

Name of Applicant

SCALE: 2 INCHES=1 MILE DRAW PLAN IN INK.

RECEIVED
DEC 1912
OFFICE OF STATE ENGINEER

Twp 1 South Range 20 East

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Springs

29

28

CANAL



SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

32

33

34

35

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

6749

B/A

County: Blaine
Stream: LeDuc Springs
Amount: 1.25 second-feet
Use: Irrigation
Priority: 10/19/10

STATE OF IDAHO

Water License No. 6749

WHEREAS, On the 19th day of October, A. D. 1910,

SAMUEL D. KILPATRICK, FRANK MELIUS and JAY B. BURNHAM,
of Picabo, County of Blaine, State of Idaho, duly made application
(No. 9779) to me for a permit to use 4 cubic feet per second of the waters of
LeDUC SPRINGS,

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

WHEREAS, On the 29th day of October, A. D. 1910, Permit No. 6749 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 29th day of October, A. D. 1912, and for the application to ben-
eficial use of said water on or before the 29th day of October, A. D. 1914, and,

WHEREAS, On the 9th day of October, A. D. 1912,

SAMUEL D. KILPATRICK, FRANK MELIUS, and JAY B. BURNHAM,

the holder s of said permit, duly made proof of the completion of adequate works for the diversion of
4 cubic feet per second of said waters, as evidenced by my Certificate No. 6749
dated December 7th, 1912, confirming the completion of works of sufficient capacity for diverting and
conveying to the place of intended use 4 cubic feet per second of water,
with date of priority of October 19th, 1910, and

WHEREAS, On the 9th day of October, A. D. 1912

SAMUEL D. KILPATRICK, FRANK MELIUS, and JAY B. BURNHAM,

the holder s of said permit, duly made proof of the application to beneficial use of 1.25 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

SAMUEL D. KILPATRICK, FRANK MELIUS and JAY B. BURNHAM,

of Picabo, County of Blaine, State of Idaho, the holder s and owners
of said Permit No. 6749, a perpetual right, dating from October 19th, 1910,
to the use of 1.25 cubic feet per second of the waters of

LeDUC SPRINGS,

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 at springs, about 400 feet East of the
Southwest Corner of the Southwest quarter of the Northwest quarter, (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
Section 29, Township 1 South, Range 20, East of the Boise Meridian,

and conducted to and upon 62 $\frac{1}{2}$ acres, divided as follows: 25 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 35; 7 $\frac{1}{2}$ acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33; 6 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 9 acres
in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 15 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Township 1 South, Range
20 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 7th day of December,
A. D., nineteen hundred and twelve.

(Seal)

A. E. Robinson.

State Engineer.

37-2196

37-2196

No. 9779

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicants: Samuel D. Kilpatrick, Jay B. Burnham, and Frank Melius.

Postoffice address: Picabo, Blaine County, Idaho.

County: Blaine State: Idaho.

2. The quantity of water claimed is four (4) cubic feet per second.

3. Source of water supply: The LeDuc Springs.

County of Blaine.

4. Location of point of diversion: At Springs about 400 feet east of the SW corner SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 29, Tp. 1 S. of Range 20 East.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 240 acres.

(b) In the following legal subdivisions: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, the N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 34, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35 said Tp. and Range.

6. Estimated cost of works: \$600.00

7. Description of works for diversion: ditch

I. Kind of works: ditch

II. Dimensions of works:

(d) Conduit ditch, width at bottom 10 feet, width at water line 13 feet, depth of water 1 $\frac{1}{2}$ feet, Average grade per mile isfeet. Length of conduit is about 3 miles and it crosses the following quarter sections: SW $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 29, S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 28, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ Sec. 33, NW $\frac{1}{4}$ and NE $\frac{1}{4}$ Sec. 34, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, said Township and Range 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 2 years.

9. Time required for the complete application of the water to the proposed use is 2 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.

Frank Melius,

Jay B. Burnham,

Samuel D. Kilpatrick
Applicants.

By J. B. Burnham Agent
for said Kilpatrick.

Remarks: The spring mentioned in this application were developed by the construction of the ditch or canal mentioned herein. The springs rise or come from the south bank of the canal which bank is formed by the side of a mountain. No dam or headgate will be required to divert the water as it runs directly from the side hill into the canal.

The said S. D. Kilpatrick is the owner of the said SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, and claims forty miners' inches of said water for the irrigation thereof. The said Jay. B. Burnham has entered at the U. S. Land Office the said NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34, and claims 32 miners' inches of said water for the irrigation thereof. And the said Frank Melius has entered at the U. S. Land Office the NE $\frac{1}{4}$ NE $\frac{1}{4}$ said Sec. 33, N $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Said Sec. 34, and claims 128 miners' inches of said water for the irrigation thereof.

