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Fremont County **
Badger Creek *
2.2 sec.ft. *
Irrigation *
Priority-8-1-04. *

S T A T E O F I D A H O
Water License No. 761.

WHEREAS, On the 1st day of August, A.D.1904, OLIVER D. FREEZE, of Leigh, County of Fremont and State of Idaho, duly made application (No. 1070) to me for a permit to use 3.2 cubic feet per second of the waters of Badger Creek, County of Fremont, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 6th day of August, A.D.1904, Permit No. 761 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 6th day of August, A.D.1907, and for the application to beneficial use of said water on or before the 6th day of August, A.D.1909, and,

WHEREAS, On the 6th day of August, A.D.1907, the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 761, dated August 22, 1907, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of water, with date of priority of August 1, 1904, and,

WHEREAS, On the 6th day of August, A.D.1907, proof was duly made of the application to beneficial use of 2.2 cubic feet 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 OLIVER D. FREEZE, of Leigh, Idaho, the holder and owner of said Permit No. 761, a perpetual right, dating from August 1, 1904, to the use of 2.2 cubic feet per second of the waters of Badger Creek, in the County of Fremont and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point near the southwest corner Section 1 and the Northwest quarter of Northwest quarter Section 10, Township 6 North, Range 45 East of Boise Meridian, and conducted to and upon 15 acres in the Southeast quarter of Northwest quarter Section 10; 35 acres in Southwest quarter of Northwest quarter Section 10; 30 acres in Southeast quarter of Northeast quarter Section 9; 30 acres in Southwest quarter of Northeast quarter Section 9; All in Township 6 North, Range 45 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.

(SEAL) WITNESS, My hand and the seal of my office at Boise,
Idaho, this 22nd day of August, A.D. Nineteen hundred and
seven.

Recorded August 22, 1907.

Jas. Stephenson, Jr.
State Engineer.

the Public Waters of the

APPROVAL OF STATE ENGINEER.

The number of this permit is 761

Date of first receipt of application 8 a.m. Aug. 1, 1904

Returned to applicant for correction 190

Corrected application received 190

Recorded in Book 3 Page 761

Approved August 6, 1904

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:

One-fifth of the work above specified to be completed on or before February 6, 1906

The whole of said work to be completed on or before August 6, 1907

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

August 6, 1909

Witness my hand this sixth day of August 1904

Wayne D. Darling
State Engineer.

State of Idaho

County of Fremont

S.S.

Oliver D. Freeze being first duly sworn deposes and says, that he is the identical person who made application for water permit No. 1070, to be allowed to divert the water of Badger Creek in Fremont County, Idaho upon the $52 \text{ N. W. } 4 = 10 = 52 \text{ N. E. } 4$ Section 9, Twp. 6 N. R. 45 E. B. 7N.

That the same was granted by State Engineer on the 6th day of August 1905, taking number 761.

Affiant now deposes that an error was made in his name at time of application and that the permit issued in the name of Oliver D. Fryze, and should have been as stated Freeze.

Applicant prays that the records may be so corrected or amended by this affidavit as will shew that Oliver D. Fryze and Oliver D. Freeze are one and the same person and that the waters so appropriated be patented at time of final proof.

Oliver D. Freeze.

Subscribed to and sworn before me at St. Anthony, Idaho on this the 19, April, 1905.

Thomas Elliott

Seal.

Notary Public.

State of Idaho - Office of State Engineer.

The above instrument was received in my office on April 21, 1905, at 8:00 a.m., and duly recorded same day in Book of Permits No. 3, at page 761.

Jas. Stephenson, Jr.

State Engineer.

Per O.A.B.

Notice of Proof of Completion mailed applicant - May 1, 1907

Notice of Beneficial use mailed applicant - May 7, 1907

Notices received May 27, 1907, fixing August 6, 1907, as the date and Haden, Idaho, as the place of Proof.

Notice for publication mailed to Fremont County News, St. Anthony, June 6-07

Deposition blanks mailed applicant - June 6, 1907.

Have Breckinridge notified to make examination of works, July 24, 1907

This report published August 3, 1907

Affidavit of publication, depositions of holder and witnesses and fees received August 14, 1907.

