

STATE OF IDAHO
OFFICE OF STATE ENGINEER, CERTIFICATE
NO. 190, AUTHORIZING TRANSFER OF
WATER RIGHT. *District 36-a.*

Permission is hereby granted Martin Garn as Manager for Island Park, Land & Cattle Company, of Island Park, County of Fremont, State of Idaho, to transfer the use of three (3) cubic feet per second of the waters of Sheridan Creek, in the County of Fremont, and State of Idaho from the lands to which it was originally made appurtenant, i. e., the North Half of the northeast quarter (N2 NE4) and the Northeast quarter of the Northwest quarter (NE4 NW4), Section 2, Township 12 North, Range 41 East of the Boise Meridian, to the following described lands to-wit: Lots 1 and 2 and the Northeast quarter of the Southwest quarter (NE4 SW4) of Section 2, Township 12 North, Range 41 East of the Boise Meridian.

The water right appurtenant to the above described lands was obtained by virtue of License No. 7723, issued by the State Engineer of the State of Idaho, dated August 24, 1912.

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office, at Boise, Idaho, this 7th day of June, A.D. 1916.

J. M. SMITH,

State Engineer.

(SEAL)

Date of priority 9/2/11.

21 2049

Name of Applicant

James G. Bishop

SEC.

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32 SEC.

33 SEC.

34 SEC.

35 SEC.

T-12-N.

10013-21.78. 41-E.18.N

Sheldon Creek

WET

Ditch

100
100
40

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ENGINEER

2423
B/2

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OCT 22 1915
OFFICE OF STATE ENGINEER

July 12 8 04 1 30 8
4 3 12 11 4 3 2 1

Survey of the road shown on map
of the 7 vicinities of the
if possible to a better standard
for the area on the map
Sept 1-2 and 9 10 14
Sept 2-4 12 8 04 1 30 8

Name of Applicant
6402-18
061-1

THIS WAS PLATTED IN THE
NE $\frac{1}{4}$ NE $\frac{1}{4}$, SEC. 34, T12N
R41E, DUE TO THE
ACTUAL LOCATION OF
SHERIDAN CREEK.

Roy Rygg
2-7-74

STATE OF IDAHO
OFFICE OF STATE ENGINEER
N. O. 139. AUTHORIZING TRANSFER OF
WATER RIGHT. District 3-A.

Permission is hereby granted Martin Gern as Manager for Island Park, and a certain portion of Island Park, County of Fremont, State of Idaho, to transfer the use of three and one-half feet per second of the waters of Sheridan Creek, in the County of Fremont, and to be taken from the lands to which it was originally made appurtenant, i. e., the North Half of east quarter (N2 NE4) and the Northeast quarter of the Northwest quarter (-----) S, Township 12 North, Range 41 East of the Boise Meridian, to the following described to-wit: Lots 1 and 2 and the Northeast quarter of the Southwest quarter (NE4 SW4) S, Township 12 North, Range 41 East of the Boise Meridian.

The water right appurtenant to the above described lands was obtained by virtue of N. O. 7725, issued by the State Engineer of the State of Idaho, dated August 24, 1915.

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office, Boise, Idaho, this 7th day of June, A.D. 1916.

J. H. SMITH,

State Engineer.

(SEAL)

Date of priority 9/2/11.

21 2019

 Fremont County *
 Sheridan Creek, *
 3 second-feet *
 Irrigation *
 Priority 9/2/11. *

S T A T E O F I D A H O
 Water License No. 7723.

WHEREAS, On the 2nd day of September, A. D. 1911, JAMES G. BISHOP, of Rea, County of Fremont, State of Idaho, duly made application (No. 11289) to me for a permit to use 3.2 cubic feet per second of the waters of SHERIDAN CREEK, County of Fremont, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 30th day of September, A. D. 1911, Permit No. 7723 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 30th day of September, A. D. 1912 and for the application to beneficial use of said water on or before the 30th day of September, A. D. 1913, and,

WHEREAS, On the 28th day of December, A. D. 1911, JAMES G. BISHOP, 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. 7723, dated August 24th, 1912, 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 September 2nd, 1911, and,

WHEREAS, On the 28th day of December, A. D. 1911, JAMES G. BISHOP, the holder of said permit, duly made proof of the application to beneficial use of 3 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 JAMES G. BISHOP, of Rea, County of Fremont, State of Idaho, the holder and owner of said Permit No. 7723, a perpetual right, dating from September 2nd, 1911, to the use of 3 cubic feet per second of the waters of SHERIDAN 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 in the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 34, Township 13 North, Range 41, East of the Boise Meridian, and conducted to and upon 150 acres, divided as follows: (40 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and 30 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, Township 12 North, Range 41, 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 24th day of August, A. D. Nineteen hundred and twelve.

