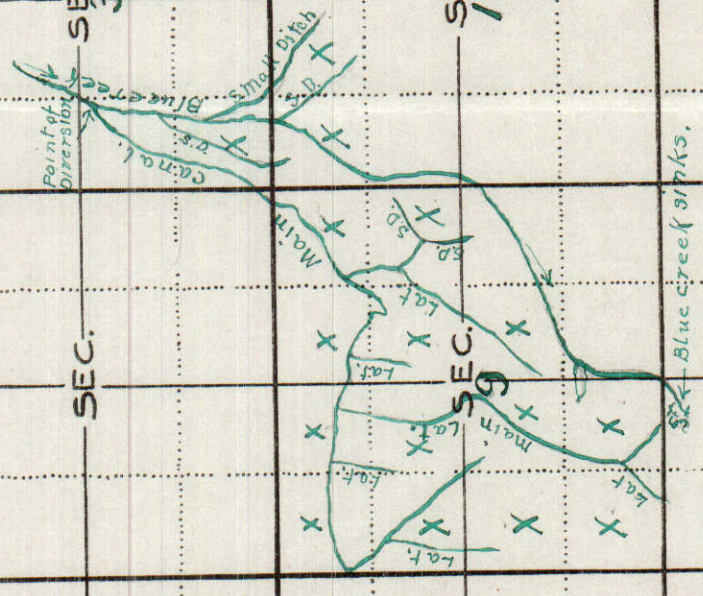


Name of Applicant

T. 10. R. 41 E. B. M. Mary Whittington & Wm E. Whittington Permit # 6416.



RECEIVED
OCT 28 1913
OFFICE OF STATE ENGINEER

6416
B/2

County: Fremont
Stream: Blue Creek.
Amount: Eight (8)
Use: irrigation.
Priority: July 30, 1910.

STATE OF IDAHO

Water License No. 6416

WHEREAS, On the 30th day of July, A. D. 1910,

Mary Whittington and Wm. E. Whittington

of St. Anthony, County of Fremont, State of Idaho, duly made application (No. 9308) to me for a permit to use eight (8) cubic feet per second of the waters of BLUE CREEK

County of Fremont, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 4th day of August, A. D. 1910, Permit No. 6416 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 4th day of August, A. D. 1912, and for the application to beneficial use of said water on or before the 4th day of August, A. D. 1914, and,

WHEREAS, On the 25th day of January, A. D. 1913, the time for proof of completion of works under said permit was extended to the 1st day of November A. D. 1914, and,

WHEREAS, On the 2nd day of October, A. D. 1913,

Mary Whittington and Wm. E. Whittington

the holders of said permit, duly made proof of the completion of adequate works for the diversion of eight (8) cubic feet per second of said waters, as evidenced by my Certificate No. 6416 dated November 8, 1913, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use eight (8) cubic feet per second of said water, with date of priority of July 30, 1910, and

WHEREAS, On the 2nd day of October, A. D. 1913,

Mary Whittington and Wm. E. Whittington

the holder of said permit, duly made proof of the application to beneficial use of eight (8) 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 Mary Whittington and Wm. E. Whittington

of St. Anthony, County of Fremont, State of Idaho, the holders and owners of said Permit No. 6416, a perpetual right, dating from July 30, 1910, to the use of eight (8) cubic feet per second of the waters of BLUE 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 as follows: A- at upper N.E. corner of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 3; B- at S.E. Cor. of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 3; C- Center of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 3, and D- at NE Cor. of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 10, T. 10 N., R. 41 E. B. M.

and conducted to and upon 425 acres, divided as follows: 15 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 35 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; 30 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; 30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; 35 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9; 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3; 20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 30 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, all in T. 10 N., R. 41 E. B. M.,

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 8th day of November, A. D., nineteen hundred and thirteen.

(Seal)

F. P. King

State Engineer.

21 2039

21-2039

No. 9308

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Mary Whittington and Wm E. Whittington,

Postoffice address: St Anthony

County: Fremont

State: Idaho

II. The financial resources of the applicant are:

(d) Other resources: Applicants have land under Govt. entry also land patented under the proposed works:

2. The quantity of water claimed: eight cubic feet per second.

3. Source of water supply: Blue Creek, flood, waste, surplus, and all other waters thereof not used beneficially.

County of Fremont.

