

County: Cassia.
Stream: Unnamed Gulch.
Amount: 38/50 of 1 sec. ft.
Use: Irrigation.
Priority: 6-22-12.
District No. 10 B.

STATE OF IDAHO

Water License No. 8431.

Water District No. 10 A.

WHEREAS, On the 22d day of June, A. D. 1912, Lawrence R. Layton

of Hazel, County of Cassia, State of Idaho, duly made application (No. 12658) to me for a permit to use one (1) cubic foot per second of the waters of an unnamed gulch, in Water District No. 10 B, County of Cassia, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 27th day of July, A. D. 1912, Permit No. 8431 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 27th day of July, A. D. 1914, and for the application to beneficial use of said water on or before the 27th day of July, A. D. 1915, and,

WHEREAS, On the 3d day of June, A. D. 1914, the time for completion of works under said permit was extended to the 27th day of July, A. D. 1915, and the time for beneficial use of water to the 27th day of July, A. D. 1916, and,

WHEREAS, On the 26th day of June, A. D. 1915, Lawrence R. Layton,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of one (1) cubic foot per second of said waters, as evidenced by my Certificate No. 8431 dated July 7, 1915, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one (1) cubic foot per second of said water, with date of priority of June 22, 1912, and

WHEREAS, On the 3d day of July, A. D. 1916, Lawrence R. Layton,

the holder of said permit, duly made proof of the application to beneficial use of 38/50 of 1 cubic foot 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

Lawrence R. Layton

of Hazel, County of Cassia, State of Idaho, the holder and owner of said Permit No. 8431, a perpetual right, dating from June 22, 1912 to the use of 38/50 of 1 cubic foot per second of the waters of an unnamed gulch,

in the County of Cassia 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 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 13 S., R. 23 E., B. M.,

and conducted to and upon 38 acres of land, divided as follows: 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, 18 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, and 5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 12 S., R. 23 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 29th day of December, A. D. nineteen hundred and seventeen.

J. H. SMITH,

(Seal)

State Engineer.

45 2117

45-2117

No. 12658.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Lawrence R. Layton.

Postoffice address: Hazel County: Cassia State: Idaho.

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) 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 One cubic feet per second.

3. Source of water supply: Unnamed Gulch in Secs 1 and 2 in T. 13 So. R. 23 E. B. M.

4. Location of point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 2 T. 13 So. R. 23 E. B. M.

County of Cassia.

5. To be used for: Irrigation and Domestic use.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 80 acres.

(b) In the following legal subdivisions: E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 34 T. 12 So. R. 23 E. B. M. For domestic use on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35 T. 12 So. R. 23 E. B. M.

II. Mining, milling, power, manufacturing, transportation or other purposes:

[a] At what point:

[b] Amount of power to be generated:

H. P. under ft. head

[c] Is water to be returned to any stream? return:

(d) If so, name stream and locate point of

6. Estimated cost of works: \$300.00

7. Description of works for diversion:

I. Kind of works: pipe line and 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:

[b] Capacity of reservoir acre feet. [c] Size of headgate, width feet,

Height feet. (d) Conduit ditch width at bottom 1 feet,

width at water line 1 $\frac{1}{2}$ feet, depth of water 1 feet, diameter of pipe3/4 inches; average grade per mile is 50 feet. Length of conduit is 4/5 miles, and it crosses the following quarter sections: NE $\frac{1}{4}$ and NW $\frac{1}{4}$ Sec. 2 T. 13 So. R. 23 E. B. M. and SW $\frac{1}{4}$ Sec. 35 T. 12 So. R. 23 E. B. M.

8. The time required for the completion of the construction of such work is three years.

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

Lawrence R. Layton,

Applicant.

By

Agent.

Date of first receipt at office of State Engineer : 9.00 a.m. June 22, 1912.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER.

The number of this permit is 8431.

Recorded in Book 27 Page 8431 Approved July 27, 1912.

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:

Bond in the sum of to be filed on or before

Work to begin on or before September 25, 1912 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 27, 1913.

The whole of said work to be completed on or before July 27, 1914.

Beneficial use of water appropriated in accordance herewith, to be made on or before July 27, 1915.

Witness my hand this 27th day of July, 1912.

A. E. Robinson,
State Engineer.

Remarks:

None of the springs shown are located on private land; they are all on government land and unentered; it is the purpose to develop these springs and lead all of them into one ditch as shown on the accompanying plat, with the exception of Spring #1, which will be piped for domestic use, the pipe being laid in the bottom of the ditch which gathers all the water from the other springs.

Time asked for in Section 8 above is hereby reduced one year.

A. E. Robinson,
State Engineer.
GB.

On proper request of the holder I have this 5th day of June, 1914, extended the time for proof of completion of works to the July 27, 1915.

F. P. King,
State Engineer.

Proof of completion of works made June 26, 1915.
Certificate of Completion issued July 7, 1915.

