

No. 5436.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Daniel Miles.

Postoffice address: Soda Springs.

County: Blaine State: Idaho.

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

3. Source of water supply: Second Creek

County of Blaine.

4. Location of point of diversion: No. 1 Ditch 120 ft. Easterly from NE $\frac{1}{4}$ Sec. 11 T. 9S. R. 41 NW $\frac{1}{4}$ No. 2 Ditch 400 ft. S. Easterly " NW " NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11 T. 9S. R. 41

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 240 acres.

(b) In the following legal subdivisions: NW $\frac{1}{4}$ Sec. 11 and SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11 T.

Q. S. R. 41 N. B. M.

6. Estimated cost of works: \$350.00

7. Description of works for diversion:

I. Kind of works: 2 Dams and 2 Ditches.

II. Dimensions of works:

(a) Height of dam No. 1 5 feet, length of dam at top 90 feet, length of dam at bottom

No. 2 4' " Do 25 " Do

(No. 1) 90 feet. Material used in construction: (No. 1) Earth & stone

(No. 2) 25 " Do (No. 2) Earth & stone

(c) Size of headgates: No. 1 Width 3 $\frac{1}{2}$ feet, height 2 feet.Do No. 2 " 5 $\frac{1}{2}$ " " 4 "(d) Conduit Ditch No. 1, width at bottom 5 feet, width at water line 5 $\frac{1}{2}$ feet, depth ofDitch No. 2 Do 2 $\frac{1}{2}$ " Do do 2 $\frac{1}{2}$ " dowater 1 $\frac{1}{2}$ feet. Average grade per mile is (No. 1) 7 feet. Length of conduit is

" do (No. 2) 14 "

No. 1 (Main ditch $\frac{1}{2}$ mile)
No. 2 (East fork $\frac{1}{2}$ ")No. 2 $\frac{1}{2}$ miles.

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 already completed.

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

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.

Daniel Miles, Applicant.
By.....Chas. E. Wilson.....Agent.

APPROVAL OF STATE ENGINEER.

The number of this permit is 3627.

Date of first receipt of application 9.00 a.m. July 11, 1908.
Recorded in Book 11 Page 3627 Approved July 18, 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 September 16, 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 October 18, 1908.

The whole of said work to be completed on or before January 18, 1909

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to January 18, 1909.

Witness my hand this eighteenth day of July, 1908.

Jus. Stephenson, Jr.,

State Engineer.

Blank notice for proof of completion mailed applicant. Sept. 28, 1908.

Notice received October 17, 1908. Fixing. Nov. 30, 1908 as date and Soda Springs as place of proof.

Notice for publication mailed Soda Springs Chieftain, October 28, 1908.

Deposition blanks mailed applicant: October 28, 1908

C.B. Wilson, authorized. December 8, 1908 to make examination of works.

His report received December 26, 1908.

Depositions, affidavit of publication and fees received December 26, 1908.

Certificate and Water license issued December 28, 1908.

Permit No. 3827.

CERTIFICATE OF COMPLETION OF WORKS:

-0-

To All Whom it May Concern:

This is to certify that DANIEL MILES, of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No. 3827, issued upon Application No. 5435, bearing date of priority of July 11, 1908, authorizing the diversion of 4.8 second feet of the waters of Second Creek, County of Bannock, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 4.8 second feet of the waters of Second Creek, that the point of Diversion of said waters is ^{at} two points in the northeast quarter of northwest quarter of section 11, township 9 south, range 41 east of Boise meridian, and that the lands proposed to be irrigated by the use of said waters are described as follows, to-wit: The northwest quarter southwest quarter of northeast quarter and the northwest quarter of southeast quarter of section 11, township 9 south, range 41 east of the Boise meridian.

Witness my hand this 28th day of December A.D. 1938.

Jas. Stephenson, Jr.

State Engineer.

License issued for 0.6 second feet
0.6 1/2



3827

Application No. 5436.
Permit No. 3627.
Daniel Miles.
4 4/5 Sec. 11. Second creek.
Bannock county.
Approved July 18, 1908.

SEC. State Engineer.

SEC. SEC.

SEC. SEC.

SEC. SEC.

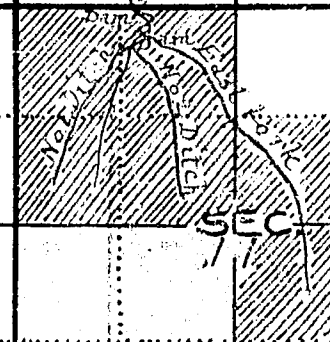
SEC. SEC.

State Engineer.

Application No. 5436.
Permit No. 3627.
Daniel Miles.
4 4/5 Sec. 11. Second creek.
Bannock county.
Approved July 18, 1908.

Wm. A. Johnson
State Engineer.

3827



State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, July 22, 1906.

Permit 3827. Daniel Milas.

Chas. B. Wilson,
Soda Springs, 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.

3827

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, September 28, 1908.

Daniel Miles,
Soda Springs, Idaho.

Dear Sir:

I enclose herewith blank Notice of Proof of Completion of Works under your permit No. 3827 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 January 18, 1909.

Yours truly,

JAS. STEPHENSON, Jr.,

State Engineer.