4. Location of point of diversion: A, upper NE corner NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, B. SE corner of same 1/4 as A. C. Center of SW 1/4 of SW 1/4 Sec. 3. D. NW corner of SW 1/4 of NW 1/4 of Sec. 10, Twp. 10 N. R. 41 E. B.M.

5. To be used for:

I. Irrigation and domestic use: and for the watering of stock.

(a) Amount of land to be irrigated: 400 acres.

(b) In the following legal subdivisions: W $\frac{1}{2}$ of S.W. $\frac{1}{4}$ of Sec 3 N $\frac{1}{2}$ of NW $\frac{1}{4}$ Sec 10. N $\frac{1}{2}$, SW $\frac{1}{4}$, & NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 9 Twp 10 N. Range 41 E. B.M.

6. Estimated cost of works: \$1,500

7. Description of works for diversion:

I. Kind of works: Reservoir, Dam, Ditch & Flume.

II. Dimensions of works:

(a) Height of dam 10 feet, length of dam at top 200 feet, length of dam at bottom 180 feet. Material used in construction Earth.

(b) Capacity of reservoir 30 acre feet.

(c) Size of headgate: Round pipe valve 8 in. diameter under from 2 to 10 foot pressure.

(d) Conduit ditch & flume, width at bottom A. 2 $\frac{1}{2}$ ft. B, C, & D 1 foot, width at water line A. 3 ft. B, C, & D, 1 $\frac{1}{2}$ feet, depth of water A one (1) B, C, & D 1 foot. Average grade per mile is 5 feet, Length of conduit is A 2 $\frac{1}{2}$, B 3/4 C. 1/4 D. 1/4 miles and it crosses the following quarter sections A. SW $\frac{1}{4}$ Sec. 3, N $\frac{1}{2}$ Sec. 9, SW $\frac{1}{4}$ Sec. 9. B. SW $\frac{1}{4}$ Sec 3, NW $\frac{1}{4}$ Sec 10, C. same as B. D. NE $\frac{1}{4}$ Sec 9 Twp 10 N. R 41 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 2 years.

9. Time required for the complete application of the water to the proposed use is 2 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.

Mary Whittington and Wm.E. Whittington
Applicants.

By Wm. E. Whittington... Agent.

Remarks: 60 inches of the regular flow of Blue Creek, is included in this application for 400 in and has been appropriated, and used by applicant and other prior owners of the land described as West 1/2 of the SW 1/4 Sec 3, and the N 1/2 of the NW 1/4 Sec. 10 Twp. 10 N. R. 41 E. B.M. while 60 inches above mentioned was as stated, used on the above described land, the water was never made of record according to law then existing, The applicant does not wish this to be regarded as any waiver of his prior right to the 60 inches, but desires to confirm his title by a further compliance of the law of 1903.

APPROVAL OF STATE ENGINEER.

The number of this permit is 6416.

Date of first receipt of application 9.00 A.M. July 30, 1910

Recorded in Book 19, Page 6416. Approved August 4, 1910.

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 October 3, 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 August 4, 1911.

The whole of said work to be completed on or before August 4, 1912.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to August 4, 1914.

Witness my hand this fourth day of August, 1910.

D. G. Martin
State Engineer.

On proper request of the holder of the above permit, I have this 25th day of January, 1913, extended the time for completion of works thereunder to the 1st day of November, 1913.

A.E. Robinson,
State Engineer.

Proof of Completion of Works made October 2, 1913.

Certificate of Completion of Works issued November 8, 1913.

Permit No. 6416.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that Mary Whittington and Wm. E. Whittington of St. Anthony, County of Fremont, and State of Idaho, the holders of Permit No. 6416, issued upon Application No. 9308, bearing date of priority of July 30, 1910, authorizing the diversion of eight (8) second feet of the waters of Blue Creek, County of Fremont, State of Idaho, for irrigation and domestic purposes, have 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 eight (8) second-feet of the waters of Blue Creek; that the points of diversion of said waters are as follows: A- at upper NE Cor. of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 3; B- at S. E. Cor. of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 3; C- Center of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 3, and D - at N. E. Cor. of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 10, T. 10 N. R. 41 E. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: N $\frac{1}{2}$, SW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 9; N $\frac{1}{2}$ of NW $\frac{1}{4}$ Sec. 10; W $\frac{1}{2}$ of SW $\frac{1}{4}$, Sec. 3; all in T. 10 N. R. 41 E. B. M., containing about 400 acres.

