

No. 5150.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Albert E. Humburg.

Postoffice address: Dingle.

County: Bear Lake State: Idaho.

2. The quantity of water claimed is one & 6/10 cubic feet per second.

3. Source of water supply: Springs. Meadow Springs.

County of Bear Lake.

4. Location of point of diversion: SE4 NE4 Sec. 7 Tp. 16 S. of R. 45 E. 3. N.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 60 acres.

(b) In the following legal subdivisions: The NE 3/4 of SW4 & NW4 of SE4 & S2 of NE4 Sec

7 Tp. 16 South of Range 45 E. 3. N.

6. Estimated cost of work: \$200.00

7. Description of work for diversion:

I. Kind of work: Ditches.

II. Dimensions of work:

(a) Conduit 1 mile long, width at bottom 1 1/2 feet, width at water line 2 feet, depth of water 6 inches. Length of conduit is 3/4 miles, and it crosses the following

quarter sections: NE 3/4 & NW4 NE4 Sec. 7 Tp. 16 S. of R. 45 E. 3. N. to land

described in 5 I (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is one year.

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

Albert E. Humburg,

Applicant.

By..... Walter Hoge.....Agent.

Remarks: The water right we wish to secure rises from several springs on the Possessory Claim of the above applicant- Albert E. Humburg- and is now and will be conveyed in ditches to cover part of his claim viz: the NE 3/4 & S2 NE4 Sec. 7 Tp. 16 S. of R. 45 E. 3. N. the above described land is in an unsurveyed Township but Mr. Humburg has had it surveyed by the County Surveyor of Bear Lake County.

APPROVAL OF STATE ENGINEER.

The number of this permit is 3654.

Date of first receipt of application 9.00 a.m. May 6, 1908.

Returned to applicant for correction May 6, 1908.

Corrected application received May 11, 1908.

Recorded in Book 10 Page 3654 Approved May 16, 1908.

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 July 15, 1908, 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 November 15, 1908.

The whole of said work to be completed on or before May 16, 1909.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to May 16, 1909.

Witness my hand this sixteenth day of May, 1908.

Jas. Stephenson, Jr.,

State Engineer.

A F F I D A V I T

State of Idaho,) ss.
County of Bear Lake,)

Albert E. Humburg, who made Application for Permit No. 5150, for the waters of "Meadow Springs," in the County of Bear Lake and State of Idaho, being first duly sworn deposes and says that a mistake was made in the description of lands and also in the point of diversion.

Now therefore comes said Albert E. Humburg and respectfully requests that in as much as no change has been made in the point of diversion of said waters, and said point of diversion was erroneously described said applicant respectfully requests that all papers previously filed in connection with said permit be amended or changed, to read as follows:

The description of lands owned by said applicant is as follows: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7 NW $\frac{1}{4}$ Sec. 18 and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17 all in Tp. 16 S. R. 46 East of Boise Meridian, in Idaho. That the location of point of diversion is in the NE corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17, Tp. 16 S. R. 46 E. N.

That land to be irrigated is as follows: Part of SE corner SW $\frac{1}{4}$ Sec. 7; part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18; and part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 17; about eighty acres in all to be irrigated, in Township and Range aforesaid.

Claimant also says that the Report of Engineer has been corrected by said engineer to correspond with the foregoing statements.

and further deponent saith not.

Albert E. Humburg

Subscribed and sworn to before me this 22nd day of January A. D. 1910.

Smith Hoge,

United States Commissioner,

District of Idaho.

(S.W.)

Received and filed for record in the office of the State Engineer at Boise, Idaho, at

9 A. M. February 17, 1910,

Jas. Stephenson, Jr.,

State Engineer.

Blank notice for proof of completion and beneficial use mailed applicant February 1, 1909

Notice received February 25, 1909, fixing May 16, as date and Paris as place of proof.

Publication notice mailed the Paris Post, March 18, 1909

A. Quayle authorized March 18, 1909, to make examination

Deposition blanks mailed applicant March 18, 1909

Affidavit of publication and deposition received June 5, 1909, also fee for proof of

completion of works. Fee for final proof received June 28, 1909

Report of examining engineer and affidavit in regard to lands to be irrigated and location

of point of diversion received February 17, 1910.

Certificate issued February 18, 1910.

Permit No. 3654.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that ALBERT E. HUMBERG, of Dingle, County of Bear Lake, and State of Idaho, the holder of Permit No. 3654, issued upon Application No. 5150, bearing date of priority of May 6, 1908, authorizing the diversion of 1.6 second feet of the waters of Meadow Springs, County of Bear Lake, 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 1.6 second feet of the waters of Meadow Springs, that the point of Diversion of said waters is at a point in the Southwest quarter of the Northwest

quarter (SW¹ 18⁴) Section 17, Township 16 South, Range 46 East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southeast quarter (SE¹ 4) Section 7, Northeast quarter of Northwest quarter (NE¹ 4 NW¹ 4) Section 18, West half of Northwest quarter (W¹ 2 NW¹ 4) Section 17, Township 16 South, Range 46 East of Boise Meridian.

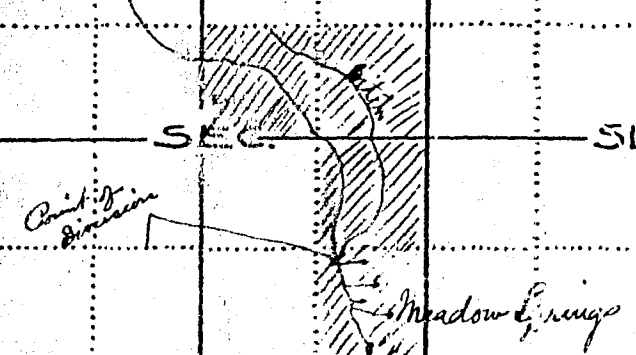
Witness my hand this 18th day of February, A.D. 1910

Jas. Stephenson, Jr.

State Engineer.

License issued for *610* second feet *413.586*

P 3654



SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

State Engineer.

John H. Johnson

Application No. 5150.
Permit No. 2654.
Albert O. Humburg.
1.6 sec. ft. Meadow Springs.
Boise Idaho county.
Approved May 16, 1908.

3654

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, May 18, 1908.

Permit 3654. A. E. Humburg,

Walter Hoge,
Paris, Idaho.

Dear Sir:

I enclose herewith above numbered permit. Be sure to note limitations and conditions of same as given under approval of State Engineer on the third page.

JAS. STEPHENSON, Jr.,
State Engineer.

3654

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho,

February 1, 1909.

Albert E. Humborg
Dingle, Idaho.

Dear Sir:

I enclose herewith blank Notice of Proof of Completion of Works
under your permit No. 3654 and blank Notice of Proof of Beneficial
Application of Water under same permit, which notice should be filled
out and returned to me at least 60 days before the date upon which it is
desired to submit proof, which proof should be on or before

b

May 16, 1909,

Yours truly,

JAS. STEPHENSON, Jr.,

State Engineer.