3827

Permit No. 3827

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.)

RECEIVED

OCT 17 1908

OFFICE OF STATE ENGINEER

(P. O.) Soda Springs Idaho

(Date) Oct 16th 1908

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

DEAR SIR: Notice is hereby given that at 10:00 M. on the 30th day of November 1908, at Soda Springs County of Bannock State of Idaho, before E. S. Whittier Notary Public proof will be submitted of the application to beneficial use of 4 4/5 cubic feet per second of the waters of Second Creek

in accordance with the terms and conditions of Permit No. 3827 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 Daniel Miles Soda Springs Idaho
2. The use to which said water has been applied is Irrigation & Domestic
3. The amount applied to beneficial use is 4 4/5 Second feet
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) NW^{1/4} Sect 11 + SW^{1/4} & E^{1/4} + NW^{1/4} & E^{1/4} Sect 11 T¹ S. R. 41. 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 NOS-1 & 2 as per map or plan from second creek
6. The right to take the water from such works is based upon Permit No. 3827
7. The source of supply from which such water is diverted is Second Creek
8. The date of the priority which said user is prepared to establish is July 11th 1908, but ditch was made and water used long before that date.

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

(Sign) Daniel Miles

3827

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.)

RECEIVED
OCT 17 1908
OFFICE OF STATE ENGINEER

(P. O.) Soda Springs Idaho

(Date)

OCT 16th 1908

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

Dear Sir: Notice is hereby given that at 10-A. M. on the ~~5th~~ 30th day of ~~November~~ 1908, at Soda Springs County of Bannock State of Idaho, before E. S. Whistler Notary Public, proof will be submitted of the completion of works for the diversion of $4 \frac{4}{5}$ cubic feet per second of the waters of Second Creek 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

Daniel Miles

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

Soda Springs County of Bannock State of Idaho.

3. The number of such permit is 3827, and the date set for the completion of such work is

January 18, 1909

4. Said water to be used for Irrigation & Domestic 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 $4 \frac{4}{5}$ cubic feet per second.

6. The amount of lands for which said water is available is 240

acres, particularly described as follows: NW⁴ Sec 11, & SW⁴ & SE⁴ & NW⁴ SE⁴ Sect 11 2^d 9th E. R. 41 E. B. M.

(In case of all 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 Soda Springs Chieftain of Soda Springs published in the county in which said works are situated; the expense of which publication will be borne by me

(Signature)

Daniel Miles

Soda Springs

Bannock County

Idaho

3827

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,

October 28, 1908

Daniel Miles

Soda Springs, 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.

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 November 30, 1908, 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 Soda Springs, Idaho, before Whittier, N.P.

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.

3827

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
on the 30th day of November, 1908, at 10 A.M.
County of Bannock, State of Idaho, before E. S. Shittler,
proof will be submitted of the completion of works for the diversion of
4.8 cubic feet per second of the waters of
and of the application to beneficial use of said water in accordance
with the terms and conditions of Permit No. 3827, heretofore issued
by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said
permit is
xx are Daniel Miles, Soda Springs, 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
4.8 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
per second. 4.8
XXXXXXXXXXXX cubic feet per second.

4. The place where said water is used is

NW4 Sec. 11 & SW4 NW4 & NW4 SE4

Sec. 11, Tp. 9 S., R. 41 E. B. M.

5. The date of priority which said user is prepared to estab-
lish is
July 11, 1908.

JAS. STEPHENSON, Jr.,
State Engineer.

3827

Soda Springs.

Idaho.

3rd Dec^r 1908.

Geo Stephenson Esq^r
State Engineer
Boise.

Dear Sir.

Your letter of the 26th Oct^r has only come to hand this morning, by being mis-directed.

I have also just been informed that the advertisement has appeared in the Chiefman for the 30th ulto. when I expected it would not be before January 18th 1909, as per your letter of Sept^r 28th.

Please help me so that I do not have to advertise a second time & greatly oblige.

I give you the name of C. B. Wilson of Soda Springs to make the examination.

Yours truly
Danill Miles

3827

3827

Moise, December 8, 1908.

Permit 3827.

Daniel Miles,
Soda Springs, Idaho.

Sir:

In reply to your letter of the 3rd inst. would say that under the circumstances proof will be accepted if made at a later date than that advertised in the notice but at the time proof is submitted it will be necessary for you to furnish an affidavit showing why proof was not made as advertised. This proof should be made as soon as possible and papers mailed to this office.

In the notice for proof sent to this office for publication, the date for making proof was November 25th but as there was not time enough between the date said notice was received here and the date when proof should be made to have said notice advertised the required four weeks, the date was changed to November 30th. The limit of time set in the original permit for proof of completion of works was January 18, 1909, but as you had set the date in the notice ahead of this date proof should have been made as advertised in the notice and not as the permit reads. The affidavit submitted should also show that no contest had been entered against making proof on this water.

Mr. C. E. Wilson has this day been authorized to make examination and report. This should be attended to at once.

Hoping this will be satisfactory to you, I am

Very truly yours,

State Engineer.

By....

3827

Boise, Idaho,.....December 8, 1908.....

.....Mr. C. R. Wilson.....

.....Soda Springs, Idaho.....