APPROVAL OF STATE ENGINEER.

The number of this permit is 6749.

Date of first receipt of application: 9.00 a.m. October 19, 1910.

Recorded in Book 20. Page 6749 Approved October 29, 1910.

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 28, 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 October 29, 1911.

The whole of said work to be completed on or before October 29, 1912.

The time for proof of beneficial use of water appropriated in accordance herewith extended to October 29, 1914.

Witness my hand this twenty-ninth day of October, 1910.

D. G. Martin.
State Engineer.

Both Notices received, fixing October 9th, 1912, as date and Bellevue as place of proof.
 C. W. Wilson of Bellevue authorized August 31st, 1912, to make the required examination.
 Publication Notice mailed August 31st, 1912, to the Gate City News.
 Deposition blanks mailed September 6th, 1912, to C. P. Larsen.
 Depositions, affidavit and fees received October 15th, 1912.
 Report received December 2nd, 1912.
 Certificate and License issued December 7th, 1912.
 License issued for 1.25 second-feet.

Permit No. 6749.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that SAMUEL D. KILPATRICK, FRANK MELIUS and JAY B. BURNHAM, of Picabo, County of Blaine and State of Idaho, the holders of Permit No. 6749, issued upon Application No. 9779, bearing date of priority of October 19th, 1910, authorizing the diversion of 4 second feet of the waters of LeDUC SPRINGS, 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 4 second-feet of the waters of LeDuc Springs; that the point of diversion of said waters is at springs, about 400 feet East of the Southwest Corner of the Southwest quarter of the Northwest quarter, (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 29, Township 1 South, Range 20, 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: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33; N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 34; and the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, Township 1 South, Range 20, East of the Boise Meridian.

Witness my hand this 7th day of December, A. D. 1912.

A. E. Robinson,

State Engineer.

License issued for 1.25 second feet

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WATER RIGHT NUMBER 37-2196 ✓

OWNER LAST NAME - KILPATRICK
OWNER LAST NAME - MELIUS
OWNER LAST NAME - BURNHAMFIRST NAME - SAMUEL D.
FIRST NAME - FRANK
FIRST NAME - JAY B.ORIG OWNER -
ORIG OWNER -
ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - PICABO ✓

STATE - ID / ZIP CODE - 83348 ✓

SOURCE - LE DUC SPRINGS

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 10-19-1910 COUNTY - BLAINE

TOTAL DIV. RATE -

1.2500 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWNW 29 01S 20E LOT

REDIV -

272.0 386.0

2.0

3.0

0.0

0.0

0.0

0.0

0.0

0.0

0.2

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

1.2500 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 01S RNG 20E SEC 34 TRACT NENE LOT

AC 15 TRACT NENE LOT

AC 09

TRACT NWNW LOT

AC 06

USE - IRRIGATION

PLACE OF USE - TWN 01S RNG 20E SEC 33 TRACT NENE LOT

AC 08

USE - IRRIGATION

PLACE OF USE - TWN 01S RNG 20E SEC 35 TRACT SWNW LOT

AC 25

DECREE NAME -

DATE -

TOTAL ACRES

63

REMARKS - AC. IRR. = 62.5.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 6749

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

IDENT. NO. 37-2196

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]

- DATA ENTRY -

Record

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

[illegible]

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. Acc. = 62.5
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: 6749