3654

Permit No. 3654

Notice of Proof of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Engineer at least 60 days before the time set for application of water.)

(P. O.)

Paris, Idaho

(Date)

February 24th 1909.

TO THE STATE ENGINEER OF THE STATE OF IDAHO, BOISE, IDAHO:

DEAR SIR: Notice is hereby given that at 1 P. M. on the 16th day of May 1909, at Paris County of Bear Lake State of Idaho, before J. R. Holmes, Clerk Dist. Court, proof will be submitted of the application to beneficial use of One $\frac{1}{10}$ cubic feet per second of the waters of Meadow Springs in accordance with the terms and conditions of Permit No. 5150 3654 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Albert E. Humberg, Pingle, Idaho.
2. The use to which said water has been applied is for domestic and culinary purposes and to irrigate 80 acres of land.
3. The amount applied to beneficial use is One $\frac{1}{10}$ cubic feet per second.
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) N. 2 S. E. 4 of S. E. 4 & N. E. 4 of S. E. 4 & S. 2 of N. E. 4 of Sec. 7, Tp. 16 South of Range 45 E. R. M.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is "Humburg ditch".
6. The right to take the water from such works is based upon Permit No. 5150 3654.
7. The source of supply from which such water is diverted is "Meadow Springs" in the County of Bear Lake, S. E. 4 S. E. 4 Sec. 7 Tp. 16 S. R. 46 E. R. M.
8. The date of the priority which said user is prepared to establish is May 6th July 15th 1908.

I desire that the above notice be published, according to law, in the Paris, Post of Paris, Idaho, published in the county in which said water is to be used; the expense of which publication will be borne by me.

(Sign)

Albert E. Humberg

Got

3654

Farm Loans
Land Business
Land Attorney

Walter Heger
OFFICIAL ABTRACTOR
BEAR LAKE COUNTY

Real Estate Business
Deed and Conveyancing
Abstracting

Paris Idaho, February 24th 1909.

Hon. James Stevenson,
State Engineer, Boise, Idaho,

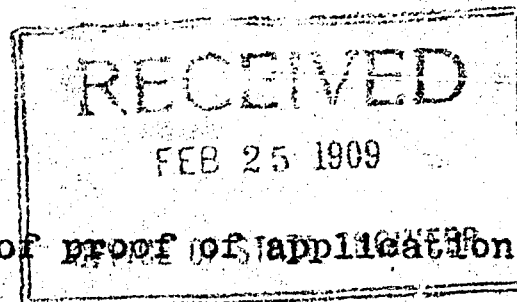
Dear Sir:

Find enclosed notice of ~~proof of application~~ of water,
if anything is lacking in this paper kindly return it to me and oblige,

Yours very respectfully,

Walter Heger

3654



February 25, 1909.

Permit 3651.

Walter Ege,
Paris, Idaho.

Sir:--

Am just in receipt of your letter of the 24th inst., inclosing notice of proof of application of water to beneficial use, under above permit, properly filled out.

It will be necessary for the holder of the permit to have the works and lands examined and if he will send the name of some one whom he wishes to do this work, I shall be pleased to authorize such a one to make the examination and report to this office. As soon as this is received blanks will be mailed for proof and notice for publication will be sent out.

Very truly yours,

State Engineer.

By....

3651

Farm Loans
Land Business
Land Attorney

Walter Hoge
OFFICIAL ABTRACTOR
BEAR LAKE COUNTY

Real Estate Business
Deed and Conveyancing
Abstracting

Paris Idaho March 2nd. 1909.

James Stevenson Jr.,
State Engineer, Boise, Idaho.

Dear Sir:

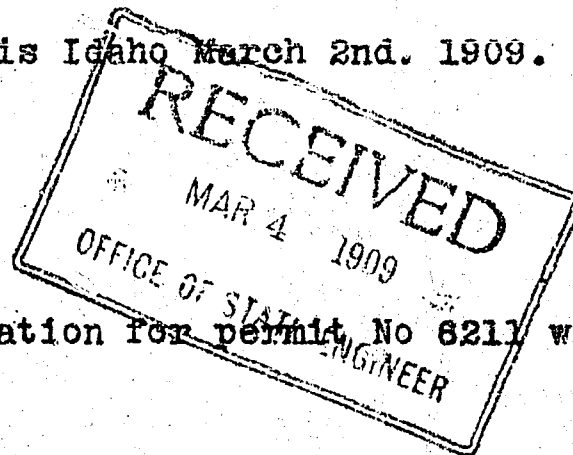
Find enclosed Application for permit No 6211 with
corrections as per your letter.

In regard to Permit No 3654 will say that Mr. Humburg wishes
you to appoint Alfonso Quayle to inspect works.

Yours very respectfully,

Walter Hoge

3654



Boise, Idaho, ...
March 18, 1909.

Alfonso Quayle

Paris, Idaho

DEAR SIR:

The holder of Permit No. 3654, Albert E. Humborg, residing at Bingle, Idaho, which permit authorizes the diversion of 1.6 second-feet of the waters of Meadow springs at, desire to make proof of the completion of works of diversion, and beneficial use of water, on May 16, 1909.

Will you therefore please arrange with the holder of said permit for an examination of the works of diversion, ascertain whether or not they comply fully with the terms of said permit, and render me a report on the condition of such works before the date fixed for said proof of completion, in accordance with the provisions of Sections 4 and 5 of House Bill No. 146, passed by the Seventh Session of the Legislature, approved March 11, 1903.

Your report should be of sufficient detail to enable me to figure out the amount of water the works are capable of diverting and conveying to the place of use; giving also the description of the location of the point of diversion, and, in case of irrigation, the legal description of the land to be irrigated. Give exact number of acres under cultivation in each forty acre tract.

Will you also make a map on the enclosed plat, giving all the essential features of the works, such as point of diversion, route of ditch, place of use, etc.

You should also arrange with the holder of said permit for the payment of your fee for this service and such proper expenses as you will incur in making this examination and report.

Please advise me promptly of your receipt of this communication, and whether or not you will be able to make the examination and report requested.

Yours truly,

JAS. STEPHENSON, JR.,

State Engineer.

365 ✓

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

INSTRUCTIONS.

Proof of Completion of Works
and
Proof of Beneficial Use of Water.

Boise, Idaho, March 16, 1909.

Albert E. Hamborg

Dingle, Idaho

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works and proof of application of water to beneficial use under your permit No. 3654.

Depositions of Permit Holder,

Depositions of Two Witnesses.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of your rights:

1. On May 16, 1909, the date set for the proof of completion of works, the enclosed deposition forms (two for permit holder and two each for two witnesses) should be filled out and sworn to, at Paris, Idaho, before Wm. R. Holmes, Clerk of Dist. Court.
2. To complete the proof, it is also necessary that an examination be made of the works as constructed, which examination must be under the authority of the State Engineer. It is the desire to make this expense as light as possible to the permit holder. Will you therefore give me the name of a competent engineer, or surveyor, in your neighborhood who could do this work with as little expense as possible to you. Upon receipt of name of such engineer or surveyor I will authorize him to do the work. The examination should be made on or before the date set for the proof.
3. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$5.00 for completion of work and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received, together with report of examining engineer, if everything is properly executed, Certificate of Completion of Works and License will issue.

Yours truly,

JAS. STEPHENSON, Jr.,

State Engineer.

3654

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Notice of Proof of Completion of Works
and
Application of Water to Beneficial Use.

Notice is hereby given that at 1 P.M.
on the 16th day of May, 1909, at Paris
County of Bear Lake, State of Idaho, before Wm. R. Holmes, Clerk of Dist. Court,
proof will be submitted of the completion of works for the diversion of
1.6 cubic feet per second of the waters of Meadow springs,
and of the application to beneficial use of said water in accordance
with the terms and conditions of Permit No. 3654 heretofore issued
by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said
permit is ~~is~~ Albert E. Humborg, Dingle, Idaho.

2. Said works of diversion will be fully completed on the date
set for such completion, and the amount of water which said works are
capable of conducting to the place of intended use, in accordance with
the plans accompanying the application for such permit, is 1.6
cubic feet per second.

3. The use to which said water has been applied is irrigation
and domestic purposes, and the amount applied to beneficial use is 1.6
~~per second~~ cubic feet per second.

4. The place where said water is used is W2 SE4 of SE4 & NE4 of SE4, &
SE of NE4 of Sec. 7, Tp. 16 S., R. 45 E. B. 11.

5. The date of priority which said user is prepared to estab-
lish is May 6, 1908.

JAS. STEPHENSON, Jr.,

State Engineer.

2654

(Place)

(Date)

Paris, Idaho,

March 23, 1909.

State Engineer, Boise, Idaho.

Dear Sir:

I have your letter of March 18th enclosing Notice of Completion of Works and Notice of Application of Water to Beneficial Use under Permit No. 3654 which will be published as you request, beginning with our issue of March 26th 1909.

Paris Post Pub. Co.

3654

Single Idaho

Mar 29th 1909

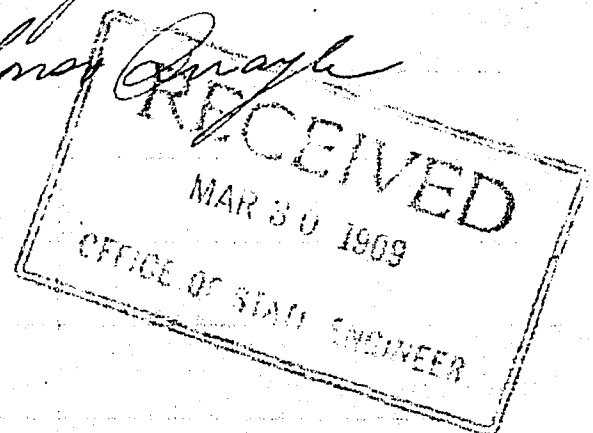
Jas Stephenson Jr
Brice

Dear Sir

Yours of the 18th inst
at hand, and contents noted would say that
I will make examination and report on
Permit No 3654 of Albert E. Humberg at
Meadow Springs

Yours Respect

Alfred Gray



3654

Farm Loans
Land Business
Land Attorney

Walter Hoge
OFFICIAL ABTRACTOR
BEAR LAKE COUNTY

Real Estate Business
Deed and Conveyancing
Abstracting

Hon. James Stevenson, Jr.,
Boise, Idaho.

Paris Idaho, May 15th 1909.

MAY 17 1909

OFFICE OF THE CLERK

Dear Sir:

Mr Albert Humburg and Mr O. C. Wilcox are here to-day to make Proof of Application of Water, and we find that the land being unsurveyed we have a wrong description to the land. The above named parties are now employing a competent surveyor and will have the land surveyed within a week and the proper description sent to you, the same parties had the land surveyed once before but on account of the surveyor not allowing for the fractions to wrong descriptions were given. The parties have fully complied with the law and performed all the work required and are now here with their witnesses ready to prove up only for this correction in the description.

I will notify you as soon as the survey is made of the correct description to the land, and will await your further instructions.

Yours very respectfully,

Walter Hoge
3654

3654

May 18, 1909.

Permit 3654-A. Humberg.

Walter Hoge,
Paris, Idaho.

Sir:-

In reply to your letter of the 15th inst., relative to above permit, would say that if the depositions were filled out on the date set for making proof they will be accepted and as soon as a correct survey is made the holder should file an amended list of lands to be recorded in connection with the permit here.

If proof was not made on the date set /t will be necessary, at the time same is made, to submit an affidavit giving the reason why proof was not made on the date set and that the holder appeared at your office with his witnesses and that no contest was entered against said proof.

Trusting this will be satisfactory to you, I am

Very truly yours,

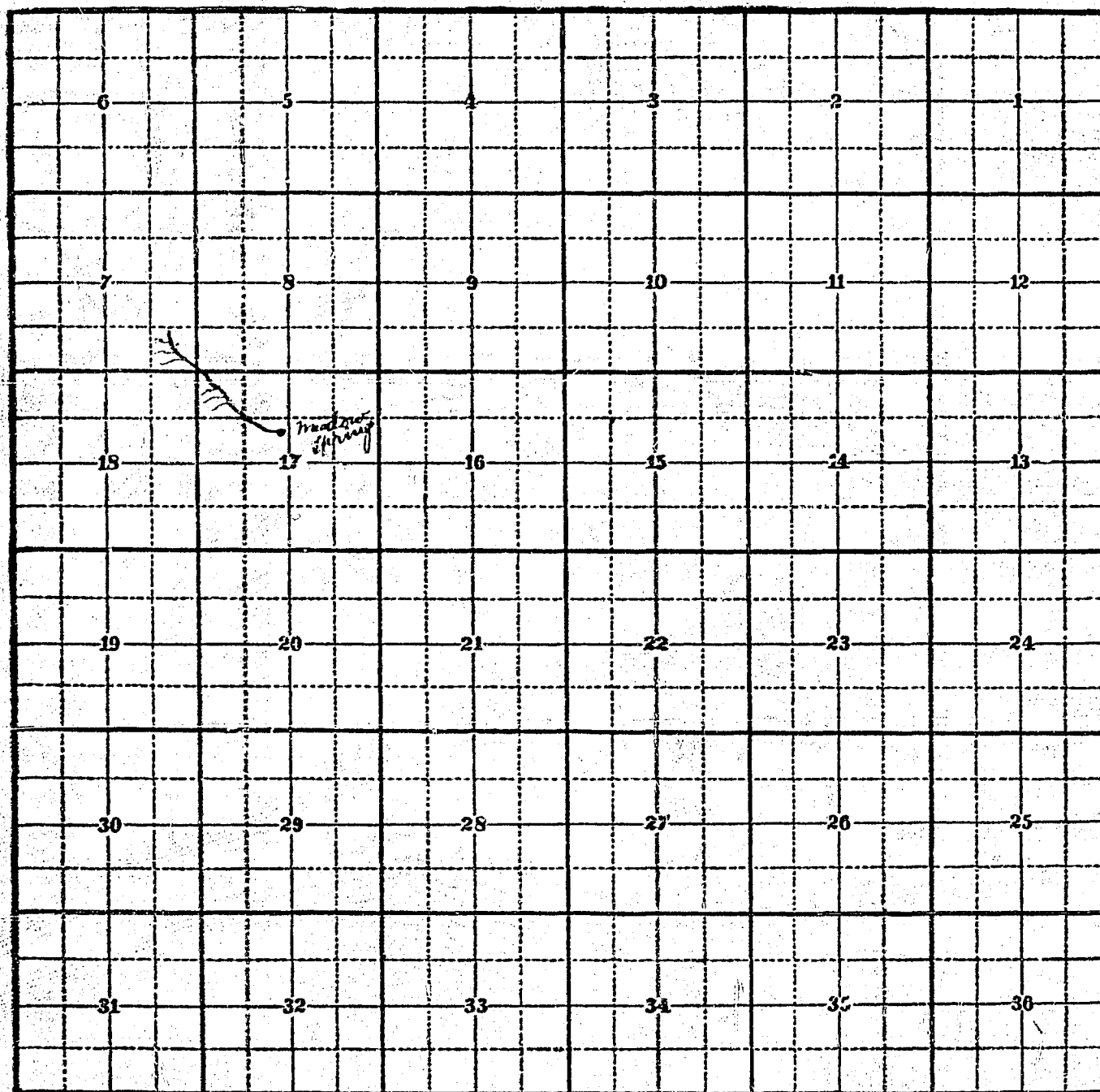
State Engineer.

By.....

3654

[4-590.]

Township No. 16 South Range No. 11 E. B. Ma.



U.S. LAND OWNER PRINT, WASHINGTON, D. C.

Scale 36 chains to an inch

OFFICE OF STATE ENGINEER

JULI - 5 1909

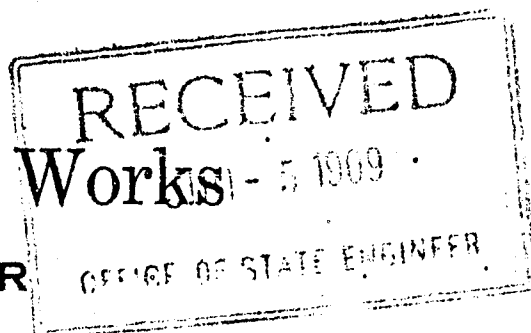
RECEIVED

3654

PERMIT NO. _____

Proof of Completion of Works

DEPOSITION OF HOLDER



Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. *Albert E. Humburg, age 28; Dingle, Idaho. Farmer,
Dingle Bear Lake Co Idaho.*

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. *I am not acting for any corporation, only for myself.*

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. *5150; May 16th 1908; 1 $\frac{1}{2}$ cubic ft. Meadow Springs
situated in the SW⁴ NW⁴ Sec 17 Tp. 16 S R. 46 E B. 7 M. At the Spring.*

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. *Cullinary, domestic and irrigation. About thirty acres
fifteen acres in NW⁴ NW⁴ Sec. 17 and about fifteen acres in
the SE⁴ SE⁴ Sec 7 Tp. 16 S R. 46 E B. 7 M.*

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. *The water has been turned into the ditch and is
being used; In the year 1908 & 1909 all the water from Meadow Springs*

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. *The ditch is fully complet and the terms of the Permit strictly
[and fully complied with.]*

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. *All the terms of the Permit have been fully complied
with.*

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. *A ditch about fourteen inches wide by seven inches
deep, three quarters of a mile long. About seventy-
five dollars.*

(Sign here.) *Albert E. Humburg*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in *Paris*, County

of *Bear Lake*, State of Idaho, on this *31st* day of

May A. D. 190*9*

W. R. Holmes
Clerk District Court
3654

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. _____

Proof of Completion of Works

DEPOSITION OF WITNESS

RECEIVED

MAY - 5 1909

OFFICE OF STATE ENGINEER

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. *Oliver C. Wilcox, age 30 years, Dingle, Idaho,
Rancher, Dingle, Bear Lake Co. Idaho.*Ques. 2. Are you acquainted with *Albert E. Humburg*, the
holder of Permit No. *5150*, authorizing the diversion of *1 1/10* second-feet of the waters of
Meadow Springs, at _____,
for *irrigation and culinary* purposes? How long have you known him, and where does he reside?Ans. *Twenty years, Dingle, Bear Lake Co. Idaho.*Ques. 3. Have you read or heard read said Permit No. *5150*, and are you familiar with its
terms and conditions?Ans. *Yes, I am.*Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated
under said permit? If so, describe same, state its character, and give your estimate of the amount of
water required for its profitable cultivation.Ans. *I am. Black loamy soil, It will require all the
waters of Meadow Spring to irrigate about thirty acres.*Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire
amount of water set out in the permit from point of diversion to place of use?Ans. *They are, the ditch is large enough to carry all the water.*Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their ca-
pacity.Ans. *A ditch fourteen inches wide about 8 inches deep
and about three quarters of a mile long.*

(Sign here.)

*Oliver C. Wilcox*I hereby certify that the foregoing testimony was read to the above subscriber before its signing,
that I believe him to be the person he represents himself to be, and that said testimony was subscribed
and sworn to before me, at my office in _____, Countyof *Bear Lake*, State of Idaho, on this *31st* day of*May*A. D. 190*9**W. C. Wilcox
Clerk, District Court*

3654

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT No. _____

Proof of Completion of Works

DEPOSITION OF WITNESS

RECEIVED

JUL - 5 1909

OFFICE OF STATE ENGINEER

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans.

*N. C. Esterholdt; age 64; Carpenter;
Dingle Bear Lake Co., Idaho.*Ques. 2. Are you acquainted with *Albert E. Humburg*, theholder of Permit No. *5150*, authorizing the diversion of *1.6* second-feet of the waters of*Meadow Springs*, at _____, for *irrigation & culinary* purposes? How long have you known him, and where does he reside?

Ans.

*Twelve years. Dingle Idaho.*Ques. 3. Have you read or heard read said Permit No. *5150*, and are you familiar with its terms and conditions?

Ans.

Yes; I am.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

*Yes. Rich black soil; It will require
all the water from Meadow Springs to water
thirty acres.*

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans.

Yes. The ditch is large enough.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans.

*It is a ditch about three quarters of a mile long,
fourteen inches wide at top and about
eight inches deep.*

(Sign here.)

N. C. Esterholdt

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in _____, County

of *Bear Lake*, State of Idaho, on this *31st* day of*May*A. D. 190*9**W. K. Holmes
Clerk District Court**3654*

Permit No. _____

RECEIVED

JUL - 5 1909

Proof of Application of Water to Beneficial Use.

DEPOSITION OF HOLDER.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. *Albert E. Kumburg, age 28; Farmer, Dingle Bear Lake Co. Idaho.*

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. *I am not acting for any corporation only for myself.*

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. *5150, May 16th 1908; 1 $\frac{6}{10}$ cubic ft.; July 15th 1906.*

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. *Meadow Springs, which rises in the N. part of the SW⁴ NW⁴ Sec. 17, Tp 16, SR. 46 E. B. M.*

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. *A private ditch fourteen inches wide at top 8 inches deep; about $\frac{3}{4}$ of a mile long. capable of carrying all of the water flowing from said Meadow Springs.*

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. *For irrigation purposes: To irrigate a part of NW⁴ NW⁴ Sec. 17 and SE⁴ SE⁴ Sec. 7, Twp. 16 SR. 46 E. B. M.*

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. *Only for irrigation.*

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. *$\frac{5}{10}$ of one second-foot.*

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. *I am the same person to whom Permit was issued.*

365

3654

Permit No.

Proof of Application of Water to
Beneficial Use.

DEPOSITION OF HOLDER.

Amount of water second feet.

Source

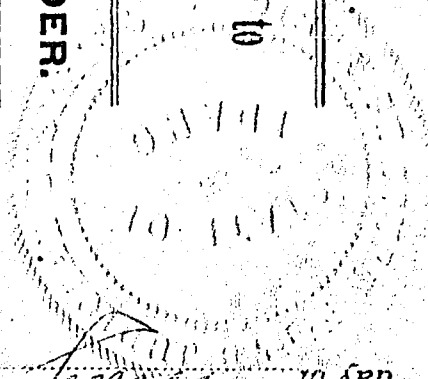
County

Purpose

Place of use

Date of priority

Received and filed



day of

A. D. 1909

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in _____, State of Idaho, on this _____ day of _____, County of _____.

(Sign.) _____

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and all rights claimed thereunder.
Ans. I have not used other water than the above described from Madison Springs.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. The water was diverted in 1908 through the above described ditch. All of the water flowing from said spring has been used to irrigate the adjacent land.

PERMIT NO.

Proof of Application of Water to Beneficial Use.

RECEIVED

JUL - 5 1909

OFFICE OF STATE ENGINEER

DEPOSITION OF WITNESS:

Question 1. State your name, age, residence, occupation and postoffice address.

Answer. Oliver C. Wilcox, age 30 years, Rancher,
Dingle, Bear Lake Co., Idaho.

Ques. 2. Are you acquainted with Albert E. Humburg
 the holder of Permit No. 5150? How long have you known him, and where does he reside?

Ans. Twenty years. Dingle, Bear Lake Co., Idaho.

Ques. 3. Have you read or heard read said Permit No. 5150, and are you familiar with its provisions and conditions?

Ans. Yes. I am.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Meadow Springs. In the east part of the S. 1/4 N. 1/4
Sec. 17, Tp. 16 S. R. 46 E. B.M. A ditch 14 inches
wide at top, 8 inches deep, and 3/4 of a mile
long.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed.

Ans. The ditch will carry all the of Meadow Springs. I have seen it

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.)

Ans. Irrigation and domestic purposes. N. 1/4 N. 1/4
Sec. 17 and SE 1/4 SE 1/4 Sec. 7 all in Tp. 16 S. R. 46 E. B.M.
about fifteen acres in each.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. It is only for irrigation.

Ques. 8. (If for irrigation) State character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

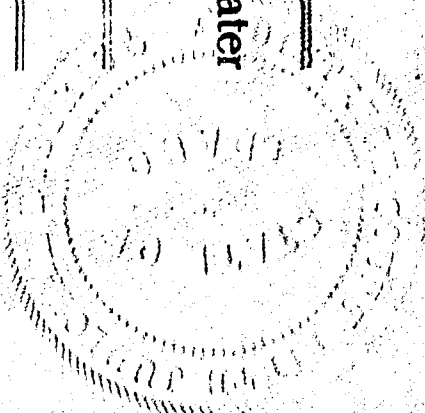
Ans. Rich black loamy soil. It will require all the water of
said Meadow Springs.

3654

Permit No.

Proof of Application of Water
to Beneficial Use.

DEPOSITION OF WITNESS.



Creek, District Court

May 31st day of *May*, A. D. 1909

State of Idaho, on this

Davis, County of *Boise* and sworn to before me, at my office in

that I believe him to be the person he represents himself to be, and that said testimony was subscribed

I hereby certify that the foregoing testimony was read to the above subscriber before its signing.

(Sign)

Chas. L. Hiler

Ans. Over the years 1905 and 1909, the full flow of the spring was carried through the ditch and I saw it used on the land during those two seasons.

to beneficial use of the water diverted under said permit.

Ans. I use the surplus water which flows from the spring.

and to what extent?

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way

Received and filed

PERMIT NO.

Proof of Application of Water to Beneficial Use.

RECEIVED

DEPOSITION OF WITNESS: JUL - 5 1909

OFFICE OF STATE ENGINEER

Question 1. State your name, age, residence, occupation and postoffice address.

Answer. N. C. Esterholdt. 64 years; Carpenter,
Dingle, Idaho, Bear Lake Co.Ques. 2. Are you acquainted with Albert E. Hamburg,
the holder of Permit No. 5150? How long have you known him, and where does he reside?

Ans. Twelve years. Dingle Bear Lake Co Idaho.

Ques. 3. Have you read or heard read said Permit No. 5150, and are you familiar with its provisions and conditions?

Ans. I have; Yes sir

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Meadow spring which rises in the east part of the
SW¹/₄ NW¹/₄ Sec. 17 Tp 16 SR 46 EBM. A ditch 3/4
of a mile long; 14 inches wide at top and 8 inches
deep.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed.

Ans. The ditch will carry all the water from that spring, I have
witnessed it.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.)

Ans. Irrigation. NW¹/₄ NW¹/₄ Sec. 17 and SE¹/₄
SE¹/₄ Sec. 7 all in Tp 16 SR. 46 EBM. I should
judge about 15 acres in each quarter.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. It is only for irrigation.

Ques. 8. (If for irrigation) State character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Good black soil. It will require all the water from
that spring.

3654

3654

Permit No.

Proof of Application of Water
to Beneficial Use.

DEPOSITION OF WITNESS.

Received and filed



Clerk, District Court

May 31st day of May, A. D. 1909

Dave, County of Bear Lake

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

(Sign) W. E. Esterhach

Ans. May 1909. All of the water coming from the opening has been carried through the ditch and I have it used upon the land.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of the water diverted under said permit.

Ans. I have witnessed no said land water or water.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF BEAR LAKE,

} SS

NOTICE OF PROOF OF COMPLETION OF WORKS,

And application of water to beneficial use.

Notice is hereby given that at 1 p. m. on the 10th day of May, 1909, at Paris, County of Bear Lake, State of Idaho, before Wm. R. Holmes, Clerk of District Court, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of the waters of Meadow Springs, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 3351 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said permit is Albert E. Humbert, Dingle, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 1.6 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes and the amount applied to beneficial use is 1.6 cubic feet per second.