DEAR SIR:

The holder of Permit No. 3827, Daniel Miles, residing at Soda Springs, Idaho, which permit authorizes the diversion of 4.8 second-feet of the waters of Second creek at, desire to make proof of the completion of works of diversion, and beneficial use of water, on

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.

Soda Springs.
Idaho.
12 Dec^r 1908.

Geo Stephenson Esq.
State Engineer.

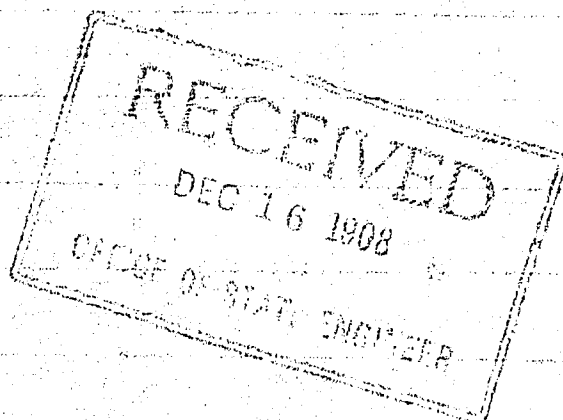
Boise. re Permit No. 3827. Daniel Mules.

Dear Sir.

Your letter of 8th inst just received, in reply
therein, beg to say, I will make the examination &
report as requested.

Yours truly
Chas. B. Wilson.

P.S. Please send Plat form for Map as it was omitted.



3827

Soda Springs.

Idaho.

22nd Dec^r 1908

Gas Stephenson & Co.

State Engineer

Boise

Permit No 3827, Daniel Milled

Dear Sir.

I herewith enclose Report, with Maps re above

Permit

Remains

Yours Truly

Charles Wilson.

RECEIVED

DEC 26 1908

OFFICE OF STATE ENGINEER

3827

Report of Engineer

1. State name of applicant and number of permit: Daniel Mules No. 3827
2. State source of water supply: Second Creek Bamrock County Idaho
3. Location of point of diversion: No. 1 Ditch 120 ft E from NW Corner NE 1/4 NW 1/4 Sec 11 T9 S R. 41 E B. 10
No. 2 500 SE NW NE 1/4 NW 1/4 11 9 41
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: No. 1 = 5.0 No. 2 = 2.6
 - (b) Width at water line: No. 1 = 5.0 No. 2 = 2.6
 - (c) Depth of water: No. 1 = 16 inches No. 2 = 6 inches
 - (d) Grade per mile: No. 1 = 6.8 No. 2 = 1.4
6. State whether or not water has been turned into works of diversion and if so, to what extent: Yes all the water in Creek, as above
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:

<u>NW 1/4 Sec 11 SW 1/4 NE 1/4 NW 1/4 SE 1/4 Sec 11 T9 S R. 41 E B. 10</u>			
<u>NW 1/4 NW 1/4</u>	<u>10</u>	<u>SE 1/4 NW 1/4</u>	<u>30</u>
<u>SW 1/4 NW 1/4</u>	<u>10</u>	<u>SW 1/4 NE 1/4</u>	<u>30</u>
<u>NE 1/4 NW 1/4</u>	<u>35</u>	<u>NW 1/4 SE 1/4</u>	<u>25</u>
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: Vide Map No. 1 Ditch runs E of NW 1/4 NW 1/4 Sec 11. and
East Fork crosses SW Corner NW 1/4 NE 1/4 Sec 11.

STATE OF IDAHO,

County of

Bamrock

ss.

Charles B Wilson

, being first duly sworn, deposes and says that the state-

ments contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 22nd day of December 1908.

