS, On the 20th day of June, A. D. 1914,

Eva A. Simmonds

the holder of said permit, duly made proof of the application to beneficial use of 42/50 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 Eva A. Simmonds

of Soldier, County of Blaine, State of Idaho, the holder and owner of said Permit No. 7521, a perpetual right, dating from June 21, 1911, to the use of 42/50 of 1 cubic foot per second of water, divided as follows: 10.5 inches from Cold Spring Canyon; 4.2 inches from Clear Springs; 10.5 inches from Little Deer Creek; 12.6 inches from 3 Springs Creek and 4.2 inches from Little Deer Creek; in the County of Blaine and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted as follows: Cold Spring Canyon in SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 7, T. 1 N., R. 15 E.; from Clear Springs in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 18, T. 1 N., R. 15 E.; from 3 Springs Creek in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 13, T. 1 N., R. 14 E.; from Little Deer Creek in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 13 and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 18, T. 1 N., (R. 14 E.), SE

and conducted to and upon 42 acres, divided as follows: 16 acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$, 9 acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and 8 acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 13, T. 1 N., R. 14 E., 6 acres in Lot 4, Sec. 18 and 3 acres in Lot 1, Sec. 19, T. 1 N., R. 15 E.,

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 or 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 16th day of September A. D. nineteen hundred and fourteen.

F. P. King,

(Seal)

State Engineer:

37-2215

37-2215

No. 10946

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Eva A. Simmons

Postoffice address: Soldier

County: Blaine State: Idaho

2. The quantity of water claimed is Two cubic feet per second.

3. Source of water supply: Cold Spring Canyon; Clear Springs; 3 Springs Creek; Little Deer Creek.

4. Location of point of diversion: See Remarks No. 1

County of Blaine

5. To be used for: Irrigation

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 207.79 acres

(b) In the following legal subdivisions: E $\frac{1}{2}$ SE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, T. 1 N., R. 14 E.---SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, T. 1 N., R. 15 E.

6. Estimated cost of works: \$225.00

7. Description of works for diversion:

I. Kind of works: Ditches.

II. Dimensions of works:

(d) Conduit Ditches, width at bottom 1 $\frac{1}{2}$ feet, width at water line 2 feet, depth of water 1 $\frac{1}{2}$ feet. Average grade per mile is 30 feet. Length of conduit is 1 $\frac{3}{4}$ miles and it crosses the following quarter sections: NW $\frac{1}{4}$ and SW $\frac{1}{4}$ Sec. 7; the NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18, T. 1 N., R. 15 E.---NE $\frac{1}{4}$ Sec. 13, T. 1 N., R. 14 E.

8. The time required for the completion of the construction of such work is 3 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.

Eva A. Simmons,.....Applicant

By H. L. Childs,.....Agent.

Remarks: No. 1. Location of Point of Diversion:

Cold Spring Canyon, .5 second ft., SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7, T. 1 N., R. 15 E.Clear Springs, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7, T. 1 N., R. 15 E. .2 second foot.Little Deer Creek, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, T. 1 N., R. 15 E., .5 second foot.3 Springs Creek, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13, T. 1 N., R. 14 E., .6 second foot.Little Deer Creek, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13, T. 1 N., R. 14 E., .2 second foot.

Total 2 second feet.

APPROVAL OF STATE ENGINEER.

The number of this permit is 7521

Date of first receipt at office of State Engineer 9:00 A. M. June 21, 1911

Returned to applicant for correction June 21, 1911

Corrected application received July 1, 1911

Recorded in Book 23. Page 7521. Approved August 12, 1911

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 October 11, 1911, 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 12, 1913

The whole of said work to be completed on or before August 12, 1914.

Beneficial use of water appropriated in accordance herewith, to be made on or before August 12, 1914.

Witness my hand this twelfth day of August, 1911.

A. E. Robinson,
State Engineer.

Proof of Completion of Works and Beneficial Use of Water made June 20, 1914.
 Certificate and License issued September 16, 1914.