4. The place where said water is used is W 1-2 SE 1-4 of SE 1-4 & NE 1-4 of SE 1-4 & S 1-2 of NE 1-4 of Sec 7 Tp 16 S R. 45 E. B. M.

5. The date of priority which said user is prepared to establish is May 6, 1908.

JAS. STEPHENSON JR.

State Engineer.

E. T. Hyde being first duly sworn, deposes and says that he is the Publisher of

THE PARIS POST, a weekly newspaper published at

Paris, Bear Lake County, Idaho, and that the said news-

paper has a general circulation in said County and State;

that the attached notice, Of Proof of Completion of Works and Application of Water, was published in the

said PARIS POST for Eight successive weeks,

the first publication having been made on the 26th

day of March, 1909, and the last on the

14th day of May, 1909;

and that the same was published in the newspaper proper

and not in a supplement.

E. T. Hyde

Subscribed and sworn to before me this 2nd

day of June, 1909.

Walter Heagy

Notary Public

My commission expires Dec. 7th, 1909

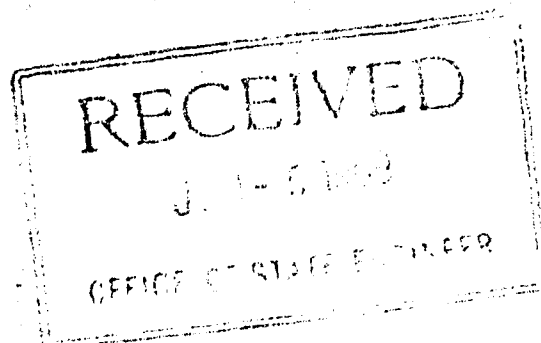
RECEIVED

JUN - 5 1909

OFFICE OF STATE ENGINEER

365

STATE OF IDAHO,)
County of Bear Lake,) ss.



Personally appeared before me, Smith Hoge, U. S. Commissioner, for the District of Idaho, Albert E. Humburg, who being first duly sworn deposes and says that he is the identical Albert E. Humburg who gave notice of Proof of Completion of Works, and the date was duly set for hearing before William R. Holmes, Clerk of the District Court, at Paris Idaho, on the 16th day of May 1909. That he was present with his witnesses on said date and ready to make Proof as required by law but was prevented from doing so on account of a mistake in the survey and it was found necessary that a new survey should be made so as to locate the springs and the land which he desires to irrigate clearly, that he has engaged a competent surveyor and has made said survey and that he duly appeared with his witnesses before William R. Holmes, Clerk of the District Court, at Paris Idaho, on the 31st day of May 1909, and made Proof as required by law, and further Deponent saith not.

Albert E. Humburg
By *Walter Hoge* Atty.

Subscribed and sworn to before me this 31st day of May 1909.

Smith Hoge
U. S. Commissioner.

June 5, 1909.

Permit 3654, A. Hamberg.

Walter Hago,
Paris, Idaho.

Sir:-

Am today in receipt of depositions of holder and witnesses in proof of completion of works and beneficial use of water, also, affidavit of publication and fee for proof of completion of works. There still remains the fee for proof of beneficial use, amounting to \$4.00, and the report of examining engineer. As soon as these are received, if everything is satisfactory, certificate and license will be issued. Inclosed find receipt for \$5.00.

Very truly yours,

State Engineer.

H1871

By....

3654

RECEIVED

JUN 8 1909

OFFICE OF STATE ENGINEER

June 24

Dear Mr. Peterson, Please
find check of 400. I have
asked the examining engineer
who was E. Bucker to send
in his report but as he has
not done so I will have him
make it out and I will send
it in at once.

Yours truly 3654

J. O. Humburg

June 24

There is no mistake in the
papers I am located in range
4630 instead of 45. This has
been the case of part delay

June 28, 1909.

Permit 3654.

Albert E. Humburg,
Dingle, Idaho.

Sir:-

Your letter of the 24th inst., inclosing fees for proof of beneficial use of water under above permit, to hand. Inclosed find receipt. As soon as the report of Mr. Quayle is received the matter of issuing certificate and license will be taken up.

Very truly yours,

State Engineer.

R1920

By...

3654

September 30, 1909.

Permit 3654.

Albert E. Humburg,
Dingle, Idaho.

Sir:-

In looking over your papers preparatory to issuing certificate and license I note that an error had been made in the location of the lands under above permit. If you will furnish an amended list of lands same will be recorded in connection with the permit here and the certificate and license will be issued accordingly.

The permit shows all the land to be in Section 7, Tp.16 S., R. 45 E. The report of the engineer shows part in section 7 and part in 17.

The affidavit should also state that an error had been made in the point of diversion and that no other rights have been injured by such error.

Upon receipt of such affidavit, if satisfactory, same will be approved and recorded in connection with the permit and become a part thereof.

Trusting you will give this matter your immediate attention, I am

Very truly yours,

State Engineer.

By...

3654

Wangte Dec 1

Mrs James Stephenson Jr

Dear Sir

in regard to my water
pump the engineer report
is correct Mrs. Hodge
made the mistake he
had this same plat to
look at that is here
inclosed made by
Mrs Booker County
surveyor The land
is in sec 7 and 17 46 E
township 16 to 16 E
Mrs Hodge three different
times that he had
3654

made a mistake in the
range as he has got
it in 45 east instead
of 46 E and in sec 7
the point of diversion
has been made wrong
through a mistake
but no other rights
been injured as the
water has been used
on land claimed
and rises on land
in sec 17 which is the
bed of springs now
as meadow springs

3654

Trusting this will be
all that you will need
as know one else claims
this water and my intent
are to make use of this on
land with groves hay
please send me this little
plot back as this is the
only way on this land
that we have got to go
by

yours truly
Albert Humburg
J. Ring
G. J. J.

