

No. 5240.

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

1. Name of applicant: Jacob John Hirschi.

Postoffice address: Montpelier.

County: Bear Lake State: Idaho.

2. The quantity of water claimed is $4\frac{1}{5}$ cubic feet per second.

3. Source of water supply: Small Spring in SW4 NE4 Sec. 25, T. 13 S. R. 45 E.

County of Bear Lake, State of Idaho.

4. Location of point of diversion: 96 rd. W. 72 Rds. N. from NW corner NW4 Sec. 30, Tp. 13 S. R. 45 E.

5. To be used for:

I. Irrigation and domestic use: Irrigation.

(a) Amount of land to be irrigated 40 acres.

(b) In the following legal subdivisions: Lots 3 & 4 Sec. 30 Tp. 13 S. R. 46 E. B. L.

6. Estimated cost of works: \$250.00

7. Description of works for diversion:

I. Kind of works: Reservoir & ditch.

II. Dimensions of works:

(a) Height of dam 12 feet, at bottom of small slopes gradually out, no hill on either side, length of dam at top 200 feet, length of dam at bottom....feet. Material used in construction: earth.

(c) Size of headgate: Width small.

(d) Conduit ditch, width at bottom 3 feet, width at water line 5 feet, depth of water 14 feet. Average grade per mile is 25 feet. Length of conduit is 20 fms., and it crosses the following quarter sections: Part NE4 Sec. 25, Tp. 13 S. R. 45 E. and NW4 Sec. 30 Tp. 13 S. R. 46 E. 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 Nov. 1st, 1909.

9. Time required for the complete application of the water to the proposed use is no 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.

Jacob J. Hirschi,

Applicant.

By.....D. M. Austin.....Agent.

APPROVAL OF STATE ENGINEER.

The number of this permit is 3703.

Date of first receipt of application 9.00 a.m. May 25, 1908.

Returned to applicant for correction May 25, 1908.

Corrected application received May 29, 1908.

Recorded in book 10 Page 3703 Approved May 30, 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 29, 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 February 15, 1909.

The whole of said work to be completed on or before November 30, 1909.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to November 30, 1909.

Witness my hand this thirtieth day of May, 1908.

Jas. Stephenson, Jr.,
State Engineer.

Blank notice for proof of completion and beneficial use mailed applicant August 1, 1909
Notice received October 8, 1909, fixing November 29, 1909, as date and Montpellier as
place of proof.

Publication notice mailed the Montpellier Examiner October 20, 1909

Deposition blanks mailed G. Sponberg, U.S. Commissioner, October 20, 1909

J.C. Webster, water commissioner, notified October 20, 1909, to make examination of works.