My Commission Expires

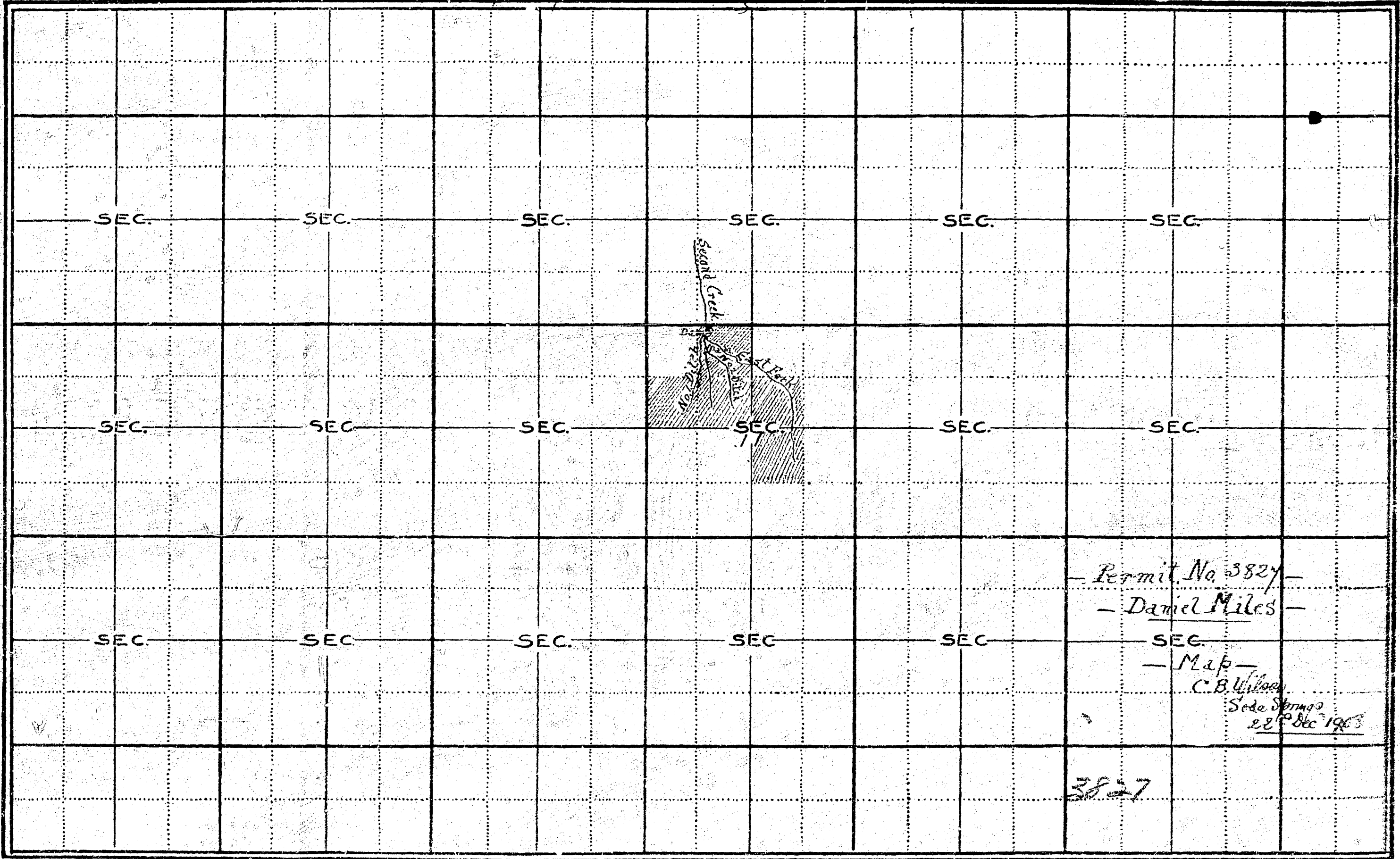
March 28, 1912

Notary Public.

3827

Printed and for sale by the Statesman Printing Co., Boise, Idaho.

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



- Permit No. 3827 -
- Daniel Miles -
SEC.
- Map -
C.B. Wilson
Soda Springs
22 Dec 1903

3827

Soda Springs

Idaho.

23rd Dec^r 1908.

Geo. Stephenson Jr. Esq.

State Engineer

Boise

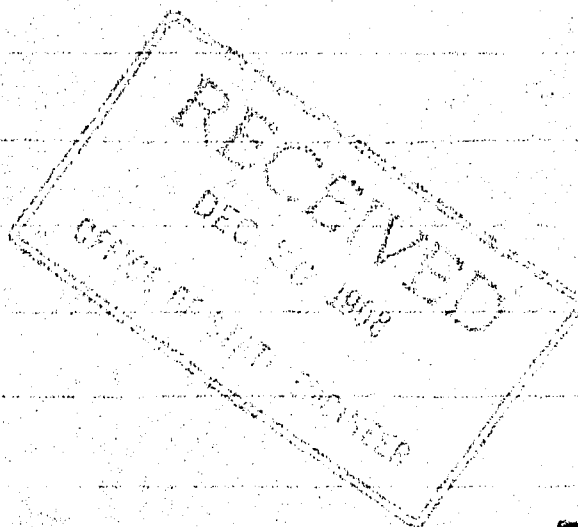
Permit No. 3827.

Dear Sir,

I herewith enclose Depositions of self & witnesses
Proof of Completion of Works & Application of water to beneficial
use; also affidavits of Publication of notice & delay in making
proof with P.O. Value, 15⁰⁰, in Payment of Fees
T. Helman.

Yours Truly

Daniel H. Hales



3827

Permit No.

3824

Proof of Application of Water to Beneficial Use.

DEPOSITION OF HOLDER.

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

Ans. David Miles, 43, Seard Creek, Farmer Soda Springs, 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.

Act for myself

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

Ans.

No. 3824 July 18 1908 July 11 1908

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

Ans. Seard Creek. No 1 ditch 120ft E, & No 2 ditch 400ft SE from NW corner NE 1/4 NW 1/4 Sec 11. T 9 S R. 41 E B 1/4

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. 2 Dams & 2 Ditches No 1. Ditch with 2 feet (10 ft) width 5-0, depth of water 1-4, grade per mile 6-8, Length one mile. No 2 Ditch, width 2-6, depth of water 6. Grade per mile 13-4, Length one half mile. 4 1/5 Cubic ft per second. Miles Ditches Dams & Hedges as per Permit.

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 & Domestic use NW 1/4 Sec 11 & SW 1/4, NE 1/4 & NW 1/4 SE 1/4 Sec 11. T 9 S R. 41 E B 1/4

NW 1/4 NW 1/4	acres	SE 1/4 NW 1/4	acres	} Sec 11. T 9 S R. 41 E B 1/4
SW 1/4 NW 1/4	10	SW 1/4 NE 1/4	30	
NE 1/4 NW 1/4	35	NW 1/4 SE 1/4	25	

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

Ans.