3654

Quantity of Water 0.55 cfs feet

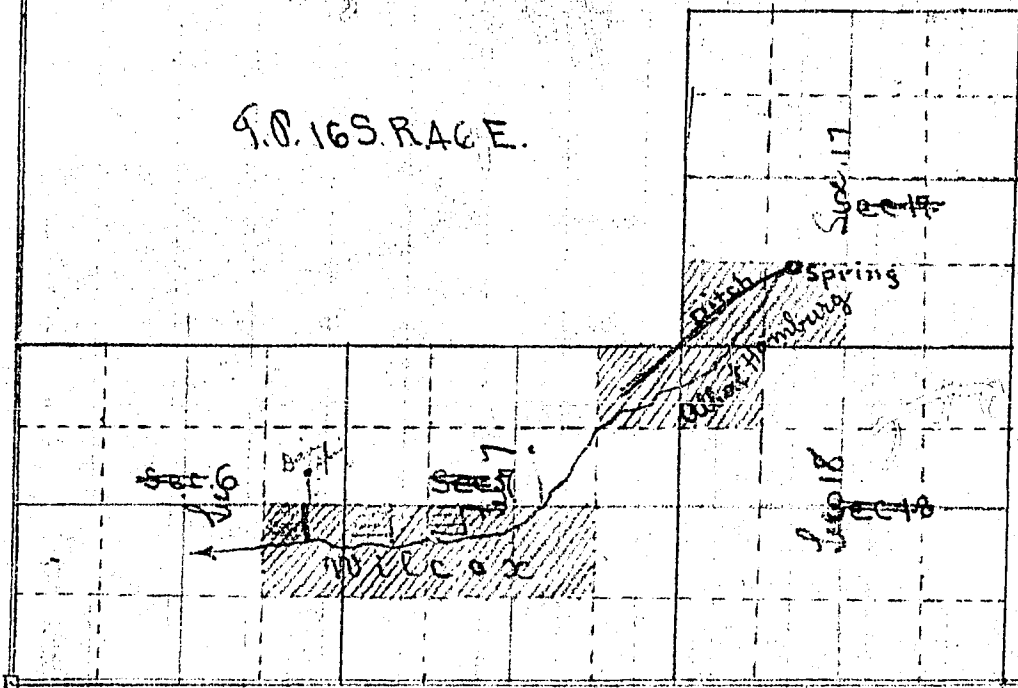
Slope 14 ft per mile.

Area irrigated 30 acres

Length of ditch 1/2 mile

North

T.P. 16 S. R. 46 E.



NW cor. T.P. 16 S. R. 46 E.

3659

December 7, 1909.

Permit 3654

Albert E. Humburg,
Dingle, Idaho.

Sir:-

Your letter of the 1st inst. to hand and contents noted. In reply would say that you should ~~send~~ ~~affidavit~~ ~~attached~~ list of lands in such form as can be recorded in connection with the permit. You should make an affidavit to the effect that an error had been made in the description of lands and also of the point of diversion and that no change had been made in the location of ~~shad~~ point. These should not be sent in the form of a letter ~~but~~ it is necessary that they be recorded and become part of the permit.

Very truly yours,

State Engineer.

By...

3654

Farm Loans
Land Business
Loan Attorneys

Walter Hoge & Son
OFFICIAL ABSTRACTORS
BEAR LAKE COUNTY

Abstracting
Real Estate Business
Deed and Conveyancing

RECEIVED
Paris, Idaho Dec. 13th 1909.

DEC 15 1909

OFFICE OF CLERK

Hon. James Stevenson, Jr.,
State Engineer, Boise, Idaho.

Dear Sir:

In regard to permit No. 3654, Albert Humburg, Dingle, Idaho, will you kindly return to us the plat and the report of the engineer so that we may make the desired correction by affidavit, as this is unsurveyed Government land there is no plat on file consequently it will be necessary to obtain the County Surveyor's plat that was sent to you with the papers, or with Mr. Humburg's letter, and also the report of Mr. Quayle, the engineer who examined the works, on receipt of the papers we will proceed immediately to correct the same by proper affidavit and forward to you at the very earliest moment.

Yours very respectfully,

Walter Hoge & Son.

3654

December 15, 1909.

Permit 3654-Albert Humburg

Walter Hoge & Son,
Paris, Idaho.

Gentlemen:-

Yours of the 13th inst. to hand and contents noted. In reply would say that I do not find the County Surveyor's plat to have been filed with the papers here. I am returning you herewith Mr. Gualle's report and map. The only other map on file here is the one filed with the application and as this is now one of the records of the office, it could not be sent out. However, the holder should have the duplicate of this map as one was returned to him with his permit.

Trusting you will be able to get the matter straightened out, I am

Very truly yours,

Geo. Stephenson, Jr.

State Engineer.

RMH

By *GB*

3654

Report of Engineer

1. State name of applicant and number of permit: *Albert E. J. Jernberg Permit No 3454*
2. State source of water supply: *Meadow Springs*
3. Location of point of diversion: *N.E. corner of the S.W. quarter of the N.W. quarter of Sec 17 T.P. 14 S. R. 46 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: *Seven inches*
 - (b) Width at water line: *14 inches*
 - (c) Depth of water: *Three 1/2 inches*
 - (d) Grade per mile: *14 feet*
6. State whether or not water has been turned into works of diversion and if so, to what extent: *All the water was turned in ditch*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *part of S.E. corner of S.E. quarter of S.E. quarter of Sec 18 of T.P. 14 S. R. 46 E. and N.E. quarter of the N.E. quarter of Sec 17 and N.E. part of N.E. quarter of N.E. quarter of Sec 17 T.P. 14 S. R. 46 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: *Would state that water was being used on a piece of Meadow land at the time I made examination on May 13th 09. Thirty Dams was the amount the water was running in ditch is 1/2 mile long.*

STATE OF IDAHO,

County of

Bear Lake

ss.

Alfonso Quagle

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 *20th* day of *July* 190*9*.

My Commission Expires

Joseph Lewis
Justice of Peace

Notary Public.

RECEIVED

FEB 17 1910

OFFICE OF STATE ENGINEER

3654

Township 16 South, Range 46 East B. M.

SEC. 7

SEC. 8

SEC.

SEC.

RECEIVED

FEB 1 1910

SEC.

SEC.

SEC. 18

SEC. 17

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

2654

Ed

A F F I D A V I T .

000

State of Idaho,)
County of Bear Lake,) SS

Albert E. Humburg, who made Application for Permit No. 5150, for the waters of "MEADOW SPRINGS" in the County of Bear Lake and State of Idaho, being first duly sworn deposes and says that a mistake was made in the description of lands and also in the point of diversion.

Now therefore comes said Albert E. Humburg and respectfully requests that in as much as no change has been made in the point of diversion of said waters, and said point ~~point~~ of diversion was erroneously described said applicant respectfully requests that all papers previously filed in connection with said permit be ammended, or changed, to read as follows:

The description of lands owned by said applicant is as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18, and W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 17 all in Tp. 16 S.R. 46 East of Boise Meridian, in Idaho.

That the location of point of diversion is in the NE corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17 Tp. 16 S.R. 46 E.B.M.

That land to be irrigated is as follows: Part of SE corner SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7; part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18; and part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 17; ^{eighty} about ~~fourty~~ acres in all to be irrigated, in Township and Range aforesaid.

Claimant also says that the Report of Engineer has been corrected by said engineer to correspond with the foregoing statements.

And further deponent saith not.

Albert E. Humburg
OFFICE OF THE ENGINEER

Subscribed and sworn to before me this 22nd day of January A.D. 1910.

Smith Hoag
United States Commissioner,
District of Idaho.

3654

March 1, 1910.

Permit 3654

Robert E. Humborg,
Dingle, Idaho.

Sir:-

Am inclosing you herewith certificate and license issued under
above permit.

Very truly yours,

State Engineer.

C&L

By...

3654

EXAMINATION BLANK

School

Grade

Date

Subject

Pupil

Age

Teacher

Critic

Per Cent.

RECEIVED

MAY 31 1910

OFFICE OF STATE ENGINEER

Gooding, Idaho,

May 27, 1910.