Permit No. 8431

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Lawrence R. Layton, of Burley, County of Cassia, and State of Idaho, the holder of Permit No. 8431, issued upon Application No. 12658, bearing date of priority of June 22, 1912, authorizing the diversion of one (1) second foot of the waters of an unnamed gulch in Secs. 1 & 2, T. 13 S., R. 23 E.B.M., County of Cassia, 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 one (1) second foot of the waters of an unnamed gulch; that the point of diversion of said waters is in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 2, T. 13 S., R. 23 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as

follows, to-wit: NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 34, T. 12 S., R. 23 E.B.M., containing 80 acres; and for domestic use on the SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 35, T. 12 S., R. 23 E.B.M.

Recorded by Witness my hand this 7th day of July, A.D. 1915.

Checked by License issued for 38/50 1/1 second foot

J. H. Smith,
State Engineer of the State of Idaho.

A F F I D A V I T.

State of Idaho)
 ss.
 County of Cassia.)

Lawrence R. Layton of Burley, Idaho, being first duly sworn deposes and says; that he is the holder of Permit #8431 upon which certificate of completion of works was issued on July 7, 1915; that the said permit provided that water should be used for domestic purposes on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35; and for irrigation purposes on the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 12 South, Range 23 E. B. .M.

Affiant further deposes and says that he finds it will be inconvenient and uneconomical to use the water on these particular subdivisions and that he wishes to use the water as follows: for domestic purposes on the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, and for irrigation purposes on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, Township 12 South Range 23 E. B. M.

Request is therefore respectfully made that the record of said permit be changed to show that the water is to be used as above set forth.

Lawrence R. Layton.

(SEAL)

Subscribed and sworn to before me this 8th day of May, 1916.

A. C. DeMary.

(SEAL)

Notary Public for State of Idaho
 Residing at Rupert, Idaho.
 Commission expires July 8th, 1916.

Received and filed for record in the office of the State Engineer at Boise, Idaho,
 at 9:00 A.M. May 10, 1916.

J.H.SMITH, State Engineer.

WATER RIGHT NUMBER 45-2117

OWNER LAST NAME - LAYTON FIRST NAME - LAWRENCE R. ORIG OWNER -
ADDRESS LINE 1 - ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - HAZEL STATE - ID ZIP CODE -
SOURCE - UNNAMED STREAM TRIBUTARY OF - SINKS
STAGE - LICENSE STATUS - PRIORITY - 06-22-1912 COUNTY - CASSIA TOTAL DIV. RATE - .7600 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SENE 02 13S 23E LOT REDIV - 272.0 430.0 0.4 1.0 0.5 0.0 0.0 0.0 0.0 0.0 4.2
FROM - TO - USE - IRRIGATION USE DIV. RATE - .7600 CFS USE DIV. VOLUME - .00 AFA
USE - IRRIGATION PLACE OF USE - TWN 12S RNG 23E SEC 35 TRACT SWSW LOT AC 15
USE - IRRIGATION PLACE OF USE - TWN 12S RNG 23E SEC 34 TRACT NESE LOT AC 18 TRACT NWSE LOT AC 05
DECREE NAME - DATE - TOTAL ACRES 38
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 8431
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

VERIFIED 10/1

WATER RIGHT
DATA ENTRY LOG[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 8431 1 45-2117
Old No. New No.

Record

1. Original Owner: Lawrence R. Layton

Present Owner: _____

2. Address:

3. City: Hayel State: ID Zip: _____

4. A. Source of Water: unnamed stream

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: 6-22-1912

D. County: 31

E. Total Diversion Rate: .76

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>SENE</u>	<u>2</u>	<u>13S</u>	<u>23E</u>		

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

from _____ to _____ for 17 purposes. Amount .76
(cfs or AC-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*