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

Ans.

One inch to the acre

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.

3824

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

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 Idaho Springs, County of Lincoln, State of Idaho, on this Twenty Second day of December,
1908 A. D. 1908.

(Sign.) David Miller
Ans.

Ques. 11. State when, how, in what amount and to what extent waters other than those directed
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.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above
mentioned permit has been used.
Ans. July 1908 irrigation domestic, 130 inches, 180 acres

PERMIT NO. 3824

Proof of Application of Water to Beneficial Use.

DEPOSITION OF WITNESS:

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

Answer. Peter P. Lund 52, Ranchman Soda
Springs IdahoQues. 2. Are you acquainted with Daniel Mills
the holder of Permit No. 3824? How long have you known him, and where does he reside?

Ans. Five Years Second Creek Soda Springs

Ques. 3. Have you read or heard read said Permit No. 3824, and are you familiar with its provisions and conditions?

Ans. 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. Second Creek No 1. Ditch 120 ft. E. No 2. Ditch 400 ft. SE from NW Corner NE 1/4 NW 1/4 Sec 11. T. 9. S. 12. E. 3. M. 2 Dams & 2 Ditches No 1. Ditch with East fork width 5.0, depth of water 1.4, Grade per mile 6.8, Length one mile. No 2 Ditch width 2.6 depth of water 6, Grade per mile 13.4, Length one half mile. Dams & Headgates as per Permit.

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. 2 1/10 Second feet. That amount.

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 & Domestic use.
acres
NW 1/4 NW 1/4 30. SE 1/4 NW 1/4 30.
SW 1/4 NW 1/4 10. SW 1/4 NE 1/4 30. } Sec 11. T. 9. S. 12. E. 3. M.
NE 1/4 NW 1/4 35. NW 1/4 SE 1/4 25.

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

Ans.

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. Sage Brush. One inch to the acre.

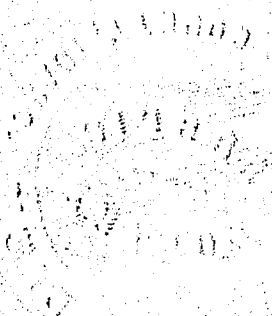
3827

Permit No.

Proof of Application of Water
to Beneficial Use.

DEPOSITION OF WITNESS.

Received and filed



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 220 Idaho Springs, County of Bannock,
State of Idaho, on this 22nd day of December, A. D. 1908
380 North
Idaho Springs, Idaho

(Sign) Attest

to beneficial use of the water diverted under said permit.
Ans. July 1908 negative evidence 130 inches 130 acres

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application

Ans. No
and to what extent?

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

PERMIT NO. 3824

Proof of Application of Water to Beneficial Use.

DEPOSITION OF WITNESS:

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

Answer. Alonzo Walker 38 Ranchman Soda Springs Idaho

Ques. 2. Are you acquainted with Daniel Madsen the holder of Permit No. 3824? How long have you known him, and where does he reside?

Ans. 18 Years Soda Creek Soda Springs

Ques. 3. Have you read or heard read said Permit No. 3824, and are you familiar with its provisions and conditions?

Ans. 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. Soda Creek No 1 Ditch 120 ft E No 2 Ditch 400 ft S E from NW corner NE 1/4 NW 1/4 Sec 11 T 9 S R 41 E B 1/4 2 dams & 2 ditches No 1 Ditch with East fork width 5-0 depth of water 1-4 Grade per Mile 6-8 Length one Mile No 2 Ditch width 2-6 depth of water 6 Grade per Mile 13-4 Length one half Mile Dams or Headgates as per Permit

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. 2 1/2 Second feet That Amount

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 & Domestic use

	Acres		Acres
NW 1/4 NW 1/4	10	SE 1/4 NW 1/4	30
SW 1/4 NW 1/4	10	SW 1/4 NE 1/4	30
NE 1/4 NW 1/4	35	NW 1/4 SE 1/4	25

Sec 11 T 9 S R 41 E B 1/4

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

Ans.

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. Sage Brush One inch to the acre

3827

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

PERMIT NO. 3827

Proof of Completion of Works.

DEPOSITION OF WITNESS.

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

Ans. Peter P. Lund, 52 - Ranchman Soda Springs
Idaho

Ques. 2. Are you acquainted with Daniel Madsen, the

holder of Permit No. 3827, authorizing the diversion of 4 ⁴/₅ second-feet of the waters of
Second Creek, at Soda Springs
for Irrigation & Domestic purposes? How long have you known him, and where does he reside?

Ans. Yes five years Second Creek Soda Springs.

Ques. 3. Have you read or heard read said Permit No. 3827, and are you familiar with its terms and conditions?

Ans. 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 NW ¹/₄ Sec 11 & SW ¹/₄ NE ¹/₄ & NW ¹/₄ SE ¹/₄ Sec 11 T₉ S R₄₁ E B₁₀
Sage Brush One inch to the acre.