Permit No. 7521

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that Eva A. Simmons of Soldier, County of Blaine, and State of Idaho, the holder of Permit No. 7521, issued upon Application No. 10946, bearing date of priority of June 21, 1911, authorizing the diversion of .5 of 1 second foot of the waters of Cold Springs Canyon; .2 of 1 second foot of the waters of Clear Springs; .5 of 1 second foot of the waters of Little Deer Creek; .6 of 1 second foot of the waters of 3 Springs Creek and .2 of 1 second foot of the waters of Little Deer Creek, County of Blaine, 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 two (2) second-feet of the waters of Cold Springs Creek, Clear Springs, Little Deer creek and 3 Springs Creek; that the points of diversion of said waters are as follows: Cold Springs Canyon in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T. 1 N. R. 15 E.; Clear Springs in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 1 N., R. 15 E.; 3 Springs Creek in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 1 N., R. 14 E. and Little Deer Creek in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13 and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 1 N. R. 14 E., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ of SE $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 13, T. 1 N., R. 14 E.B.M., SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 18 and NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 19, T. 1 N., R. 15 E.B.M., containing 200 acres.

Witness my hand this 16th day of September, A. D. 1914.

F. P. King,

State Engineer of the State of Idaho.

License issued for 42/50 second feet

Page 1657

MEMORANDUM

Date: November 08, 2002
To: Water Right File 37-2215
From: dgibson 
Re: POD REVIEW

During my review of this file for the POD locations I found that the POD descriptions vary between water rights and adjudication. The water right information closely resembles the original license issued 9/16/1914. The adjudication claim was filed 8/10/89 by Ina M. Krahn and the Estate of Edward Krahn.

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 7521 / 37-2215
OTd No. New No.

Record

1. Original Owner: EUG A. Simmons

Present Owner: _____

2. Address:

3. City: Soldier State: Id Zip: _____4. A. Source of Water: Cold Spring Canyon, Clear Springs,
Little Deer Creek, three Springs 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: 10-21-1911D. County: 13E. Total Diversion Rate: .8

F. Total Diversion Volume:

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

H. Water District:

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>SE NW</u>	<u>7</u>	<u>1^N</u>	<u>15^E</u>	_____	_____
	<u>NW NW</u>	<u>18</u>	<u>1^N</u>	<u>15^E</u>	_____	_____
	<u>SW NE</u>	<u>13</u>	<u>1^N</u>	<u>14</u>	_____	_____
	<u>NE SE</u>	<u>13</u>	<u>1^N</u>	<u>14^E</u>	_____	_____
	<u>NW SW</u>	<u>18</u>	<u>1^N</u>	<u>15^E</u>	_____	_____

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

from _____ to _____ for A purposes. Amount .8
(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 _____

8. Use Code: ~~A~~

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
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: 7821

F. Proof Made (P or blank):

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

H. Conditions of Approval:

14. Diversion Means (brief narrative):

4.26.79.

REPORT OF ENGINEER

1. State name of applicant and number of permit: Eva A. Simmons. Permit No. 7521.
 2. State source of water supply: Cold Spring Canyon, Clear Springs, Three-Springs Creek. Little Deer Creek.
 3. Location of point of diversion: Cold Spring Canyon S.E. $\frac{1}{4}$ N.W. $\frac{1}{4}$ Sec. 7. Clear Springs N.W. $\frac{1}{4}$ N.W. $\frac{1}{4}$ Sec. 18, T.1 N., R.15 E. --- Three-Springs Creek S.W. $\frac{1}{4}$ N.E. $\frac{1}{4}$, Little Deer Creek N.E. $\frac{1}{4}$ S.E. $\frac{1}{4}$ Sec. 13, T.1 N., R.14 E. - N.W. $\frac{1}{4}$ S.W. $\frac{1}{4}$ Sec. 18 T.1 N., R.15 E.
 4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:
Yes.
 5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 1 $\frac{1}{2}$ ft.
 - (b) Width at water line: 2 ft.
 - (c) Depth of water: 10 inches.
 - (d) Grade per mile: Average 30 ft.
 - (e) Capacity of ditch: One and one-half -- second feet.
 6. State whether or not water has been turned into works of diversion and if so, to what extent: Yes, to the extent of eight-tenths second foot.
 7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: N.W. $\frac{1}{4}$ S.E. $\frac{1}{4}$ 8 acres cultivated and 8 acres cleared for wild hay; -- N.E. $\frac{1}{4}$ S.E. $\frac{1}{4}$ 9 acres cultivated; -- S.E. $\frac{1}{4}$ S.E. $\frac{1}{4}$ 8 acres cultivated, Sec. 13, T.1 N., R.14 E.
Lot 4, Sec. 18, six acres cultivated; -- Lot 1, Sec. 19, three acres cultivated, T.1 N., R.15 E.
 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: All of said springs have a perennial flow to the amount indicated on map, but nearly double the amount during irrigating season of run-off waters.