[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: 8431

F. Proof Made (P or blank):

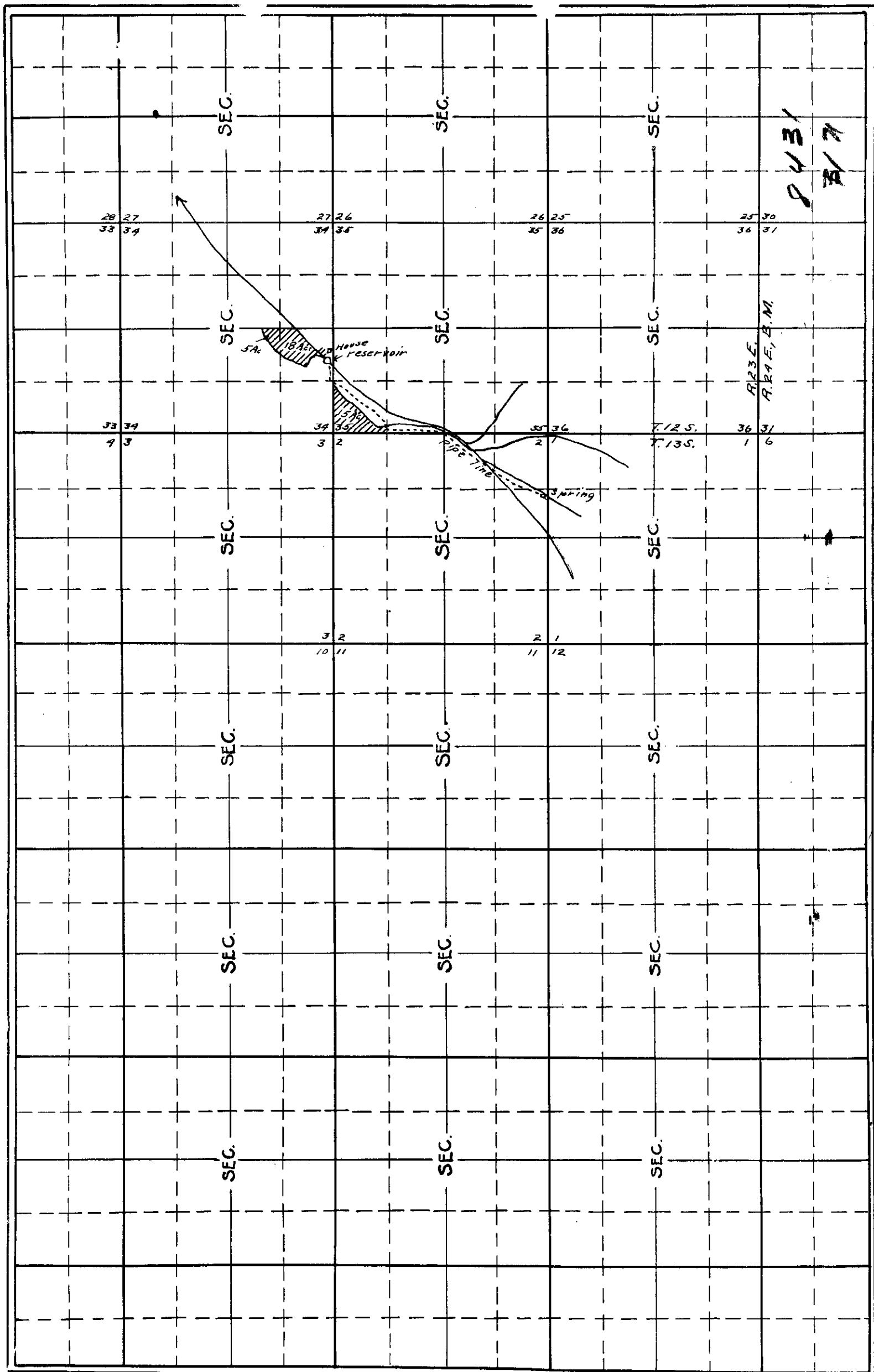
G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

SKO 8-10-79

Name of Applicant - Lawrence R. Layton - Permit 8431



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK

REPORT OF ENGINEER

1. State name of applicant and number of permit: Lawrence R. Layton - Permit - 8431
 2. State source of water supply: Unnamed gulch.
 3. Location of point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 13 S., R. 23 E., B. M.
 4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: -----
 5. Describe works as they exist, giving dimensions and capacities of same: -----
Galvanized iron pipe line $1\frac{1}{2}$ miles long and having a fall of 700
or 800 feet. This pipe is 6 inch to begin with but is rapidly re-
duced to 1 inch.
Pipe line all buried to prevent freezing.
A small ditch 1 ft. by 1 ft. parallels the pipe line.
Small pond or reservoir having a capacity of 2500 cu. ft.

 6. State whether or not water has been turned into works of diversion: -----
Yes.
 7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): -----
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 12 S., R. 23 E., B. M. - 15 Ac.
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 12 S., R. 23 E., B. M. - 18 Ac. and domestic
use.
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 34-12-23-5 Ac.

 8. Submit map on enclosed plat, showing location and details of above description.
- Remarks: In addition to the spring which is piped Layton claims the
total flow of the watershed above his ditch, including some 13 larger
springs and many smaller ones. Except for the spring which is
pipied and now flows about one fourth miner's inch and one other
these springs are all dry at this time of year and no water is flow-
ing in the gulch.

This examination was made on the 22 day of Oct. 1917

(Signed) M. R. Lewis

Examiner.

(This report must be sworn to when not made by an attache of the State Engineer's office)

STATE OF IDAHO

County of _____

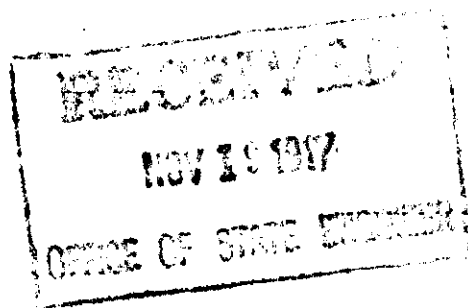
} ss.

_____, 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 _____

Notary Public.



Lawrence R. Layton, Burley.

Dist. 10B.