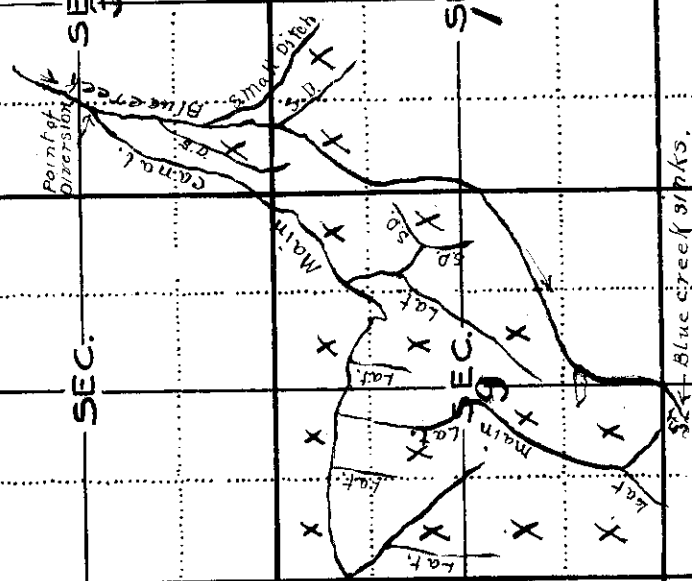
Witness my hand this 8th day of November, A. D. 1913.

F. P. KING,

State Engineer of the State of Idaho.

8
Page 1462

T. 18, R. 41 E. B. 11. Mary Whittington & Wm E. Whittington Permit # 6916.

~~524~~ Blue creek sinks.

6416

21

Name of Applicant.

REPORT OF ENGINEER

1. State name of applicant and number of permit: William E. Whittington- Permit 6416
2. State source of water supply: Blue creek
3. Location of point of diversion: A-NE Cor. NW $\frac{1}{4}$ SW $\frac{1}{4}$. B-SE Cor. NW $\frac{1}{4}$ SW $\frac{1}{4}$ and
C- Cen. of SW $\frac{1}{4}$ SW $\frac{1}{4}$, all in Sec. 3. D-NW Cor. SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T. 10 N. R. 41 E.

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 ft.
- (b) Width at water line: 6 ft.
- (c) Depth of water: 1 ft.
- (d) Grade per mile: 5 $\frac{1}{2}$ ft.
- (e) Capacity of ditch: 8 second feet.

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

Yes 8 sec. ft.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 3, N $\frac{1}{2}$ S $\frac{1}{2}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, T. 10 N., R. 41 NEM

NW $\frac{1}{4}$ of NW $\frac{1}{4}$ 15a. NE $\frac{1}{4}$ of NW $\frac{1}{4}$ 25a. SE $\frac{1}{4}$ of NW $\frac{1}{4}$ 40a. S.W $\frac{1}{2}$ of N.W. $\frac{1}{4}$ 40a.
N.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ 5a. N.E. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ 20a. S.E. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ 30a. S.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ 30a.
N.W. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ 40a. N.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ 40a. S.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ 40a. S.W. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ 5a. N.W. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ 35a, all of
Sec. 9. S.W. $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 3, 10a. N.W. of NW $\frac{1}{4}$ 20a. NE of NW $\frac{1}{4}$ 30a. Sec. 10. Township 10 R. 41 E. B.M.

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: This has been very expensive ditch 1000 feet of flume
and about $\frac{1}{2}$ mile of rock work. Main ditch and lat's
are in "a" condition.

OFFICE OF STATE ENGINEER

STATE OF IDAHO,

County of Tremont

ss.

6416

B/7

J. W. Kenney, 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 28th day of October 1913

My Commission Expires Dec 15-1913

George A. Kenney
Notary Public.