Affidavit of publication, depositions, and fees received December 1, 1909

Report of water commissioner received May 9, 1910

Certificate and license issued May 10, 1910

Permit No. 3703

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

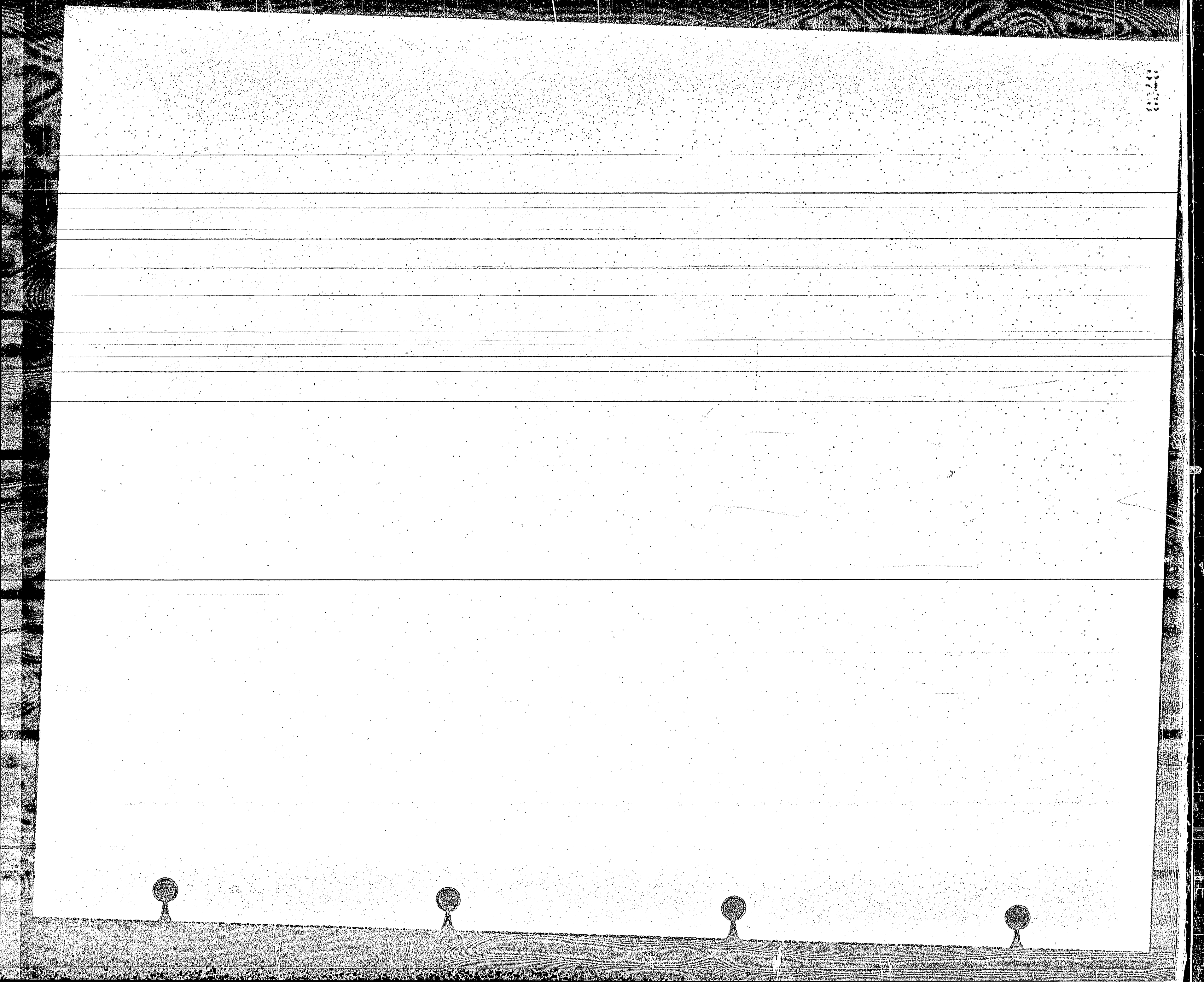
This is to certify that JACOB JOHN HIRSCH, of Montpellier, County of Bear Lake, and State of Idaho, the holder of Permit No. 3703, issued upon Application No. 5240, bearing date of priority of May 25, 1908, authorizing the diversion of eight-tenths (.8) of one second foot of the waters of a SPRING, County 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 eight-tenths (.8) of one second foot of the waters of a SPRING, that the point of diversion of said waters is at a point 96 rods west and 72 rods north from northwest corner of southeast quarter, section 20, township 13 south, Range 45 East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Lots 3 and 4, section 20, township 13 south, range 46 East of Boise Meridian.

Witness my hand this tenth day of May, A.D. 1910.

D.G. Martin.

State Engineer of the State of Idaho

License issued for *1000* second feet



P. 138 R. 45 E

P. 138 R. 46 E

SEC.

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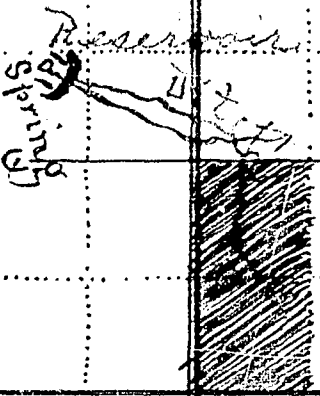
SEC.

State Engineer.

Application No. 6240.
Permit No. 6705.
J. J. Henson.
4/5 Sec. 17. Small Springs.
Approved May 20, 1908.

Geo. Stephens

NO 70 20



State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, July 3, 1908.

Permit 3703. J. J. Hirschi.

H. H. Austin,
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.

3703

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, August 1, 1909

Jacob John Hirschi,
Montpelier, Idaho

Dear Sir:

I enclose herewith blank Notice of Proof of Completion of Works under your permit No. 3703 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 November 30, 1909

Yours truly,

JAS. STEPHENSON, Jr.,

State Engineer.

3703

Notice of Proof of Completion of Works.

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

(P. O.) Montpelier, Idaho

(Date) Oct. 27th 1909

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

DEAR SIR: Notice is hereby given that at 10 AM. on the 27th day of Nov.

1909 at Montpelier

County of Bear Lake

State of Idaho, before J. Sponberg, United States Commissioner

proof will be submitted of the completion of works for the diversion of 4 1/2 cubic feet per second of the waters of Small Spring in SW 1/4 Sec 25, Tp 13 N. R. 4 E. E. 1/4

in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is

Jacob John Hirsch

2. The postoffice address of such person or the place of business of such corporation is

Montpelier,

County of

Bear Lake

State of Idaho.

3. The number of such permit is 3703, and the date set for the completion of

such work is

November 30 - 1909

4. Said water to be used for

Irrigation

purposes.

5. 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 4 1/2

cubic feet per second.

6. The amount of lands for which said water is available is 80 1/2 acres.

particularly described as follows:

Lot 3 & 4 Sec 30, Tp 13 N. R. 4 E. E. 1/4

J. H.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the above notice are true.

Engineer.