A. E. Robinson,
 State Engineer.

(SEAL)

No. 11289.

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant: James G. Bishop.
Postoffice address: Rea.
County: Fremont State: Idaho.
2. The quantity of water claimed is 3 and 2/10 cubic feet per second.
3. Source of water supply: Sheridan Creek.
4. Location of point of diversion: In SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, T. 13 N. R. 41 E. B. M.
County of Fremont.
5. To be used for: Irrigation and Domestic purposes.
I. Irrigation and domestic use:
(a) Amount of land to be irrigated: 160 acres.
(b) In the following legal subdivisions: N $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 2, T. 12 N. R. 41 E. B.M.
6. Estimated cost of works: \$350.00
7. Description of works for diversion:
I. Kind of works: Dam and Ditch.
II. Dimensions of works:
(a) Height of dam 4 feet, length of dam at top 40 feet, length of dam at bottom 40 feet. Material used in construction wood and rock
(c) Size of headgate: Width 15 feet, height 5 feet.
(d) Conduit ditch, width at bottom 10 feet, width at water line 12 feet, depth of water 3 feet. Average grade per mile is 10 feet. Length of conduit is 1 $\frac{1}{2}$ miles and it crosses the following quarter sections: SW $\frac{1}{4}$, Sec. 34 T. 13 N. and NE $\frac{1}{4}$ Sec. 3, and NW $\frac{1}{4}$ Sec. 2, T. 12 N. R. 41 E. B. M.
8. The time required for the completion of the construction of such work is 1 year.
9. Time required for the complete application of the water to the proposed use is 1 additional year.

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.

James G. Bishop,
Applicant.
By.....J. P. Clark.....Agent.

JONES EUREKA LEAF PAT. FEB. 7. 1905 HALL LINDGREN 18807

APPROVAL OF STATE ENGINEER.

The number of this permit is 7723.

Date of first receipt at office of State Engineer: 9.00 a.m. September 2, 1911.

Returned to applicant for correction: September 5, 1911.

Corrected application received: September 16, 1911.

Recorded in Book 24 Page 7723 Approved September 30, 1911.

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 approve the same, subject to the following limitations and conditions:

Work to begin on or before November 29, 1911, 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 March 30, 1912.

The whole of said work to be completed on or before September 30, 1912.

Beneficial use of water appropriated in accordance herewith, to be made on or before September 30, 1913.

Witness my hand this thirtieth day of September, 1911.

A. E. Robinson,

State Engineer.

Both Notices received October 27th, 1911, fixing December 28th, 1911, as date, and St. Anthony as place of proof.

Deposition blanks mailed J. P. Clark on November 20th, 1911.

Water Commissioner notified November 20th, 1911, to make the required examination.

Depositions and affidavit received January 2nd, 1912.

Report received July 8th, 1912.

Fees received August 6th, 1912.

Certificate and License issued August 24th, 1912.

License issued for 3 second-feet.

Permit No. 7723

CERTIFICATE OF COMPLETION OF WORKS

To All Whom it May Concern:

This is to certify that JAMES G. BISHOP, of Rea, County of Fremont, and State of Idaho, the holder of Permit No. 7723, issued upon Application No. 11289, bearing date of priority of September 2nd, 1911, authorizing the diversion of 3.2 second feet of the waters of SHERIDAN 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 Sheridan Creek, that the point of diversion of said waters is at a point in the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 34, Township 13 North, Range 41, 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: North half of the Northeast quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$), and the East half of the Northwest quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$), Section 2, Township 12 North, Range 41, East of the Boise Meridian.

Witness my hand this 24th day of August, A.D. 1912.

A. E. Robinson,

State Engineer.

License issued for 2 second feet
Pay 1163

STATE OF IDAHO

Water License 7723.