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. 2 Dams & 2 Ditches. No 1 Ditch with East Fork width 5-6, depth of water 1-2
Grade per mile 6-8, Length One Mile. No 2 Ditch width 2-3, depth of water 6-8
Grade per mile 13-14, Length One Half Mile. Dams & Headgates as per Permit.

(Sign here.)

Peter P. Lund

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 Soda Springs, County of Blaine, State of Idaho, on this 22nd day of December, A. D. 1908.

E. S. Whittier

3827

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

PERMIT NO. 3827

Proof of Completion of Works.

DEPOSITION OF WITNESS.

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

Ans. Alonso Walter 38 Ranchman Soda Springs Idaho

Ques. 2. Are you acquainted with Daniel Miles, the holder of Permit No. 3827, authorizing the diversion of 4 ⁴/₅ second-feet of the waters of Second Creek, at Soda Springs for Irrigation & Domestic purposes? How long have you known him, and where does he reside?

Ans. Yes eighteen years Second Creek Soda Springs

Ques. 3. Have you read or heard read said Permit No. 3827, and are you familiar with its terms and conditions?

Ans. 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 NW ¹/₄ Sec 11 SW ¹/₄ NE ¹/₄ NW ¹/₄ SE ¹/₄ Sec 11 T 9 S R 41 E B 1 W Sage Brush. One inch to the acre

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. 2 Dams & 2 Ditches No 1 Ditch, into East Fork, width 5.0 depth of Water 1.4 Grade per Mile 6.8, Length One Mile. No 2 Ditch, width 2.6, depth of Water 6. Grade per Mile 13.4 Length one half Mile Dams & Headgates as per Permit

(Sign here.) Alonso Walter

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 Soda Springs, County of Bannock, State of Idaho, on this 22nd day of December A. D. 1908.

E. B. Walker 3827
Notary Public.

State of Idaho. } ss
County of Bannock }

Daniel Miles being first duly sworn
says. That the reason why he did not
make proof when first advertised
was that the notices were wrongly addressed
so they were not received in time, also
that he had a wrong idea of the time
set for proof, so that at the proper time
he was out of town on business.

Affiant further says that there is
not now, and to his knowledge
never has been
any contract on or in regard to
the water in question, or on any
part of the waters of Second Creek
or to affiant making proof on the same
Daniel Miles

Subscribed and sworn to before me
this 22^d day of December, A.D. 1908

E. S. Whittier
Notary Public.

3827

Affidavit of Publication.

STATE OF IDAHO.

COUNTY OF BANNOCK.

SS.

I, **JOE H. DEWITT**, do solemnly swear that I am the publisher of **THE SODA SPRINGS CHIEFTAIN**, a newspaper of general circulation; published once each week at Soda Springs, Bannock County, State of Idaho; that the notice attached hereto, and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper for four consecutive weeks; the first publication being made on the 5th day of Nov 1908; that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and that the notice was published in the newspaper and not in a supplement that said paper was published weekly at said Soda Springs, Idaho, for the period of more than one year immediately preceding the said 5th day of Nov 1908

Subscribed and Sworn to before me this 29th day of

A. D., 1908

E. S. Whittier

Notary Public.

I, Register, do hereby certify that a notice, a printed copy of which is hereunto annexed, was by me posted in a conspicuous place in my office for a period of thirty days. I having posted said notice on the 29th day of Dec A. D., 1908

2827

Notice of Proof of Completion of Works

Application of Water to Beneficial Use. Notice is hereby given that at 10 a. m. on the 11th day of November, 1908, at Soda Springs, County of Bannock, State of Idaho, before E. S. Whittier, proof will be submitted of the completion of works for the diversion of 4 c. sec. and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 227, heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit are Daniel Miles, Soda Springs, Idaho.

Said works of diversion will be fully completed on the date set for such completion, and 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 4.8 c. sec. per second.

The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 4.8 c. sec. per second.

The place where said water is used is now 11 sec. 24. in. 24. sec 11, 1908.

The date of priority which said user is entitled to establish is July 11, 1908.

J. E. STEPHENSON, JR., State Engineer.

Boise, Idaho, December 29, 1908.

Certificate No. 3827
Water License No. 3827

Daniel Miles.
Soda Springs, Idaho.

Sir:--

Inclosed are with find Certificate of Completion
of Works, and Water License Nos. 3827. also receipts
of fees.

