

No Color
Documents
In File

7-16-79

P10 has been found to be
 $\frac{1}{8}$ mile west rather than
 $\frac{1}{8}$ mile east of ~~the~~ west
 $\frac{1}{4}$ corner of Sec. 28.
-jp

Blaine County *
Willow Creek *
1.113 cu. ft per second *
Irrigation and domestic *
Priority 1-7-1907 *

S T A T E O F I D A H O
WATER LICENSE NO. 2504

WHEREAS, On the 7th day of January, A. D. 1907, JOSIAH H. CUNNINGHAM, of Hailey, County of Blaine, State of Idaho, duly made application (No. 3511) to me for a permit to use 3.06 cubic feet per second of the waters of Willow Creek, County of Blaine, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 12th day of January, A. D. 1907, Permit No. 2504, 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 January, A. D. 1909, and for the application to beneficial use of said water on or before the 12th day of January, A. D. 1911, and,

WHEREAS, On the 27th day of February, A. D. 1909, JOSIAH H. CUNNINGHAM, the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.06 cubic feet per second of said waters, as evidenced by my Certificate No. 2504, dated July 9, 1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.06 cubic feet per second of water, with date of priority of January 7, 1907, and,

WHEREAS, On the 19th day of November, A. D. 1910, JOSIAH H. CUNNINGHAM, the holder of said permit duly made proof of the application to beneficial use of 1.1136 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 JOSIAH H. CUNNINGHAM, of Hailey, County of Blaine, State of Idaho, the holder and owner of said Permit No. 2504 a perpetual right, dating from January 7, 1907, to the use of 1.1136 cubic feet per second of the waters of Willow 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 at a point about 1/8 of a mile due east of the NW corner of the Southwest quarter (SW $\frac{1}{4}$), Section 28, Township 1 North, Range 16, East of Boise Meridian, and conducted to and upon 55.68 acres, divided as follows: (40 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Tp. 1 N., and 15.68 acres in Lot 4, Section 3, Tp. 1 S., R. 16 East of 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 25th day of July, A. D. nineteen hundred and eleven.

A. E. Robinson,
State Engineer

37 2066

No. 3511

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant - Josiah H. Cunningham.

Postoffice address: P. O. Hailey, Idaho

County - Blaine

2. The quantity of water claimed is 3.06 cubic feet per second.

3. Source of water supply Willow Creek

County of Blaine

4. Location of point of diversion- on Willow Creek, about one-eighth of a mile due east of the North West corner of the SW $\frac{1}{4}$ of Sec. 28, T. 1 N. R. 16 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated 151.24 acres.

(b) In the following legal subdivisions SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33 T. 1 N. R. 16 E.

Lots 3 & 4 & SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3 T. 1 S. R. 16 E. B. M.

6. Estimated cost of works \$200.00.

7. Description of works for diversion:

I. Kind of works Dam and Ditch.

II. Dimensions of works:

(a) Height of dam 3 feet, Length of dam at top 15 feet, length of dam at bottom 10 feet, material used in construction wood, stone and earth.

(b) Capacity of reservoir small.

(c) Size of headgate, width 3 feet, height 2 feet.

(d) Ditch (flume or pipe) width at bottom 2 feet, width at water line 3 $\frac{1}{2}$ feet, depth of water 1-1/3 feet. Average grade per mile is 30 feet. Length of ditch is 1 $\frac{1}{2}$ miles, and it crosses the following quarter sections SW $\frac{1}{4}$ Sec. 28, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33, 1 N. R. 16 E. to SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33 1 N. 16 E. & lots 3 & 4 SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, T. 1 S. R. 16 E. which is the point of intended use.

8. 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.

APPROVAL OF STATE ENGINEER.

The number of this permit is 2504.

Date of first receipt of application 9:00 January 7, 1907.

Recorded in Book 8. Page 2504. Approved January 12, 1907.

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 March 13, 1907, 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 January 12, 1908.

The whole of said work to be completed on or before January 12, 1909.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to January 12, 1911.

Witness my hand this 12 day of January, 1907.

Jas. Stephenson, Jr.

State Engineer.

Plan notice of proof of completion of works mailed applicant Oct. 1, 1908.

Notice received Jan. 23, 1909, fixing Feb. 27, 1909 as date and Shoshone as place of proof.

Proof could not be made on account of illness of applicant, and the date for proof was again set for May 29, 1909.

Notice for publication mailed Good River Times April 26, 1909.

Deposition blanks mailed applicant April 26, 1909.

H. L. Childs authorized April 26, 1909 to make examination of works.

Deposition of holder and witnesses, affidavit of publication, fees and report of engineer received June 4, 1909.

Certificate issued July 9th, A. D. 1909.

PERMIT No. 2504.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that Josiah H. Cunningham, of Hailey, County of Blaine, and State of Idaho, the holder of Permit No. 2504, issued upon Application No. 3511, bearing date of priority of January 7th, 1907, authorizing the diversion of 3.06 second feet of the waters of Willow 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 3.06 second feet of the waters of Willow 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 $\frac{1}{4}$) of section 28, township 1 north of range 16 East, Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: The South-west quarter of the Southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) Section 28, Tp. 1 North Range 16 East, Boise Meridian; Lots three (3) and four (4) and Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) and Northeast quarter of the Southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) Section 3, Township 1 South Range 16 East Boise Meridian.

Witness my hand this Ninth day of July, A. D. 1909.

Jas. Stephenson, Jr.,

State Engineer of the State of Idaho.

License issued for 1 1/3 second feet
0.858

WATER RIGHT NUMBER 37-2066 ✓

OWNER LAST NAME - CUNNINGHAM

FIRST NAME - JOSIAH H.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - HAILEY

STATE - ID ZIP CODE - 83333 ✓

SOURCE - WILLOW CREEK ✓

TRIBUTARY OF - CAMAS CREEK ✓

STAGE - LICENSE

STATUS -

PRIORITY - 01-07-1907 COUNTY - BLAINE

TOTAL DIV. RATE - 1.1100 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

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

DIVERSION POINT - NESE 29 01N 16E LOT

REDIV -

272.0 386.0 7.0 4.0 0.0 0.0 0.0 0.0 0.0 0.0 4.6

FROM - TO -

USE - IRRIGATION

USE DIV. RATE - 1.1100 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 01N RNG 16E SEC 33 TRACT SWSE LOT AC 40

USE - IRRIGATION

PLACE OF USE - TWN 01S RNG 16E SEC 03 TRACT NWNW LOT 04 AC 16

DECREE NAME -

DATE -

TOTAL ACRES 56

REMARKS - AC. IRR. = 55.68. ✓

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 2504

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL - ✓

DIVERSION MEANS -

IDENT. NO. 37-2066

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 2504 1.37-2066
 Old No. New No.

Record

1. Original Owner: Josiah H. Cunningham

Present Owner: _____

2. Address:

3. City: Hailey State: ID Zip: _____

4. A. Source of Water: Willow 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: 1-7-1907

D. County: 13

E. Total Diversion Rate: 1.11

F. Total Diversion Volume:

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

H. Water District: 31

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>NE SE</u>	<u>29</u>	<u>1N</u>	<u>16 E</u>	<u>JP</u>	

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

from _____ to _____ for A purposes. Amount 1.11
 (cfs or ~~AG~~ FT/yr)

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 _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<i>1N</i>	<i>16</i>	<i>33</i>															<i>40</i>		
<i>18</i>	<i>16E</i>	<i>3</i>																	

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *P/D incomplete.*
Ac. Du. = 55.68
 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: *2504*

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

(1) A 4-25-79