All papers being in and satisfactory Certificate and License were duly issued August 22nd, 1907.

or Permit to Appropriate

8. Time required for the completion of the construction of such work is One month
~~years~~. (The time must in no case exceed five years after date of approval of application.)

9. Time required for the complete application of the water to the proposed use is One month
~~years~~. (The time must in no case exceed four years after the date set for the completion of works as defined
in Section 8.)

Remarks:

or Permit to Appropriate

761

8. Time required for the completion of the construction of such work is 3 years. (The time must in no case exceed five years after date of approval of application.)

9. Time required for the complete application of the water to the proposed use is 5 years. (The time must in no case exceed four years after the date set for the completion of works as defined in Section 8.)

Remarks:

the Public Waters of the

APPROVAL OF STATE ENGINEER.

The number of this permit is 760

Date of first receipt of application 11 a.m. June 7, 1904

Returned to applicant for correction June 7, 1904

Corrected application received August 1, 1904

Recorded in Book 3 Page 760

Approved August 6, 1904

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:

One-fifth of the work above specified to be completed on or before February 6, 1906

The whole of said work to be completed on or before August 6, 1907

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

August 6, 1911

Witness my hand this sixth day of August, 1904

Wayne L. Darlington
State Engineer.

Record of Application f

22-2003

1. Name of applicant

Oliver D. Fryze

Postoffice address: P. O.

Leigh Fremont County, Idaho

County

I. If applicant is a corporation give

(a) Date and place of incorporation

(b) The amount of capital stock

(c) The amount paid in

(d) The names and addresses of directors

II. The financial resources of the applicant are:

(a) Cash on hand

(b) Treasury stock

(c) Bonds to be issued

(d) Other resources has lands under the proposed ditch

2. The quantity of water claimed is $3\frac{1}{5}$ cubic feet per second

3. Source of water supply Badger Creek, Fremont County

4. Location of point of diversion No. 1, $5N^4 5W^4$ section 2, Twp. 6 N. R. 45 E.No. 2, $5N^4 N^4$ section 10, Twp. 6 N. R. 45 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated 160 acres

(b) In the following legal subdivisions $5^2 N^4 W^4 = 10 = 5^2 N^4 E^4$ section 9 Twp. 6 N. R. 45 E.

II. Mining, power, manufacturing or transportation purposes:

(a) To be used for

(b) Amount, of power to be generated horse power

(c) At what point

(d) If water is to be returned to stream, ("yes" or "no")

(e) If "yes" at what point

6. Estimated cost of works \$ 350.00

7. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise) 2 Dams and Ditches

II. Dimensions of works:

(a) Height of dam each 2 feet, length of dam at top 3 feet

length of dam at bottom $3 = 6$ feet, material used in construction

(wood, earth, stone or concrete) wood and stone

(b) Capacity of reservoir acre feet.

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

(d) Each Ditch (flume or pipe) width at bottom 2 feet, width at water

line $3 + 6$ inches feet, depth of water 16 feet. Averagegrade per mile is 2 rods to the mile feet. Length of ditch is $3\frac{1}{4}$ miles, and it crosses the following quarter sections $5N^4 5W^4 = 2 = N^4 E^4$ section 10.Thus as to Ditch No. 1. No. 2 commences at $5N^4 5W^4$ section 10, and runs to $5^2 N^4 E^4$ sec 9, $5^2 N^4 W^4 = 10 = 5^2 N^4 E^4$ Sec 9, Twp. 6 N. R. 45 E.

to which is the point of intended use.

State of Idaho. No. 1070.

Permit No. 761

Certificate of Completion of Works.

To All Whom it May Concern:

This is to certify that Oliver H. Treege, of Leigh, County of Fremont, and State of Idaho, the holder of Permit No. 761, issued upon Application No. 1070, bearing date of priority of August 1, 1904, authorizing the diversion of 3.2 second feet of the waters of Badger Creek, County of Fremont, 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 3.2 second feet of the waters of Badger Creek;

that the point of diversion of said waters is near the southwest corner of Section 1 and Northwest-quarter of Northwest-quarter of Section 10, Township 6 North, Range 45 East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

South half of the Northwest-quarter Section 10, South half of Northeast-quarter Section 9, Township 6 North, Range 45 East of Boise Meridian.