I desire that the above notice be published, according to law, in the Montpelier

Blancher

of

Montpelier, Idaho

published in the county in which said

works are situated; the expense of which publication will be borne by the undersigned

(Signature)

Jacob John Hirsch

RECEIVED

OCT 28 - 1909

OFFICE OF STATE ENGINEER

3703

Doc. Book 102, p. 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

PERMIT NO. 3703

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.) Montpelier, Idaho(Date) Oct 27th 1909

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

DEAR SIR: Notice is hereby given that at 10 o'clock on the 27th day of Nov. 1909, at Montpelier County of Blaine Lake State of Idaho, before A. Sponberg, State Commissioner proof will be submitted of the application to beneficial use of 4/5 cubic feet per second of the waters of Small Spring in SE 1/4 Sec 25 T. 13 N. R. 45 E. B. M. in accordance with the terms and conditions of Permit No. 3703 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 Jacob John Hirschi Montpelier Idaho

2. The use to which said water has been applied is Irrigation

3. The amount applied to beneficial use is 4/5 Cubic feet

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) Lot 3 and 4 Sec. 30, T. 13 N. R. 46 E. B. M.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is no name

6. The right to take the water from such works is based upon Permit No. 3703

7. The source of supply from which such water is diverted is Small Spring in SE 1/4 Sec 25, T. 13 N. R. 45 E. B. M.

8. The date of the priority which said user is prepared to establish is June 1895
May 25 - 1908

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

(Sign)

Jacob John Hirschi

RECEIVED

OCT 27 1909

OFFICE OF STATE ENGINEER

3703

Montpelier, Idaho, Oct 7th 1909.

Mr Jas Stephenson,

State Engineer,
Boise, Idaho.

Dear Sir:—

I inclose herewith notices
for proof of completion of works of Jacob
John Hirschi. Kindly send me the necessary
blanks for submitting proof, and oblige.

Yours truly,
G. H. Houghberg,
U. S. Commissioner

RECEIVED

OCT 8 - 1909

OFFICE OF STATE ENGINEER

Montpelier, Ida 10/16-09

Mr Jas Hepherson

State Engineer
Idaho

Dear Sir:-

OCT 14 1909
OFFICE OF STATE ENGINEER

Some time ago
I sent you application to
make final proof of completion
of Works of Jacob John
Kinski to be published in
the Montpelier Examiner.
Please advise what you
have done in this matter,
and oblige

Yours truly
E. J. Spaulding
3702 U.S. Engineer

NOTICE OF PROOF OF COMPLETION OF WORKS
AND
APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at _____ on the _____
day of _____, 19____, at _____
County of _____ State of Idaho, before _____
proof will be submitted of the completion of works for the diversion of
_____ cubic feet per second of the waters of _____
_____ and of the application to
beneficial use of said water in accordance with the terms and condi-
tions of Permit No. _____ heretofore issued by the State Engineer
of the State of Idaho.

1. The name and postoffice address of the person, or corpora-
tion, holding said permit, are _____

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 use, in accordance with the
plans accompanying the application for such permit, is _____
_____ 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 _____ cubic feet per second.

4. The place where said water is used is _____

5. The date of priority which said user is prepared to establish
is _____

JAS. STEPHENSON, Jr.,

State Engineer.

October 20, 1909

Re permit 3703-JJHirsch

G. Sponberg, U.S. Commissioner,
Montpelier, Idaho.

Sir:-

I inclose herewith the following forms to be used in proof of completion of works and proof of application of water to beneficial use under permit No. 3703.

On November 29, 1909, the holder of above permit should appear at your office, together with two disinterested witnesses and fill out the inclosed blanks.

When the depositions have been taken they should be mailed to this office, together with affidavit of publication and fees as follows: \$5.00 for proof of completion of works and \$2.00 for each forty acre tract, or fraction, to which water has been beneficially applied.

Mr. J. O. Webster, water commissioner of the Irr. Division, will be notified to make the examination of works.

Very truly yours,

State Engineer.

By....

P.S.

Publication notice has today been mailed to the "Examiner" at Montpelier.

October 20, 1909

Permit 3703

Mr. J. C. Webster,
Water Commissioner,
Idaho Falls, Idaho

Sir:-

Jacob John Mirachi, of Hamlet, Idaho, the holder of Permit No. 3703, authorizing the diversion of 1.8 of 1 second foot of the waters of a small spring, desires to make proof of completion of works and beneficial use of water on November 29th. Will you, therefore, arrange with the holder of said permit for an examination of the works of diversion and render me a report on condition of same.

Very truly yours,

State Engineer.

By...

Inc.

3703

PERMIT NO.

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans.

Jacob John Hirschi, 46 years, Montpelier, Tammes, Montpelier, 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.

Not acting for Corporation, acting for my self

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

Ans.

*3403, May 30th 1908. 4 1/2 cubic feet per second.**Source: Spring in NW 1/4 Sec 25, T. 13 N., R. 15 E., Co. 1 S., 96 rods N. 77 rods W. from NW Corner NW 1/4 Sec 30, T. 13 N., R. 15 E.*

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.

Irrigation - 55 acres, Lots 3 and 4 Sec. 30, T. 13 N., R. 15 E. Co. 1 S.

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.

Yes; During the seasons 1906, 1907, 1908 and 1909. The works were partly completed in 1908 and some completed in 1909, during years 1906 and 1907 used ditch only to irrigate land in lots 3 and 4 sec 30, T. 13 N., R. 15 E.

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.

Yes, Yes.

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.

No variance, except dimensions of dam

RECEIVED

DEC 1 1909

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

Ans.

One dam 150 feet long, 10 feet high in center, gradually diminishing. One ditch, one mile long, 5 feet wide at water line, 3 feet wide at bottom, 1 1/2 feet deep. Cost \$250.00

(Sign here.)

*Jacob John Hirschi*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 *Montpelier*, Countyof *Blaine Lake*, State of Idaho, on this *27th* day of*November*A. D. 190*9**G. Spencer 3703**United States Commissioner District of Idaho*

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

PERMIT No. _____

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. *John R. Mami, 33, Montpelier, Idaho, Montpelier, Ida.*

Ques. 2. Are you acquainted with *Jacob John Hiredis*, the

holder of Permit No. *3702*, authorizing the diversion of *1/2* second-feet of the waters of

Small spring in SW 1/4 Sec 25, T13N, R. 45E, at *same place*

for *Irrigation* purposes? How long have you known him, and where does he reside?

Ans. *20 years, Montpelier, Ida.*

Ques. 3. Have you read or heard read said Permit No. *3702*, and are you familiar with its terms and conditions?

Ans. *Yes; yes.*

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; Lots 3 and 4 Sec 30, T13N, R. 45E. Somewhat hilly land, clay and sand soil, 1/5 cubic feet per second.*

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; yes.*

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

Ans. *One dam 150 feet long, 10 feet high in center, one ditch 1 mile long, 5 feet wide at water line, 3 feet wide at bottom, 1 1/2 feet deep, One cubic foot per second.*

(Sign here.) *John R. Mami*

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 *Montpelier*, County

of *Blaine Lake*, State of Idaho, on this *29th* day of

November, A. D. 190*9*

G. J. Oughlery

United States Commissioner, District of Idaho

3702

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

PERMIT NO. _____

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Frederick H. Miller, 26, Montpelier, Mason, Montpelier, Id.

Ques. 2. Are you acquainted with Jacob John Mitschi, the holder of Permit No. 3703, authorizing the diversion of 1/5 second-feet of the waters of

Small Spring in NW 1/4 Sec 25, Tp. 12 N, R. 45 E., at same place for Irrigation purposes? How long have you known him, and where does he reside?

Ans. 10 years, Montpelier, Id.

Ques. 3. Have you read or heard read said Permit No. 3703, and are you familiar with its terms and conditions?

Ans. Yes, yes.

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. Lots 3 and 4 Sec 30, Tp. 12 N, R. 45 E, partly hill clay and sandy soil, 1/5 cubic feet per second.

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.

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

Ans. One dam 150 feet long, 10 feet high in water, and ditch 1 mile long, 5 feet wide at water line, 3 feet wide at bottom, 1 1/2 feet deep, One cubic foot per second.

(Sign here.) Frederick H. Miller

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 Montpelier County

of Blaine Lake, State of Idaho, on this 24th day of

November A. D. 1909

G. J. Spangler

United States Commissioner, 3703

Permit No.

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. *John A. Misch, 46 years, Montpelier, Farmer, Montpelier, 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. *Not acting for corporation, acting for myself.*

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

Ans. *3703, May 30th 1908. Date of priority 1906.*

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

Ans. *Small spring in NW 1/4 Sec 25, Tp 13 N, R. 45 E, S. 30.*

Point of diversion. 96 rods N. 77 Rods W. from N. 1/4 corner of Sec 30, Tp 13 N, R. 45 E.

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. *Canal 150 feet long, 10 feet high in center, One ditch 1 mile long, 5 feet wide on water line, 3 feet wide at bottom, 1 foot deep, 1/5 cubic feet. No name.*

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. *Irrigation, Lot 4, 25 acres, and 30 acres in Lot 3, Sec 30, Tp 13 N, R. 45 E.*

RECEIVED

DEC 1 - 1909

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

Ans. *Irrigation only.*

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

Ans. *1/5 cubic feet.*

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. *Same the original location.*

3703

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.....

BYAS-YORK CO., PRINTERS & BINDERS, BOISE
7318

day of

County of

State of Idaho, on this

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)

Ans. *At Teller, Nevada*

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 rights claimed thereunder.

Ans. *During season 1906 and 1907 we diverted water from Teller River and applied it to the lands herein described for the purpose of growing alfalfa and grain. During season 1908 we diverted water from the Teller River and applied it to the lands herein described for the purpose of growing alfalfa and grain.*

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. *John R. Mori, 33, Montpelier, Farmer, Montpelier, Vt.*

Ques. 2. Are you acquainted with *Jacob John Mirochi* the

holder of Permit No. *3703*? How long have you known him and where does he reside?

Ans. *40 years; Montpelier, Vt.*

Ques. 3. Have you read or heard read said Permit No. *3703*, and are you familiar with its provisions and conditions?

Ans. *Yes, Yes.*

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. *Small spring in SW 1/4 Sec 25, Tp. 13 N. R. 45 E. Point of diversion, 96 rods N. 72 rods E. from NW corner SW 1/4 Sec 30, Tp. 13 N. R. 45 E. One dam 150 feet long, 10 feet high in center. One ditch 1 mile long, 5 feet wide at water line, 3 feet wide at bottom, 1 1/2 feet 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. *About 7 second feet per second. I have seen the ditch run full many times.*

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. *For irrigation. Lot 4, 25 acres and 30 acres in lot 3, Sec 30, Tp. 13 N. R. 45 E.*

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

Ans. *Irrigation only.*

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. *35 acres in lot 4, mostly for growing wheat and oats. Lot 3 mostly for potatoes about 1500 feet per acre.*

3703

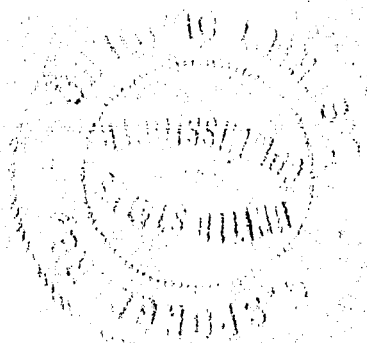
Permit No. _____

Proof of Application of Water to
Beneficial Use

DEPOSITION OF WITNESS

Received and filed _____

ALBANY, N.Y., PRINTERS & BINDERS, 1915.
7817



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 _____, State of Idaho, on this _____ day of _____
A. D. 19____

J. J. Thompson

Noted State Commissioner, Boise, Idaho

(Sign) *John A. Meoni*

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. *Observed at time and during years 1908 and 1909 and during the
date mentioned water several times during the irrigation season of those
years when the water diverted.*

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?
Ans. *No*

Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Frederick H. Tueller, 26, Montpelier, Vt., Montpelier, Idaho

Ques. 2. Are you acquainted with Jacob John Niersti the holder of Permit No. 3703? How long have you known him and where does he reside?

Ans. 10 years, Montpelier, Id.

Ques. 3. Have you read or heard read said Permit No. 3703, and are you familiar with its provisions and conditions?

Ans. Yes; yes.

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. Small spring in NW 1/4 Sec 25, T. 13 S. R. 45 E. Point of diversion at road N. 77 rods N. from N. 21 corner Sec 30, T. 13 S. R. 45 E. One dam 150 feet long, 10 feet high in center. One ditch 1 mile long, 5 feet wide at water line, 3 feet wide at bottom, 1 1/2 feet 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. About 7 second feet. I have seen ditch full of water several times

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. For Irrigation, Lot 4, 25 acres, and 30 acres in Lot 3 Sec 30, T. 13 S. R. 45 E.

RECEIVED

DEC 1 - 1909

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

Ans. Irrigation only

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. 25 acres in Lot 4 for growing wheat and oats, Lot 3 mostly pasture, about 15 second cubic feet.

3703

Petition No. _____

Proof of Application of Water to
Beneficial Use

DEPOSITION OF WITNESS

Received and filed _____

CLARK & CO., PRINTERS & BINDERS, BOISE
1917

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 _____, State of Idaho, on this _____ day of _____, A. D. 1909.

J. H. Houghberg

(Sign) _____

Richard W. Miller

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. _____
_____ full of water in each season for the irrigation of land.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?
Ans. *No*

Affidavit of Publication

STATE OF IDAHO.

County of Bear Lake

C. E. Hetherington
being first duly sworn, deposes and says that he is *Editor* of the MONTPELIER EXAMINER; that said MONTPELIER EXAMINER is a weekly newspaper published at Montpelier, Bear Lake County, Idaho, of general circulation in said county and state.

That the attached notice was published in said MONTPELIER EXAMINER, and not in a supplement, for *four* successive weeks, commencing with the issue dated

Oct 29 1907

and ending with the issue dated

Nov 26 1908

C. E. Hetherington

Subscribed and sworn to before me

November

19

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

Notice is hereby given that at 10 A. M. on the 29th day of November, 1909, at Montpelier, County of Bear Lake, State of Idaho, before G. Spangberg, U. S. Commissioner, proof will be submitted of the completion of works for the diversion of .8 of 1 cubic foot per second of the waters of a small spring in SW 1/4 NE 1/4 Sec. 25, T. 13 S. R. 45 E. and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 3703, heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person, holding said permit, are Jacob John Hirsch, Montpelier, 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 use, in accordance with the plans accompanying the application for such permit, is .8 of 1 cubic foot 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 .8 of 1 cubic foot per second.

4. The place where said water is used is Lots 3 & 4 Sec. 30, Tp. 12 S., R. 46 E. B. M.

5. The date of priority which said user is prepared to establish is May 25, 1908.

JAS. STEPHENSON, JR.

State Engineer.

10-23-10

United States Commissioner, District of Idaho

DEC 1 1909

STAG: 10-23-10

2712

December 1, 1909.

Permit 3703

J. J. Hirachi,
Montpelier, Idaho.

Sir:-

I am today in receipt of depositions, affidavit of publication and fees for proof of completion of works and beneficial use of water under above permit. Inclosed find receipts for fees.

Asssoon as the report of the water commissioner is received the matter of issuing certificate and license will be taken up.

Very truly yours,

State Engineer.

R2269-70

By...

3703

G. SPONGBERG
U. S. COMMISSIONER,
DISTRICT OF IDAHO

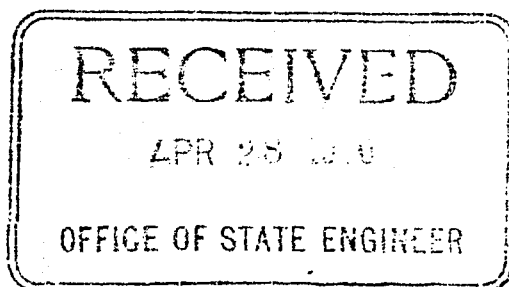
Montpelier, Idaho, April 26th 1900

Mr James Stephenson, Jr
State Engineer
Boise, Idaho

Dear Sir:-

Mr Jacob J. Nischi has ad-
vertised to prove on his R.E. covered by
Permit No. 3703 in about two weeks. Will
you kindly send me the necessary certificates
and license required by the U. S. Govt for
Desert Final Proof so as to enable me to
get his proof allowed.

Very truly
Yours
G. Sponberg



April 28, 1910.

Permit 3703-J.J.Hirschi

C. Spongberg, U.S. Commissioner
Montpelier, Idaho.

Sir:-

In reply to your letter of the 26th inst. would say that as soon as the report of Mr. J. C. Webster, the water commissioner, is received the matter of issuing certificate and license will be taken up.

Mr. Webster has been notified and will no doubt attend to the matter as soon as possible.

Very truly yours,

State Engineer.

By...

3703

April 28, 1910.

Permit 3703-J.J.Hirschi

Mr. J. O. Webster,
Water Commissioner,
Idaho Falls, Idaho - R.D.#5

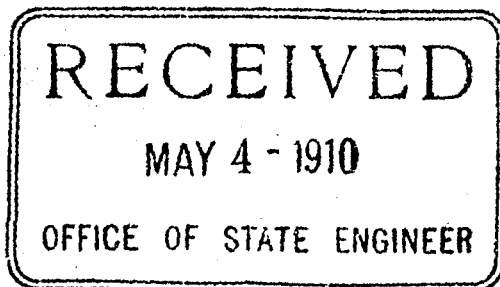
Sir:-

I am today in receipt of a letter from G. Spongberg, U.S.Com.,
at Montpelier, asking for the certificate and license on above permit
as the holder has to make proof on his Desert Entry in about two weeks.
Will you kindly send in your report as soon as convenient.

Very truly yours,

State Engineer.

By...



Apr 30 1910

L. G. Martin
State Engineer
Boise Idaho.

Dear Sir:

I have received your favor relating to my report of examination of the water right of J. J. Hirschi Permit No 3703.

I made an appointment to meet Mr. H. at Montpelier long time ago but he failed to meet me or give any reason for not doing so.

However I will try him again right away and hope with better results.

I am sending you under separate cover copies of decrees I have just had printed.

Yours Very Truly
J. O. Webster

Please rush Licenses as land proof
made May 13th 1910.

Yours Truly
B. B. Request

370 m

RECEIVED

MAY 13 1910

OFFICE OF STATE ENGINEER

Report of Engineer

1. State name of applicant and number of permit: Jacob John Hirschi - Permit 3703
2. State source of water supply: Small Spring in SW 1/4 NE 1/4 Sec. 25, Tp. 13 S., R. 45 E. B. M.
3. Location of point of diversion: 96 rods W. 72 rods N. from N.W. corner of Sec. 30,
Tp. 13 S., R. 45 E. B. M.

4. State whether or not the works of diversion are *fully* completed and in accordance with terms of permit: yes

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 2 feet
- (b) Width at water line: 2 1/2 "
- (c) Depth of water: 1 foot
- (d) Grade per mile: 25 feet

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

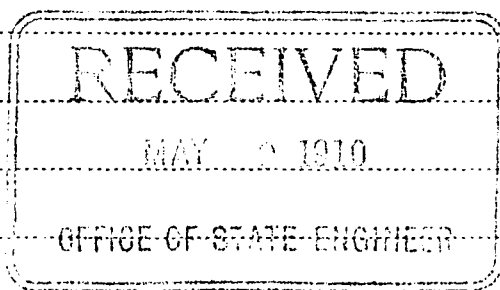
Water is now being used upon the land through this ditch.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: Lots 3 & 4, Sec. 30, Tp. 13 S., R. 45 E. B. M.

about 15 acres in Lot 3 and
70 acres in Lot 4 Sec. 30 Tp. 13 S. R.
45 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:



J. O. Webster
Water Commissioner
1st Div.

STATE OF IDAHO,

County of _____

} ss.