F. Proof Made (P or blank):

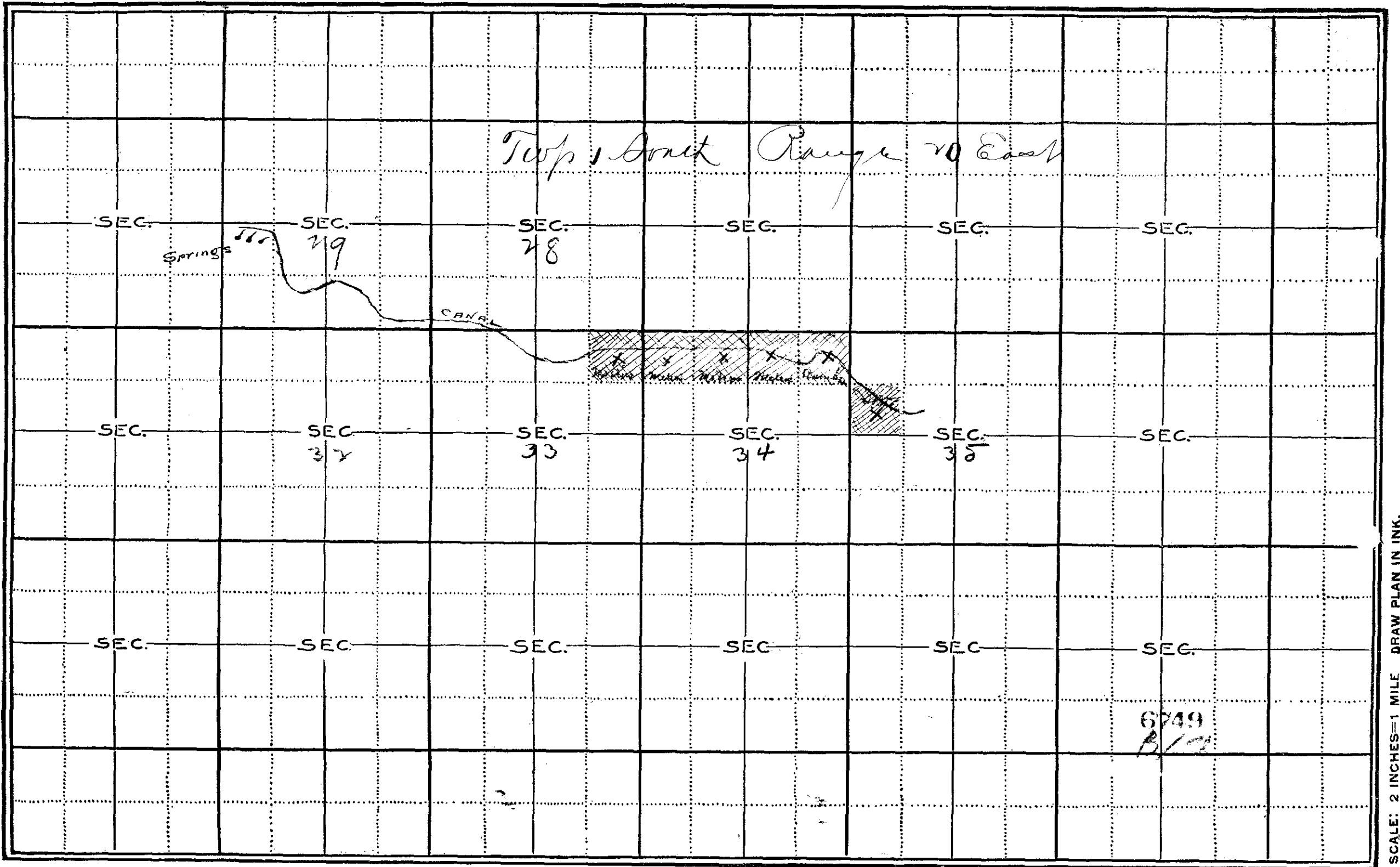
G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

LC 42-11

Name of Applicant.....



SCALE: 2 INCHES=1 MILE DRAW PLAN IN INK.

REPORT OF ENGINEER.

1. State name of applicant and number of permit: 6749
2. State source of water supply: Ledue Spring
3. Location of point of diversion: NE corner of NW 1/4 of Sec 35
Sec 29 T. 1 S. R. 20 East
4. State whether or not the works of diversion are fully completed and in accordance with the terms of permit: yes
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 10
 - (b) Width at water line: 14
 - (c) Depth of water: 2 ft
 - (d) Grade per mile: 2 ft to mile
 - (e) Capacity of ditch: 3000 inches second feet.
6. State whether or not water has been turned into works of diversion, and if so, to what extent:
yes 700 inches
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: 25 acres cultivated on NW 1/4 of NW 1/4 Sec 35
7 1/4 acres on NE 1/4 of NE 1/4 Sec 33; 6 acres on NW 1/4 of NW 1/4 Sec 34,
9 acres on NE 1/4 of NW 1/4 Sec 34; NW 1/4 of NE 1/4 Sec 34 now;
and 15 acres on NE 1/4 of NE 1/4 Sec 34 T. 1 S. R. 20 East.
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:

STATE OF IDAHO,

County of Blaine } ss.

W. Wilson

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 29th day of Nov 1912

My Commission Expires Feb. 4, 1913.

My Commission Expires

Notary Public.

W. Wilson 6749

DEC 2 1912

STATE OF IDAHO
OFFICE OF STATE ENGINEER

C. P. Larsen