RECEIVED

OCT 22 1915

WHEREAS, on the 2nd day of September, A.D. 1911, JAMES G. BISHOP, of Rea, County of Fremont, State of Idaho, duly made application (No. 11289) to me for a permit to use 3.2 cubic feet per second of the waters of SHERIDAN CREEK, County of Fremont, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 30th day of September, A.D. 1911, Permit No. 7723, 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 30th day of September, A.D. 1912, and for the application to beneficial use of said water on or before the 30th day of September, A.D. 1913, and,

WHEREAS, On the 28th day of December, A.D. 1911, JAMES G. BISHOP, 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. 7723, dated August 24th, 1912, 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 September 2nd, 1911, and,

WHEREAS, On the 28th day of December, A.D. 1911, JAMES G. BISHOP, the holder of said permit, duly made proof of the application to beneficial use of 3 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 JAMES G. BISHOP, of Rea, County of Fremont, State of Idaho, the holder and owner of said permit No. 7723, a perpetual right, dating from September 2nd, 1911, to the use of 3 cubic feet per second of the waters of SHERIDAN 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 in the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 34, Township 13 North, Range 41, East of the Boise Meridian, and conducted to and upon 150 acres, divided as follows: 40 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 30 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, Township 12 North, Range 41, 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 24th day of August, A.D. Nineteen hundred and Twelve.

A.E. Robinson, State Engineer.

(SEAL)

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STATE OF IDAHO, (SS:
COUNTY OF ADA. (

I, J.H. Smith, State Engineer of the State of Idaho, hereby certify the above and foregoing to be a full, true and complete copy of Water License No. 7723, as the same appears of record in the State Engineer's office in Book 2 of Licenses, at page 1163.

IN WITNESS WHEREOF, I have hereunto set
my hand and affixed the seal of my office at Boise,
Idaho, this 31st. day of August, 1915.

J. H. Smith
STATE ENGINEER.

21 2049
2055

REPORT OF ENGINEER

1. State name of applicant and number of permit: James G. Bishop Permit No. 7723.
2. State source of water supply: Sheridan Creek.
3. Location of point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, Twp. 13 N. R. 41, E.B.M.
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: 4'
 - (b) Width at water line: 8 $\frac{1}{2}$
 - (c) Depth of water: 1'
 - (d) Grade per mile: 4 ft
 - (e) Capacity of ditch: 5 second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent:
Water used during irrigating season of 1911-12
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:

<u>N. E$\frac{1}{4}$ N. E$\frac{1}{4}$</u>	<u>11 acres</u>	<u>29 acres</u>
<u>N. N$\frac{1}{4}$ N. E$\frac{1}{4}$</u>	<u>12 "</u>	<u>28 "</u>
<u>N. E$\frac{1}{4}$ N. N$\frac{1}{4}$</u>		<u>40 "</u>
<u>S. E$\frac{1}{4}$ N. N$\frac{1}{4}$</u>		<u>30 "</u>
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:

Chas. A. DeLong
Water Com. Div No 1.

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 _____

7723

Notary Public.

[Handwritten signature]

2003
B/2

June 12, 1916.

Re Certificate of Transfer-No.190.

Thos. Elliott, Attorney,
St. Anthony, Idaho.

Sir:--

Am herewith enclosing you new certificate
of transfer issued to Martin Carn, as Manager for
the Island Park Land & Cattle Company.

Very truly yours,

J. H. SMITH,

State Engineer.

CT190.

By _____

T-190
21-2049

Thomas Elliott

Attorney

PHONE 78

ST. ANTHONY, IDAHO

June 5, 1916.

State Engineer

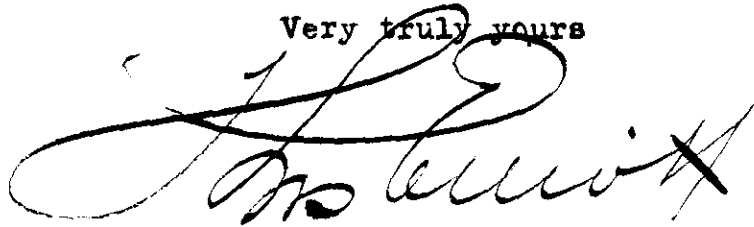
Boise, Idaho.