Witness my hand this 22nd day of August, A.D. 1907.

Jas. Stephenson, Jr.
State Engineer.

License issued for 2² second feet

P. 196

Record of Application f

1. Name of applicant

Mary J. Perry

Postoffice address: P. O.

Perry

County

Bannock

CANCELLED pursuant to Sec. 5594,
Compiled Statutes of Idaho, by
order of Commissioner of Reclamation
dated JAN 12 1937

I. If applicant is a corporation give

- (a) Date and place of incorporation
(b) The amount of capital stock
(c) The amount paid in
(d) The names and addresses of directors

II. The financial resources of the applicant are:

- (a) Cash on hand
(b) Treasury stock
(c) Bonds to be issued
(d) Other resources

2. The quantity of water claimed is Three and one-fifth cubic feet per second3. Source of water supply Bridge Creek, Bannock County4. Location of point of diversion One mile N.E. of N.E. corner of Sec. 29, in probable S.W. 1/4 of Sec. 21, T. 12 S., R. 41 E. (Unsurveyed)

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated 160 acres(b) In the following legal subdivisions S.W. 1/2 S.E. 1/4 S.W. 1/4 Sec. 29 and N.W. 1/4 N.E. 1/4 Sec. 32, T. 12 S., R. 41 E. B.M.

II. Mining, power, manufacturing or transportation purposes:

- (a) To be used for
(b) Amount, of power to be generated horse power
(c) At what point
(d) If water is to be returned to stream, ("yes" or "no")
(e) If "yes" at what point

6. Estimated cost of works

7. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise)

Ditch

II. Dimensions of works:

(a) Height of dam feet, length of dam at top feet
length of dam at bottom feet, material used in construction
(wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.(c) Size of headgate, width two feet, height two feet.

(d) Ditch (flume or pipe) width at bottom two feet, width at water
line two 1/2 feet, depth of water 1 1/2 feet. Average
grade per mile is 1 1/2 feet. Length of ditch is 4 1/2

miles, and it crosses the following quarter sections S.W. 1/4 of Sec. 21, S.E. 1/4 of Sec. 20,
N.E. 1/4 & S.E. 1/4 Sec. 29, T. 12 S., R. 41 E. B.M.

to S.E. 1/4 of S.E. 1/4 Sec. 29 which is the point of intended use.

WATER RIGHT NUMBER 22-2003

OWNER LAST NAME - FREEZE

FIRST NAME - OLIVER D.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - LEIGH

STATE - ID ZIP CODE -

SOURCE - BADGER CREEK

TRIBUTARY OF - TETON RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 08-01-1904 COUNTY - TETON

TOTAL DIV. RATE -

2.2000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. - 01

OLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWNW 10 06N 45E LOT 00 REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

SW00 01 06N 45E LOT 00 REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

NWNW 10 06N 45E LOT REDIV -

272.0 489.0 10.0 4.0 0.0 0.0 0.0 0.0 0.0 0.0 11.8

SWSW 01 06N 45E LOT REDIV -

272.0 489.0 10.0 4.0 0.0 0.0 0.0 0.0 0.0 0.0 0.8

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

2.2000 CFS

USE DIV. VOLUME -

.00 AFA

FROM - 01-01-TO - 12-31 USE - DOMESTIC

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 000 RNG 000 SEC 00

USE - IRRIGATION

PLACE OF USE - TWN 06N RNG 45E SEC 10

TRACT SENW LOT

AC 15 TRACT SWNW LOT

AC 35

USE - IRRIGATION

PLACE OF USE - TWN 06N RNG 45E SEC 09

TRACT SENE LOT

AC 30 TRACT SWNE LOT

AC 30

DECREE NAME -

DATE -

TOTAL ACRES

110

REMARKS - LIC. INDICATES P/D IN FREMONT CO.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 761

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -