

T. & S. R. 11 E. B. M.

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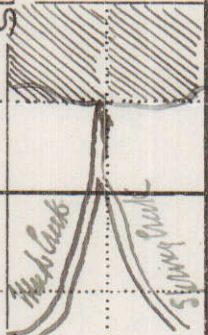
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55398

Anna Johnson Audit No. 5398

Sept 19, 1911

RECEIVED
SEP 17 1911
OFFICE OF STATE ENGINEER

Elmore County *
Spring Creek *
1 cu. ft. per sec. *
Irrigation and domestic *
Priority 11-5-1909 *

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

WATER LICENSE NO. 5398.

WHEREAS, On the 5th day of November, A. D. 1909, ANNA JOHNSON, of County Line, County of Elmore, State of Idaho, duly made application (No. 7833) to me for a permit to use 1 cubic foot per second of the waters of Spring Creek, County of Elmore, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 5th day of November, A. D. 1909, Permit No. 5398, 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 5th day of November, A. D. 1911, and for the application to beneficial use of said water on or before the 5th day of November, A. D. 1911, and,

WHEREAS, On the 30th day of September, A. D. 1911, ANNA JOHNSON, the holder of said permit duly made proof of the completion of adequate works for the diversion of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 5398, dated October 30th, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1 cubic foot per second of water, with date of priority of November 5th, 1909, and,

WHEREAS, On the 30th day of September, A. D. 1911, ANNA JOHNSON, the holder of said permit duly made proof of the application to beneficial use 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 ANNA JOHNSON, of County Line, County of Elmore, State of Idaho, the holder and owner of said Permit, No. 5398, a perpetual right, dating from November 5th, 1909, to the use of 1 cubic foot per second of the waters of Spring Creek, in the County of Elmore, 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 Northwest quarter of the Southwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 33, Township 1 South, Range 11 East of the Boise Meridian, and conducted to and upon 80 acres, divided as follows: (40 acres in the Northeast quarter of the Southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) and 40 acres in the Southeast quarter of the Southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section 33, Township 1 South, Range 11 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 30th day of October, A. D. Nineteen hundred and eleven.

A. E. Robinson,

State Engineer

(SEAL)

37-2158

No. 7833

37-2158

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Anna Johnson

Postoffice address: County Line

County: Elmore

State: Idaho

2. The quantity of water claimed is one cubic foot per second.

3. Source of water supply: Spring Creek

County of Elmore

4. Location of point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, T. 1 S.R. 11 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 80 acres

(b) In the following legal subdivisions: E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 33, T. 1 S.R. 11 E

6. Estimated cost of works: \$150

7. Description of works for diversion:

I. Kind of works: Dam and ditch

II. Dimensions of works:

(a) Height of dam 5 feet, length of dam at top 60 feet, length of dam at bottom 30 feet. Material used in construction: Earth

(d) Conduit ditch, width at bottom 2 $\frac{1}{2}$ feet, width at water line 4 feet, depth of water 6 inches. Average grade per mile is 10 feet. Length of conduit is 600 feet, and it crosses the following quarter sections: NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, T. 1 S.R. 11 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 two 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.

Anna Johnson,

Applicant

By Andrew Johnson. Agent.

APPROVAL OF STATE ENGINEER.

The number of this permit is 5398.

Date of first receipt of application: 9,00 a.m. November 5,1909

Recorded in Book 15. Page 5398. Approved November 5,1909

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 4,1910, 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 5, 1910.

The whole of said work to be completed on or before November 5,1911.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to November 5,1911.

Witness my hand this fifth day of November,1909.

Jas. Stephenson, Jr.

State Engineer

Notice of proof of Completion of Works and of Application of Water to Beneficial use received August 24, 1911, fixing September 30, 1911, as date, and Soldier, Idaho, as place of proof.

Deposition blanks mailed August 28, 1911.

Hon. Rav. Macbeth, Water Commissioner, notified September 7, 1911, to make examination of works.

Publication Notice mailed August 28, 1911.

Report of Engineer received September 16, 1911.

Depositions received October 4, 1911

Affidavit of Publication received _____

Fees received October 17, 1911.

Certificate and License issued October 30, 1911.

Permit No. 5398

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that ANNA JOHNSON, of County Line, County of Elmore, and State of Idaho, the holder of Permit No. 5398, issued upon Application No. 7833, bearing date of priority of November 5th, 1909, authorizing the diversion of 1 second foot of the waters of Spring Creek, County of Elmore, 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 second-foot of the waters of Spring Creek, that the point of diversion of said waters is at a point in the Northwest quarter of the Southwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 33, Township 1 South, Range 11, 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: East half of the Southwest quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$), Section 33, Township 1 South, Range 11, East of the Boise Meridian.

Witness my hand this 30th day of October, A. D. 1911.

A. E. Robinson,

State Engineer of the

State of Idaho.