Dear sir:-

Enclosed find "Petition" which I think is now intelligible. I wrote it out in long hand, read it over to a stenographer in the office of Hawley and Hawley: Did not read it as close as should have done at the time of filing, however the petition is now I think expressive.

Also the original 181 is herewith.

Very truly yours



T-190
21-2049

Clara M. Brown
Notary Public for the
State of Idaho, residing
at Boise.

T-190
21-2049

190

Application for Transfer of Water Right

STATE OF IDAHO,

County of Fremont

ss.

Land and Cattle Co,
Martin Garn, Manager for Island Park, being first duly sworn, deposes and says:

OCT 22 1915

OFFICE OF STATE ENGINEER

That his name is Martin Garn; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Island Park, Ashton P.O. Fremont County, Idaho

That he is the owner and using a certain water right of 3 cubic feet per second of the waters of Sheridan Creek

County of Fremont, State of Idaho, ~~described in~~~~the decree of Judge~~, of the~~Judicial District of the State of Idaho, in and for the County of~~~~in the case of~~vs. ~~said decree bearing date of~~

7723

(or obtained by virtue of License No. 7723, issued by the State Engineer of the State of Idaho, dated August 24, 1912.,), for the purpose of irrigating the following described lands situate, lying and being in the County of Fremont and State of Idaho, to-wit: the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 2, Tp. 12 N.R. 41 E.B.M.

and is ~~the person~~ (or the representative of the corporation) to whom such right so issued, ~~or~~ has become the owner thereof in the following manner, i. e. by purchase

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream at

and conducted to the above described lands through

as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of the right to use ~~of said~~ water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Fremont and State of Idaho, to-wit: Lots 1, and 2 and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 2, Tp 12 N.R. 41 E.B.M.,

That his reasons for desiring to make such transfer are as follows: at time of application for license the tract was unsurveyed, and that the new survey causes 120 acres of the tract to take a new description as given above.,

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21-2049

That he intends to divert and convey said 3 cubic feet of water to the tract of land last above described in the following manner, to-wit:

as set forth upon the map hereto attached; and

That no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the State Engineer of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Commissioner of the Division, in accordance with the provisions of Section 11, House Bill No. 146, of the Laws of the Seventh Session of the Legislature of the State of Idaho.

Subscribed and sworn to before me this 18 day of October
A. D. 1912

Martin Garn

John B. Bishop
Martin Garn

STATE OF IDAHO,

County of Fremont

} ss.

Thomas J. Bishop

and

John B. Bishop

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at Rea, Idaho

that he is a user of water from Sheridan Creek, County of Fremont,

State of Idaho; that he has read or heard read the foregoing affidavit and petition of

Martin Garn, and is familiar with its allegations, and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

x *Thomas J. Bishop*
x *John B. Bishop*

Subscribed and sworn to before me this 18 day of October
A. D. 1912

John B. Bishop
Martin Garn

STATE OF IDAHO.

County of

} ss.

I, ..., Watermaster of
County of, State of Idaho, whose postoffice address is
....., have read or heard read the foregoing affidavit and petition of
....., and, of my own knowledge, believe the same to be
true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;
and I hereby endorse my approval of said petition, and request that the State Engineer issue the certificate of
transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the
following reasons:.....
.....
.....
.....

Watermaster.

Notice having been duly published for thirty days of the intention of the above named.....
..... to apply to the State Engineer of the State of Idaho for a certificate
authorizing the transfer of water as set forth in this affidavit and petition herein, and an opportunity having
been given to any and all persons opposing said transfer to present their objections in a public hearing before
me at, on, according to
the terms of said notice;

And it not appearing at said hearing that anyone would be materially injured by such transfer:

I hereby recommend that the said State Engineer of the State of Idaho issue his certificate to said appli-
cant, authorizing the transfer as prayed for in his petition; ~~or (and it appearing at said hearing that the fol-
lowing injuries would be sustained by others if such transfer is permitted~~

~~I hereby recommend that the State Engineer do not issue the certificate authorizing the transfer sought
hereinabove.~~

Ed L. Ellis
Deputy State Engineer
Commissioner of Water Division No.

By

1-196
21-2049

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SECRET

1976

[illegible]

Don't drink more

2/- mm of water in 24 hours

1. Qualitative a objet d'analyse.

for the same or less value

8/15/12 and 9/13/12

Autumn 2. 2012/2013

SEC-

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DEC