RECEIVED

AUG 4 1914

OFFICE OF STATE ENGINEER

H. L. Childs

STATE OF IDAHO,

County of Blaine.

} ss.

H. L. Childs

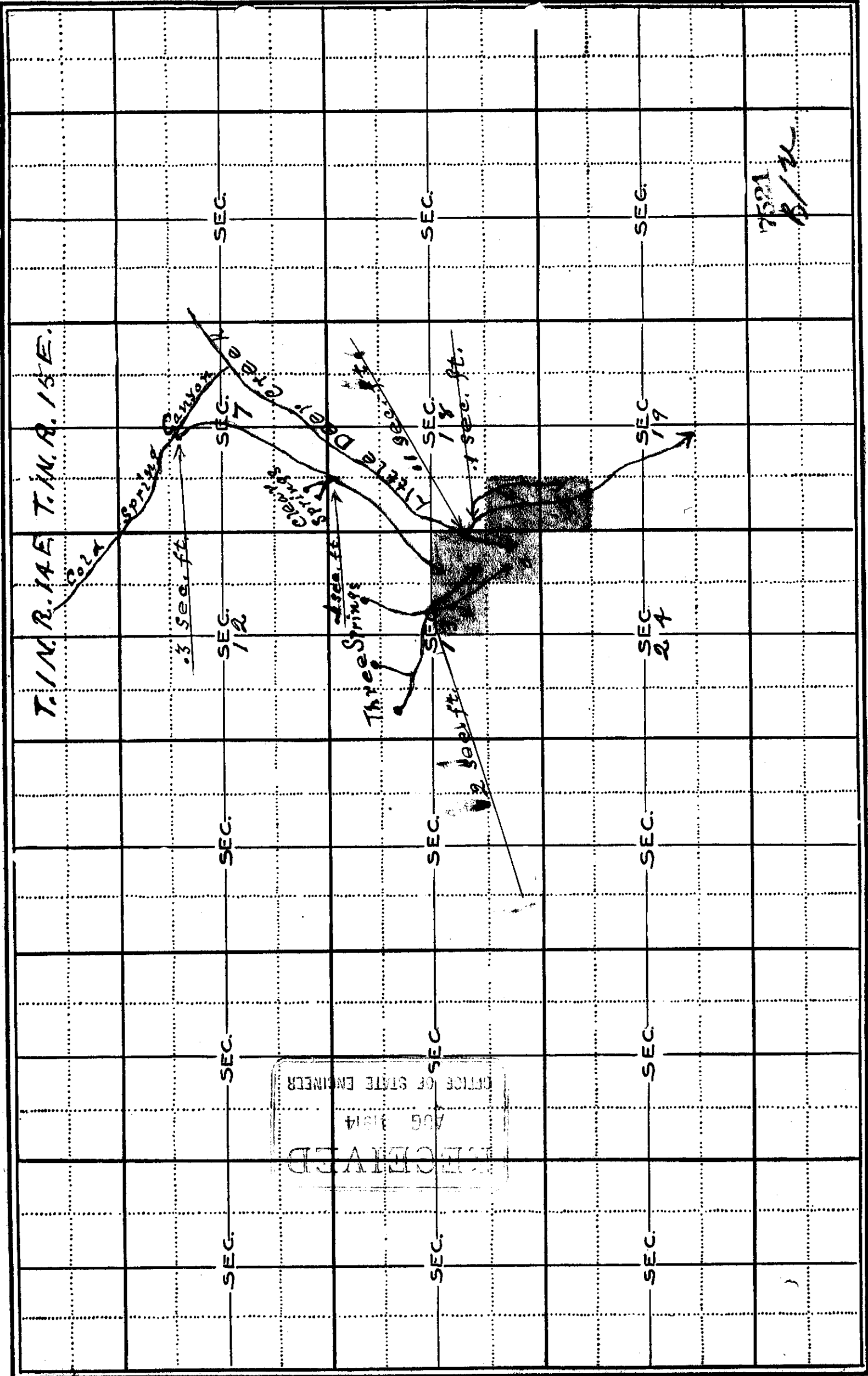
, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 3d day of August, -- 1914.

My Commission Expires 12/17/1916

W. J. Martin
Notary Public.

7521



Name of Applicant
Eva A. Simmons