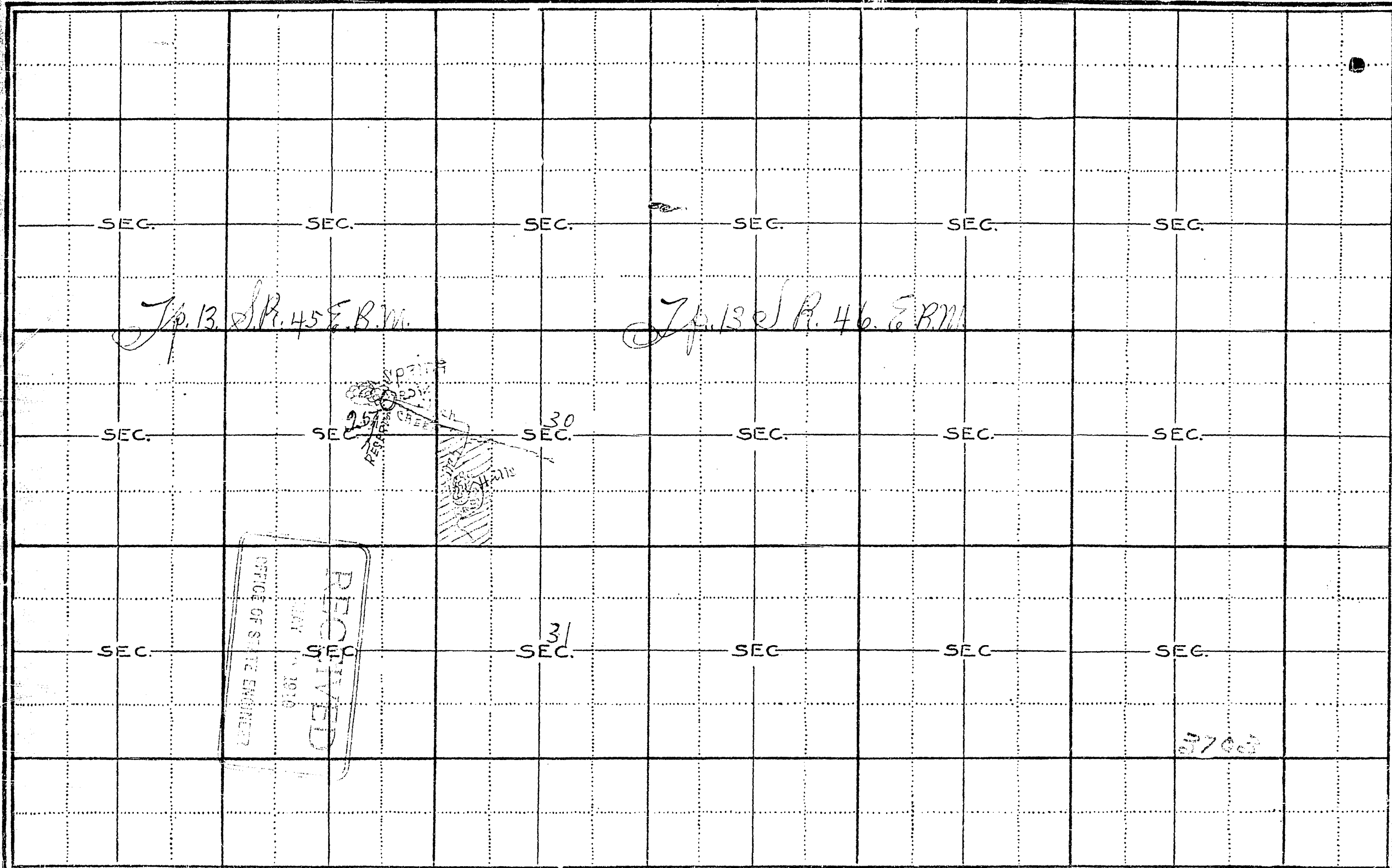
_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 190_____.

My Commission Expires _____

Notary Public.

3703



Permit 3703-J.J.Hirachi

May 13, 1910.

