

\*\*\*\*\*  
 Bannock County \*  
 Little Pocatello Creek \*  
 2 second feet \*  
 Irrigation & Domestic \*  
 Priority 4/27/1906 \*  
 \*\*\*\*\*

S T A T E O F I D A H O

Water License No. 1963

WHEREAS, On the 27th day of April, A.D. 1906, SAMUEL M. SHAFFER, of Pocatello, County of Bannock, State of Idaho, duly made application (No. 2750) to me for a permit to use 3.2 cubic feet per second of the waters of Little Pocatello Creek, County of Bannock, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 28th day of April, A.D. 1906, Permit No. 1963 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 28th day of April, A.D. 1908, and for the application to beneficial use of said water on or before the 28th day of April, A.D. 1912, and,

WHEREAS, On the 28th day of April, A.D. 1908, SAMUEL M. SHAFFER, 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. 1963, dated May 29th, 1908, 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 April 27th, 1906, and,

WHEREAS, On the 11th day of January, A.D. 1912, SAMUEL M. SHAFFER transferred all his right, title and interest in and to said Permit No. 1963 to MARY E. BROWN of Pocatello, County of Bannock, State of Idaho, and,

WHEREAS, On the 20th day of April, A.D. 1912, MARY E. BROWN, the holder of said permit, duly made proof of the application to beneficial use of 2 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 E. BROWN, of Pocatello, County of Bannock, State of Idaho, the holder and owner of said Permit No. 1963, a perpetual right, dating from April 27th, 1906, to the use of 2 cubic feet per second of the waters of Little Pocatello Creek, in the County of Bannock and State of Idaho, or so much thereof as may be necessary for the purposes herein below mentioned, to be diverted at a point in the Northeast quarter (NE $\frac{1}{4}$ ), Section 8, Township 6 South, Range 35, East of the Boise Meridian, and conducted to and upon 100 acres, divided as follows: (40 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , 27 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , 17 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 6, and 16 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 5, Township 6 South, Range 35, 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 27th day of April, A.D. Nineteen hundred and twelve.

(SEAL)

A. E. Robinson.  
 State Engineer.

No. 2750

A P P L I C A T I O N   F O R   P E R M I T

To appropriate the Public waters of the state of Idaho.

1. Name of applicant - SAMUEL M. SHAFFER  
Postoffice address: P. O. - Pocatello.  
County - Bannock.
2. The quantity of water claimed is 3.2 cubic feet per second.
3. source of water supply - Little Pocatello Creek.  
County of Bannock.
4. Location of point of diversion - A point in the NE4 sec. 8, T. 6 S., R. 35 E. B. M., whence the N. E. corner of said sec. 8 bears N. 69° 41' E. distant 1614'.
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 - SW4 SW4 sec. 5, S2 SE4 & SE4 SW4 sec. 6, all of T.6 S., R. 35 E., in Bannock Co., Idaho.
6. Estimated cost of works - \$200.00
7. Description of Works for Diversion:
  - I. Kinds of works - Ditch with dam & small reservoir.
  - II. Dimensions of Works:
    - (a) Height of dam 6 feet, length of dam at top 150 feet, length of dam at bottom 25 feet, material used in construction -, earth
    - (b) Capacity of reservoir 22500 cubic feet.
    - (c) size of headgate, width 1.5 feet, height 1 foot.
    - (d) Ditch (flume or pipe) width at bottom 2 feet, width at water line 3 feet, depth of water .75 feet. Average grade per mile is 25 feet. Length of ditch is .75 miles, and it crosses the following quarter sections - N2 sec.8, to SW4 SW4 sec. 5, which is the point of intended use.
8. Time required for the completion of the construction of such work is 4 years.
9. Time required for the complete application of the water to the proposed use is 4 additional years.

Remarks:

Part of this work has been done under permit 542 which has lapsed for non-completion of work, Mr. Shaffer being unable to complete it in the time therein specified. There are no contestants or other claimants to this water. The name of the stream/corrected from two and a half mile to Little Pocatello Creek.

G. H. Perry, Surveyor.

Time asked for in section 8 is hereby reduced to two years.

Jas. Stephenson, Jr.

State Engineer.

Approval of state engineer.

The number of this permit is 1963.

Date of first receipt of application 9 a. m. April 27, 1906.

Recorded in Book 6, page 1963. Approved April 28, 1906.

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 June 27, 1906, 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 April 28, 1907.

The whole of said work to be completed on or before April 28, 1908.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to April 28, 1912.

Witness my hand this 28 day of April, 1906.

Jas. Stephenson, Jr.

state engineer.

Blank notice of proof of completion mailed applicant January 1, 1908.

Notice of proof received March 4, 1908, fixing April 28, 1908, as date and Pocatello, as place of proof.

Notice for publication mailed Pocatello Tribune March 13, 1908.

Deposition blanks mailed applicant March 13, 1908.

W. A. Samms authorized March 13, 1908, to make examination of works.

His report received April 21, 1908.

Depositions and affidavit of publication received April 30, 1908.

Fees received May 18, 1908.

Certificate of completion issued May 29, 1908.