Mr. James Stephenson, Jr.,
Boise, Ida.

Dear Sir, I hold permit No. 3654 and people who have later permits than I will be able to use water after I am dry. The water master does not recognize permits and to make a bad matter worse the Twin Falls company are damming off the river and are only putting in a small head gate which will not be opened unless there is a big head in the river.

Of what use is a permit? Is there any thing else that is required to hold the water that is justly due me? This makes the 3rd year that I have used the water on the land and the 4th for the ditch.

Yours truly,

C. J. Luther

P.S. May another use water out of the same ditch if he has no Permit?

3654

Boise, Idaho, May 31, 1910.

Permit 3654.

C. A. Luther,
Gooding, Idaho.

Sir:--

Under our law permit holders are supposed to take their rights according to priority and any interference with such priority is illegal and any appropriator thus interfered with has a remedy at law.

I would suggest that you take this matter up with an attorney. A second user although employing a ditch for which a permit has been granted in order to establish a right would necessarily have to take out a permit for himself.

Very truly yours,

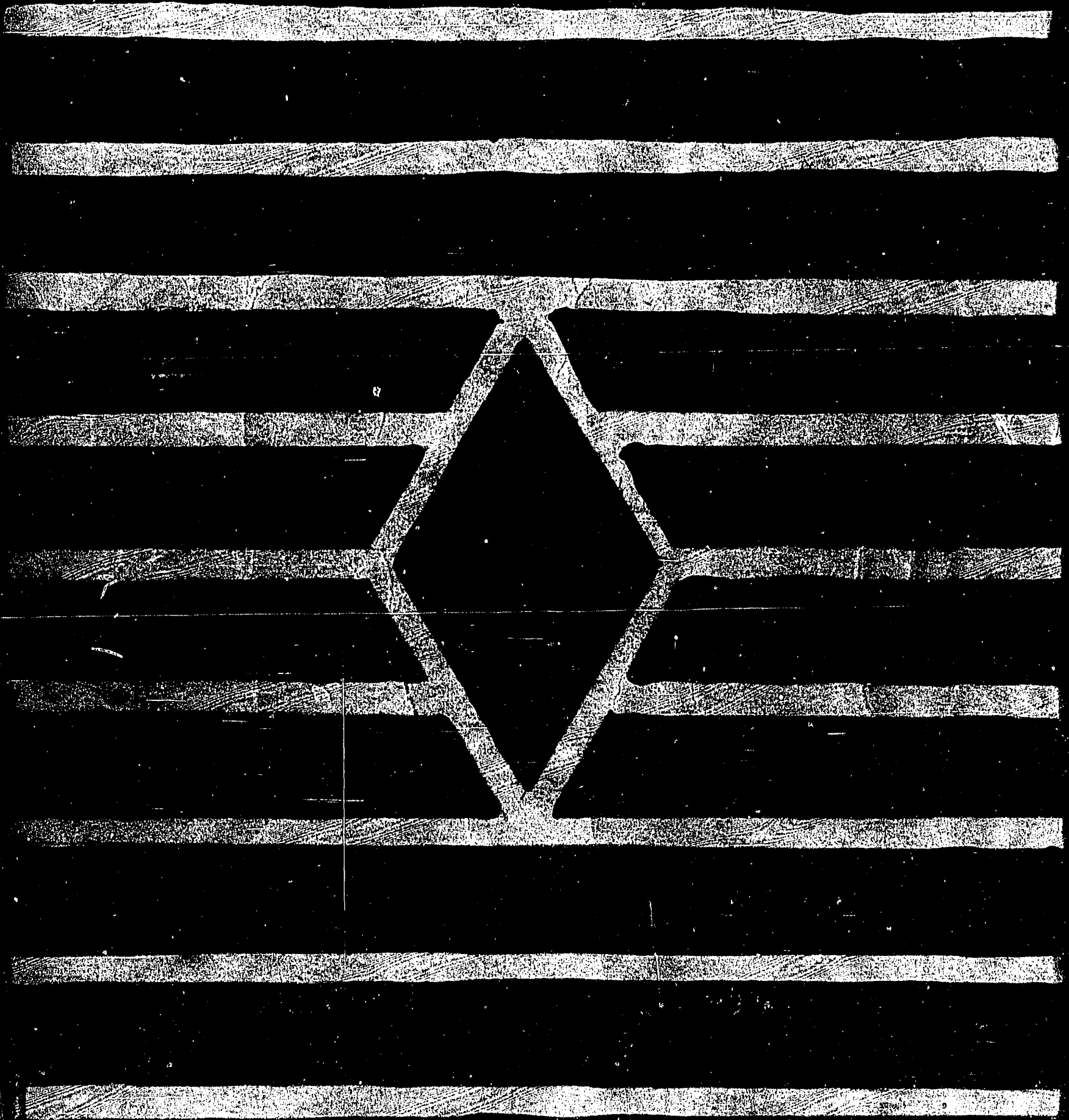
State Engineer.

By _____

W/G.

3654

7



County of Bear Lake. *
Meadow Springs. *
six-tenths of one cubic foot. *
Irrigation and Domestic. *
6th day of May 1908. *

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

WATER LICENSE NO. 3654.

WHEREAS, On the 6th day of May, A. D. 1908 ALBERT E. HUMBERG of Dingle, County of Bear Lake, State of Idaho, duly made application (No. 5150,) to me for a permit to use one and six-tenths (1.6) cubic feet per second of the waters of MEADOW SPRINGS, County of Bear Lake, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 16th day of May, A. D. 1908, Permit 3654 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 16th day of May A. D., 1909, and for the application to beneficial use of said water on or before the 16th day of May. A. D. 1909, and,

WHEREAS, On the 31st day of May, A. D. 1909, ALBERT E. HUMBERG, the holder of said permit duly made proof of the completion of adequate works for the diversion of one and six-tenths (1.6) cubic feet per second of said waters, as evidenced by my Certificate No. 3654, dated February 18, 1910, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one and six-tenths (1.6) cubic feet per second of said waters, with date or priority of May 6, 1908, and,

WHEREAS, On the 31st day of May, A. D. 1909, ALBERT E. HUMBERG, the holder of said permit duly made proof of the application to beneficial use of .6 of one 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 ALBERT E. HUMBERG, of Dingle, County of Bear Lake, State of Idaho, the holder and owner of said Permit No. 3654, a perpetual right, dating from May 6, 1908, to the use of six-tenths of one (.6 of 1) cubic foot per second of the waters of MEADOW SPRINGS, in the County of Bear Lake, 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 Northeast Corner of the Southwest quarter of the Northwest quarter (SW4 NW4) Section 17, Township 16 South, Range 46 East of Boise Meridian, and conducted to and upon (15 acres in the Northwest quarter of the Northwest quarter, (NW4 NW4), Section 17, and 15 acres in the Southeast quarter of the Southeast quarter (SE4 SE4) Section 7, Township 16 South, Range 46 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