G. Spongberg,
U.S. Commissioner,
Montpelier, Idaho.

Sir:-

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

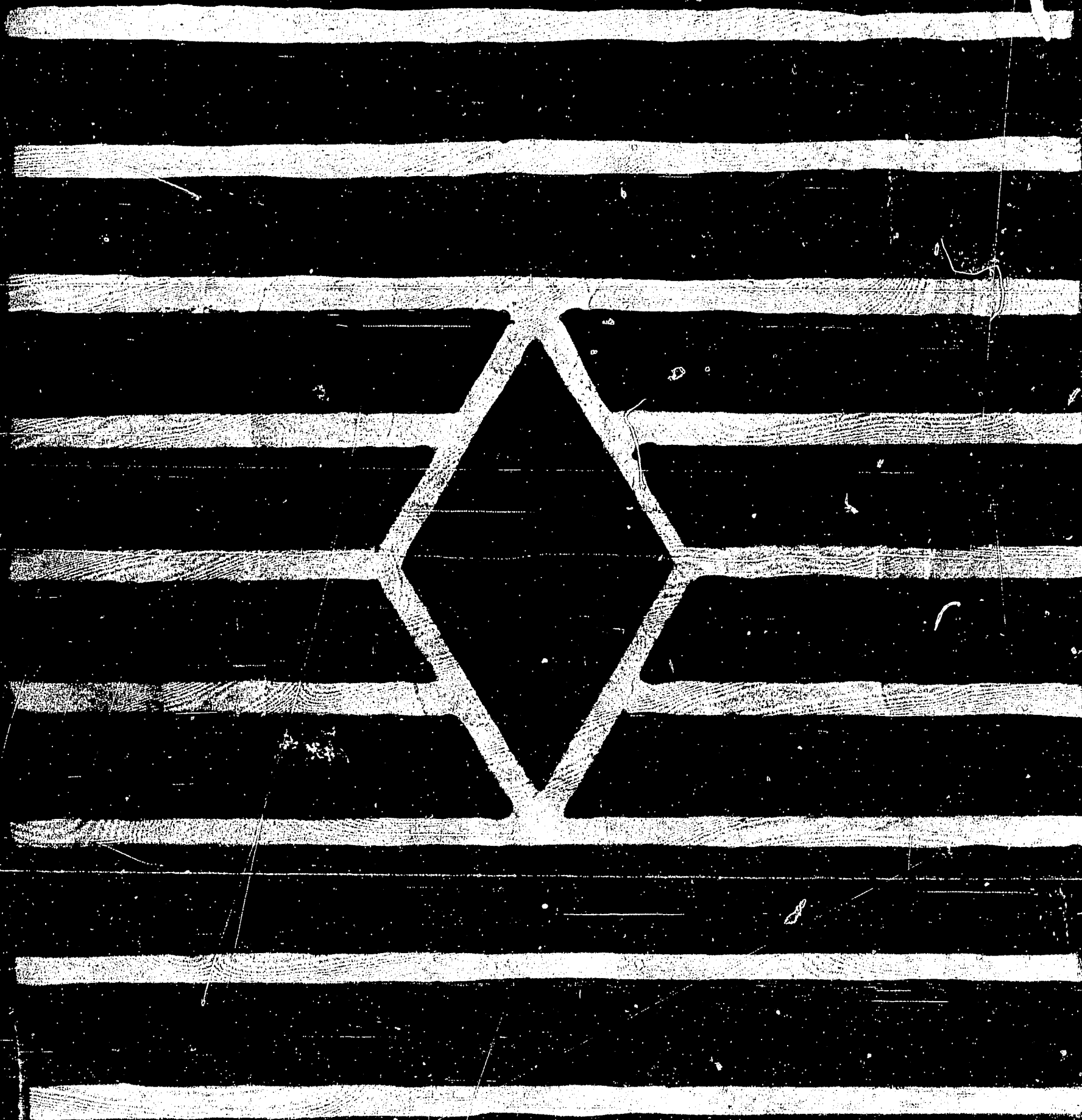
Very truly yours,

State Engineer.

C&L

By...

3703



Bear Lake County *
Spring *
.7 of 1 second foot *
Irrigation and domestic *
Priority 5-25-1908 *

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

WATER LICENSE NO. 3703

WHEREAS, On the 25th day of May, A.D. 1908, JACOB JOHN HIRSCHI, of Montpelier, County of Bear Lake, State of Idaho, duly made application (No. 5240) to me for a permit to use eight-tenths (.8) of one cubic foot per second of the waters of a spring, County of Bear Lake, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 30th day of May A.D. 1908, Permit No. 3703, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 30th day of November A.D. 1909, and for the application to beneficial use of said water on or before the 30th day of November, A.D. 1909, and,

WHEREAS, On the 29th day of November A.D. 1909, JACOB JOHN HIRSCHI, the holder of said permit duly made proof of the completion of adequate works for the diversion of eight-tenths (.8) of one cubic foot per second of said waters, as evidenced by my Certificate No. 3703, dated May 10, 1910, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use eight-tenths (.8) of one cubic foot per second of water, with date of priority of May 25, 1908, and

WHEREAS, On the 29th day of November, A.D. 1909, JACOB JOHN HIRSCHI, the holder of said permit duly made proof of the application to beneficial use of .7 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho I hereby grant and confirm to JACOB JOHN HIRSCHI, of Montpelier, County of Bear Lake, State of Idaho, the holder and owner of said Permit No. 3703, a perpetual right, dating from May 25, 1908, to the use of seven-tenths (.7) of one cubic foot per second of the waters of a SPRING, 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 96 rods West and 72 rods North of Northwest corner of southwest quarter, section 30, township 13 south, range 45 East of Boise Meridian, and conducted to and upon (15 acres in Lot 3, and 20 acres in Lot 4, section 30, township 13 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 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 10th day of May,

A.D. Nineteen hundred and ten.

(SEAL)

D.G. Martin

State Engineer

Recorded May 10, 1910

11 2013

HOWELL SAFETY