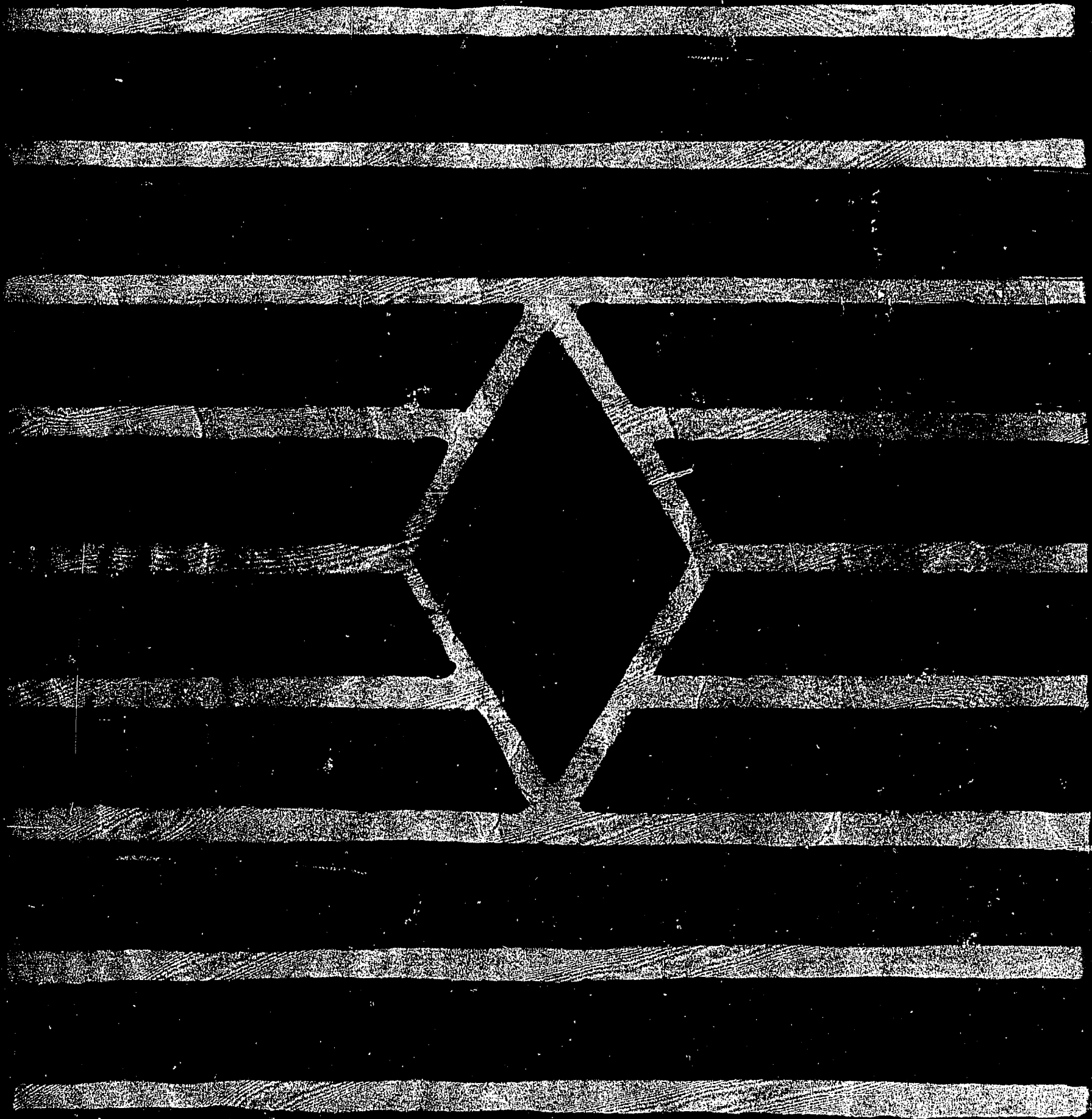
Very truly yours,

State Engineer.

By _____

Enc. C. W. I.C.P.E. 1611-1612.

3827



 Bannock County *
 Second Creek *
 2.6 second feet *
 Irrigation *
 Priority 7-11-08 *

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

Water License No. 3827.

-0-

WHEREAS, On the 11th day of July A.D.1908, DANIEL MILES, of Soda Springs, County of Bannock, and State of Idaho, duly made application (No. 5436) to me for a permit to use 4.8 cubic feet per second of the waters of Second Creek, County of Bannock, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 18th day of July A.D.1908, Permit No. 3827, 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 18th day of Jan. A.D. 1909, and for the application to beneficial use of said water on or before the 18th day of Jan. A.D.1909, and,

WHEREAS, On the 22nd day of December A.D.1908, the holder of said permit duly made proof of the completion of adequate works, for the diversion of 4.8 cubic feet per second of said waters, as evidenced by my Certificate No. 3827, dated December 28, 1908, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 4.8 cubic feet per second of said water, with date of priority of July 11, 1908, and,

WHEREAS, On the 22nd day of December A.D.1908, proof was duly made of the application to beneficial use of 2.6 cubic feet 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 DANIEL MILES, of Soda Springs, Idaho, the holder and owner of said Permit No. 3827, a perpetual right, dating from July 11, 1908, to the use of 2.6 cubic feet per second of the waters of Second Creek, County of Bannock, State of Idaho, or so much thereof as may be necessary for the purposes herein below mentioned, to be diverted at two points in the northeast quarter of northwest quarter of section 15, township 9 south, range 41 E.B.M., and conducted to and upon (10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 35 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 30 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 25 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; all in section 11, township 9 south, range 41 east of the Boise meridian for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal, or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