License issued for 1 second feet

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WATER RIGHT NUMBER 37-2158 ✓

OWNER LAST NAME - JOHNSON ✓

FIRST NAME - ANNA ✓

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - COUNTY LINE

STATE - ID ZIP CODE -

SOURCE - UNNAMED STREAM ✓

TRIBUTARY OF - MALAD RIVER ✓

STAGE - LICENSE

STATUS -

PRIORITY - 11-05-1909 COUNTY - ELMORE

TOTAL DIV. RATE - 1.0000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRER/AMEND -

WATER DIST. - 37 DLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - NWSW 33 01S 11E LOT REDIV -

272.0 386.0 7.0 21.0 1.2 0.0 0.0 0.0 0.0 0.0 0.2

FROM - TO -

USE - IRRIGATION

USE DIV. RATE - 1.0000 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 11E/SEC 33 ✓ TRACT NESW 1/4 LOT

AC 40 ✓ TRACT SESW 1/4 LOT

AC 40 ✓

DECREE NAME -

DATE -

TOTAL ACRES

80 ✓

REMARKS - SOURCE KNOWN LOCALLY AS SPRING CK. ✓

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 5398

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL - ✓

DIVERSION MEANS -

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 5398 137-2158
Old No. New No.

Record

1. Original Owner: Anna Johnson

Present Owner: _____

2. Address:

3. City: County Line State: 10 Zip: _____

4. A. Source of Water: Spring 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: 11-5-1909

D. County: 39

E. Total Diversion Rate: 1.

F. Total Diversion Volume:

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

H. Water District: 37

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>NW1/4</u>	<u>33</u>	<u>15</u>	<u>11E</u>		

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

from _____ to _____ for <u>A</u> purposes.	Amount <u>1.</u> (cfs or AC-Ft/yr)
from _____ to _____ for <u>D</u> 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: 5398

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

SPD 4-25-79

November 3, 1911

Permit 5398

Andrew Johnson,
County Line, Idaho.

Sir:

Am inclosing you herewith certificate and license
issued under above permit.

Very truly yours,

State Engineer.

C&L

By...

5-28

Permit No. 5398

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Anna Johnson, 51 years old, near County Line, Idaho, farmer,
County Line, Elmore County, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 5398, Nov. 5, 1909, priority Nov. 5, 1909.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Spring Creek N. $\frac{1}{4}$ S.W. $\frac{1}{4}$ Sec. 33, T.1 S., R.11 E.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Dam 5 ft. high, top length 60 ft., bottom length 30 ft. Ditch width
at bottom $2\frac{1}{2}$ ft., width at water line 4 ft., depth of water 6 inches,
capacity one second foot. Name "Spring Creek Ditch."

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have *actually* been irrigated with said water.)

Ans. Irrigation. E. $\frac{1}{2}$ S.W. $\frac{1}{4}$ Sec. 33, T.1 S., R.11 E. - N.E. $\frac{1}{4}$ S.W. $\frac{1}{4}$ 8 acres
cultivated and 32 acres for grass, --- S.E. $\frac{1}{4}$ S.W. $\frac{1}{4}$ 8 acres cultivated and
32 acres for grass.

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. one second foot.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

5398

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. During irrigating seasons of 1910 and 1911, by irrigation in amount of one second foot and the extent of irrigating 80 acres.

Ques. 11 State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans.

(Sign) anna johnson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Soldier, County of Blaine, State of Idaho, on this 30th day of September, A. D. 1911.

H. L. Childs.

Notary Public.

Permit No.	Proof of Application of Water to Beneficial Use
DEPOSITION OF HOLDER	
Amount of Water	second feet
Source	
County	
Purpose	
Place of use	
Date of Priority	
Received and filed	
THE TRIBUNE POGATELLO, IDAHO	

T. A. S. R. H. E. B. M.

SEC.

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5398
Anna Johnson Permit No. 5398
Sept 17, 1911

REPORT OF ENGINEER

1. State name of applicant and number of permit: Mona Johnson - Permit 5098

2. State source of water supply: Spring creek

3. Location of point of diversion: NW4 SW4 Sec.33, Tp. 1 S., R. 11 EBM

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Fully completed

5. Describe works as they exist, giving dimensions of same as follows:

(a) Width of conduit at bottom: 2 1/2'

(b) Width at water line: 4'

(c) Depth of water: 1'

(d) Grade per mile: 3'

(e) Capacity of ditch: 4 _____ second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent: Full extent

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: E2 SW4 Sec.33, Tp. 1 S., R. 11 EBM

40 acres under cultivation NE4 SW4 } Sec 33, T.1 S. R. 11 E.
40 " " " SE4 SW4 }

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 :

STATE OF IDAHO,

County of.

ss.

....., 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 _____ day of _____ 191_____

My Commission Expires.....

Notary Public.

Reverend Mr. Nichol
 Water Commissioner 2nd Div.

5378