

Mary McManis Aug 4 85 1/2 Sec 15-1-13.

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SEC.

North Three Mile Creek.
1/2 Sec 15-1-13

4495

37-2131

Pt. of div. on west fork
of Threemile Creek has been
platted in SWNW¹ of Sec. 14
rather than Sec. 15, T 1N,
R 13E.

7-19-79

-JP

Blaine County *
Three Mile Cr, Willow Sp. *
.6 of 1 second foot *
Irrigation and domestic *
Priority 4-3-1909 *

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

Water License No 4495.

WHEREAS, On the 3rd day of April, A.D. 1909, MARY MCMAHON, of Corral, County of Blaine, State of Idaho, duly made application (No. 6428) to me for a permit to use .4 of 1 cubic foot per second of the waters of West Fork of Three Mile Creek and .2 of 1 cubic foot per second of the waters of Willow Spring County of Blaine, State of Idaho, for irrigation and domestic purposes: and

WHEREAS, On the 3rd day of April A.D. 1909, Permit no. 4495 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 3rd day of April, A.D. 1911, and for the application to beneficial use of said water on or before the 3rd day of April, A.D. 1911, and,

WHEREAS, On the 3rd day of June A.D. 1909, MARY MCMAHON, the holder of said permit duly made proof of the completion of adequate works for the diversion of .6 of 1 cubic foot per second of said waters, as evidenced by my Certificate no. 4495, dated June 23, 1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use, .6 of 1 cubic foot per second of said waters, with date of priority of April 3, 1909. and

WHEREAS, On the 3rd day of June A.D. 1909 MARY MCMAHON, the holder of said permit duly made proof of the application to beneficial use of .6 of 1 cubic foot 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 MARY MCMAHON, of Corral, County of Blaine, State of Idaho, the holder and owner of said Permit no. 4495 a perpetual right, dating from April 3, 1909, to the use of .6 of 1 cubic foot per second of the waters of the West fork of Three mile Creek and Willow Spring, 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 a point on the west fork of Three Mile Creek in the southwest quarter of northwest quarter and from Willow Spring in northeast quarter of southwest quarter of section 15, township 1 north, range 13 east of the Boise meridian, and conducted to and upon about (40 acres in the southwest quarter of southeast quarter of section 15, township 1 north, range 13 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 23rd day of June A.D.

Nineteen hundred and nine.

Jas. Stephenson, Jr.

State Engineer

(SEAL) Recorded June 23, 1909

37-2131

No. 6428.

37-2131

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Mary M. Mahon,

Postoffice address: Corral.

County: Blaine

State: Idaho

2. The quantity of water claimed is six-tenths cubic feet per second.

3. Source of water supply: West fork Three Mile Creek .4 sec. ft., and Willow Spring .2 sec. ft.,

County of Blaine

Idaho.

4. Location of point of diversion: .4 sec. ft., SW4 NE4 Sec. 15 T. 1 N.R. 13 E.
.2 Sec. ft., NE4 SW4 Sec. 15

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 40 acres.

(b) In the following legal subdivisions: SW4 SE4 Sec. 15, T. 1 N.R. 13 E.B.M.

6. Estimated cost of works: \$50.00

7. Description of works for diversion:

I. Kind of works: Ditch

II. Dimensions of works:

(c) Size of headgate: Width two feet, height three feet.

(d) Conduit ditch, width at bottom 2 feet, width at water line 2½ feet, depth of water one foot. Average grade per mile is 10 feet. Length of conduit is 1/2 mile, and it crosses the following quarter sections: SW4 NE4, the NW4 SE4 and the NE4 SW4 Sec. 15, T. 1 N.R. 13 E., to land described in 5 I (b) above which is the point of intended use.

8. 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, The undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Mary M. Mahon,

Applicant.

By. H.L. Childs..Agent.

APPROVAL OF STATE ENGINEER

The number of this permit is 4495.

Date of first receipt of application: 9.00 a.m. April 3, 1909

Recorded in Book 12. Page 4495. Approved April 3, 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 June 2, 1909, 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 April 3, 1910.

The whole of said work to be completed on or before April 3, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith to extend to April 3, 1911.

Witness my hand this third day of April, 1909.

Jas. Stephenson, Jr.

State Engineer.

Notice for proof of completion and beneficial use received April 29, 1909, fixing

June 3, 1909, as date and Soldier as place of proof.