Permit No. 1963

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that SAMUEL M. SHAFER of Pocatello, County of Bannock and State of Idaho, the holder of Permit No. 1963, issued upon Application No. 2750, bearing date of priority of April 27, 1906, authorizing the diversion of 3.2 second feet of the waters of Little Pocatello Creek, County of Bannock, 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 Little Pocatello Creek, that the point of diversion of said waters is in the Northeast quarter of Section 8, Township 6 South Range 35 East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southwest quarter of Southwest quarter (S74 S74) Section 5, South

half of Southeast quarter (S2 SE4) and Southeast quarter of Southwest quarter (SE4 SW4) Section 6, Township 6 South, Range 35 East of Boise Meridian.

Witness my hand this 29th day of May, A.D. 1908.

Jas. Stephenson, Jr.

License issued for 2 second feet  
P. 1025

State Engineer.

### QUITCLAIM DEED.

THIS INDENTURE, Made this 11th day of January, in the year of our Lord One Thousand Nine Hundred and twelve, (1912) between Samuel M. Shaffer, and Mary Shaffer, his wife, of Pocatello, of the County of Bannock and State of Idaho, the parties of the first part, and Mary E. Brown of Pocatello, of the County of Bannock, and State of Idaho, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Five Hundred and no/100 (\$500.00) Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents demise, release and forever Quitclaim unto the said party of the second part, and to her heirs and assigns forever, all that certain water right situated in Bannock County of the State of Idaho, more particularly described as follows, to-wit:

All the right, title and interest of the grantees in and to State Engineer's permit No. 1963, and all the right, title and interest of the grantors in and to 3.2 second feet of the waters of Little Pocatello Creek, in Bannock County, claimed under such permit.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto said party of the second part, and to her heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered  
in the Presence of

Samuel M. Shaffer (SEAL)

Mary Hamilton

Mary Shaffer (SEAL)

Theo. Turner.

STATE OF IDAHO, )  
 ) ss  
County of Bannock. )

On this 11th day of January in the year 1912, before me Theo. Turner, a Notary Public in and for said county, personally appeared Samuel M. Shaffer and Mary Shaffer, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

Theo. Turner,

Notary Public.

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 9.00 a.m.  
Mar. 11, 1912.

A. E. Robinson,

State Engineer  
W.

WRD417

WATER RIGHTS PROOF READING REPORT

04/17/85

PAGE 1

WATER RIGHT NUMBER 29-2041

OWNER LAST NAME - SHAFFER  
OWNER LAST NAME - BROWN

FIRST NAME - SAMUEL M.  
FIRST NAME - MARY E.

ORIG OWNER - J  
ORIG OWNER -

ADDRESS LINE 1 -  
ADDRESS LINE 3 -

ADDRESS LINE 2 -  
CITY - POCATELLO

STATE - ID ZIP CODE - 83201

SOURCE - LITTLE POCATELLO CREEK

TRIBUTARY OF - SINKS

PRIORITY - 04-27-1906 COUNTY - BANNOCK

TOTAL DIV. RATE - 2.0000 -CFS

STAGE - LICENSE STATUS -

TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND -

DIVERSION POINT - NENE 08 06S 35E LOT REDIV -

NWNE 08 06S 35E LOT REDIV -

SWNE 08 06S 35E LOT REDIV -

SENE 08 06S 35E LOT REDIV -

FROM - TO - USE - IRRIGATION

FROM - TO - USE - DOMESTIC

USE - IRRIGATION

USE - IRRIGATION

USE DIV. RATE -

2.0000 CFS USE DIV. VOLUME - .00 AFA

USE DIV. RATE -

.0000 CFS USE DIV. VOLUME - .00 AFA

PLACE OF USE - TWN 06S RNG 35E SEC 05 TRACT SWSW LOT

PLACE OF USE - TWN 06S RNG 35E SEC 06 TRACT SESW LOT

TRACT SESE LOT

AC 16

AC 40 TRACT SWSE LOT

AC 27

AC 17

TOTAL ACRES 100

DATE -

DECREE NAME -

REMARKS - P/D IN NE, S8, T6S, R35E.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE - PERMIT/DENIED -

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

PROTESTED -

HEARING -

OLD NO. - 1963

IDENT. NO. 29-2041

I D A H O   D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

WATER RIGHT  
DATA ENTRY LOG

[illegible]

# WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1963 / 29-2041  
 Old No. New No.

## Record

1. Original Owner: Samuel M. Shaffer

Present Owner: Mrs Mary E. Brown

2. Address:

3. City: Pocatello State: ID Zip:

4. A. Source of Water: Little Pocatello 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: 4-27-1906

D. County: OS

E. Total Diversion Rate: 2.

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>remarks</u> |      |      |      |           |        |
|                          |                |      |      |      |           |        |
|                          |                |      |      |      |           |        |
|                          |                |      |      |      |           |        |
|                          |                |      |      |      |           |        |

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

from \_\_\_\_\_ to \_\_\_\_\_ for A purposes. Amount 2.  
 (cfs or AC-Ft/yr)

from \_\_\_\_\_ to \_\_\_\_\_ for D purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