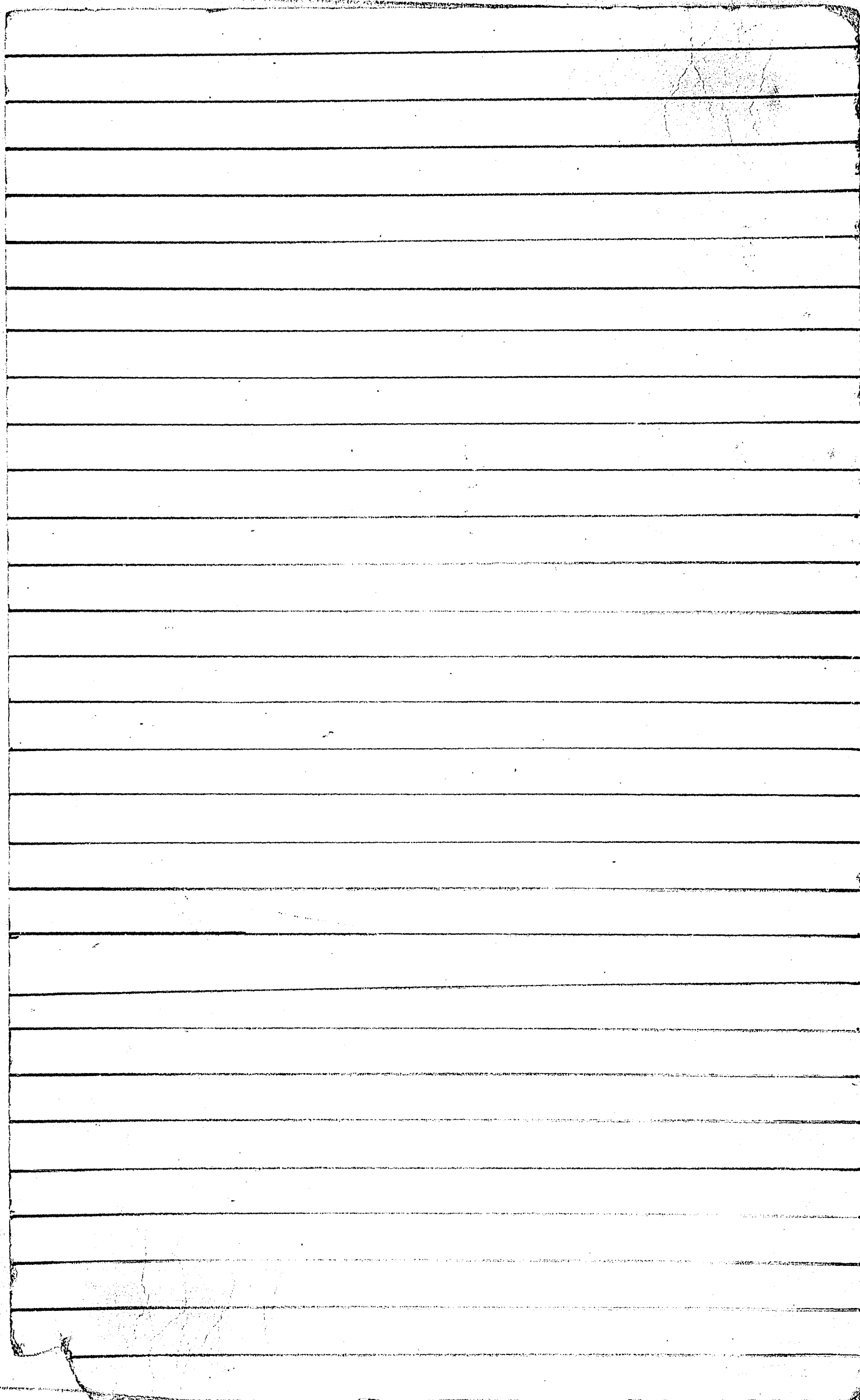
WITNESS, My hand and the seal of my office at Boise, Idaho, this 28th day of December A.D.
 Nineteen Hundred and eight.

Jas. Stephenson, Jr
 State Engineer

(SEAL)

Recorded December 28, 1908

11 2026



PERMIT NO. 3827

Proof of Completion of Works.

DEPOSITION OF HOLDER.

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

Ans. Daniel Miles 43 Second Creek, Farmer, Soda Springs 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. Act for myself

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

Ans. No 3827 July 11 1908. 4 1/5 Cubic ft per second. Second Creek.
No 1 Ditch 120 ft E & No 2 Ditch 400 ft SE from NW Corner NE 1/4 NW 1/4 Sec 11 T 9 S R 41 E 8 No.

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 & Domestic use

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. July 1908. all the waters of Second Creek

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

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.

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

Ans. 2 Dams & 2 Ditches. No 1 Ditch, with East Fork, width 5.0, depth of water 1.6, grade per mile 6.8, Length one mile. No 2 Ditch, width 2.6, depth of water 6, grade per mile 13.4, Length one half mile. Dams & Headgates as per Permit. Cost \$350

(Sign here.) Daniel Miles

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 Soda Springs, County

of Bannock, State of Idaho, on this 22nd day, of

December, A. D. 1908

E. S. Hutton

3827

Permit No.

Proof of Application of Water
to Beneficial Use.

DEPOSITION OF WITNESS.

Received and filed

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 222 day of December, County of Bannock,
State of Idaho, on this 22nd day of December, A. D. 1908.
George B. Bannock
George B. Bannock

(Sign) George B. Bannock
to beneficial use of the water diverted under said permit.
Ans. July 10th irrigated & domestic 130 acres 130 acres

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application
and to what extent?
Ans. No
Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way?