Publication notice mailed Tamas Prairie Courier April 29, 1909

Deposition blanks mailed applicant April 29, 1909

Jas. McMillian notified to make proof, April 29, 1909

Depositions, fees, affidavit of publication: received June 7, 1909

Report of engineer received : June 9, 1909

Certificate of Completion and water License issued June 23, 1909.

PERMIT NO. 4495.

CERTIFICATE OF COMPLETION OF WORKS.

To ALL Whom it May Concern:

This is to certify that Mary McMahon, of Corral, County of Blaine, and State of Idaho, the holder of Permit No. 4495, issued upon Application No. 6428, bearing date of priority of April 3, 1909, authorizing the diversion of .4 of 1 second foot of the waters of the west fork of Three Mile Creek and .2 of 1 second foot of the waters of Willow Spring, 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 .6 of 1 second foot of the waters of the west fork of Three Mile Creek and Willow Spring, that the point of Diversion of said waters is at a point from the West Fork of Three Mile Creek in the southwest quarter of northeast quarter of Section 15, and from Willow Spring in the northeast quarter of southwest quarter of section 15, township 1 north, range 13 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: The southwest quarter of the southeast quarter of section 15, township 1 north, range 13 east of the Boise Meridian.

Witness my hand this 23rd day of June, A. D. 1909.

Jas. Stephenson, Jr.

State Engineer of the State of Idaho.

License issued for 8/10 second feet

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MEMORANDUM

Date: November 07, 2002
To: Water Right File 37-2131
From: dgibson 
Re: Review of Multiple PODs

During my review to clarify the multiple PODs of this right I found that the source name was not correct. The source according to the license was referred to as the West Fork of Three Mile Creek. The correct source is McMahan Creek which is tributary to Three Mile Creek. Additionally, the location of the source was platted in July of 1979 to reflect the SWNW of Sec. 14. From my review which locates the POD on McMahan Creek, I believe the correct location is in the SWNW, Sec. 15, T1N, R13E, which is according to the license as recorded 6/23/1909.

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 4493 137-2131
 Old No. New No.

Record

1. Original Owner: Mary Mc Mahon

Present Owner: _____

2. Address:

3. City: Corral State: Id Zip: _____

4. A. Source of Water: Three mile creek + willow Springs.

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: 4-3-09

D. County: 13

E. Total Diversion Rate: .6

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>SWNW</u>	<u>15</u>	<u>1N</u>	<u>13E</u>		
	<u>SWNW</u>	<u>15</u>	<u>1N</u>	<u>13E</u>		
	<u>NESW</u>	<u>15</u>	<u>1N</u>	<u>13E</u>		

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

from _____ to _____	for <u>A</u> purposes.	Amount <u>.6</u> (cfs or AG-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: 4495

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

cn 4-25-79

Western District Office

July 24, 1972

RE: 37-2025, 37-2103, 37-7021, 37-2023, (37-2131),
37-2048, 37-2157, 37-2786, 37-2076

Mr. Peter Jans
Box 688
Ketchum, Idaho 83340

Dear Mr. Jans:

Pursuant to your request, you will find enclosed copies of the permits and licenses that we have recorded on Three Mile Creek and Willow Creek.

The fee for these copies will be \$4.20.

If you should have any further questions, please feel free to call us.

Sincerely,

DORIAN CLAY
Water Resource Examiner

DC:mkp

Enclosures

37-2131

Mary McMaDon NW 1/4 SE 1/4 Sec 15-1-13.

SEC. SEC. SEC. SEC. SEC. SEC.

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SEC. SEC. SEC. SEC. SEC. SEC.

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Printed and for sale by the Statesman Printing Co., Boise, Idaho.

Report of Engineer

1. State name of applicant and number of permit: Mary McMahon, Permit No. 4495
2. State source of water supply: West Fork Three Mile creek and Willow spring
3. Location of point of diversion: West Fork Three Mile Creek SW4 NE4 Sec. 15 and Willow Spring NE4 SW4 Sec. 15, Tp. 1 N., R. 13 E. B. 11.
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: 15"
 - (b) Width at water line: 30"
 - (c) Depth of water: 2"
 - (d) Grade per mile: 50'
6. State whether or not water has been turned into works of diversion and if so, to what extent: Yes, as above.
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: SW 1/4 of SE 1/4 Sec 15-1-13.
8 acres in alfalfa, 4 acres in garden.
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:

Examination made June 3rd, '09

J. McMillan
Water Commissioner Div. No. 2.

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 _____ 190_____

My Commission Expires _____

Notary Public.

4495