

No. 8436.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Edward F. Davis,

Postoffice address: Paris, Bear Lake County, Idaho.

2. The quantity of water claimed is One second foot.

3. Source of water supply: a Spring.

County of Bear Lake.

4. Location of point of diversion: NW corner NW4 SE4 Sec. 27 Tp. 13 S. R. 43 E. B. M.

5. To be used for:

I. Irrigation and domestic use:

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

(b) In the following legal subdivisions: NE4 SW4 & NW4 SE4 Sec. 26 Tp. 13 S. R. 43 E. B. M.

6. Estimated cost of works: Two Hundred Dollars.

7. Description of works for diversion:

I. Kind of works: Dam, Reservoir, and Ditch one mile long.

II. Dimensions of works:

(a) Height of dam 4 feet, length of dam at top....feet, length of dam at bottom 30 feet. Material used in construction: Sod and earth.

(b) Capacity of reservoir: about Five acre-feet.

(c) Size of headgate: Width 10 inches, height 8 inches.

(d) Conduit ditch, width at bottom 1½ feet, width at water line 2 feet, depth of water 10 inches. Average grade per mile is Seven feet. Length of conduit is One mile, and it crosses the following quarter sections: N2 SE4 Sec. 27 & N2 SW4 Sec. 26 Tp. 13 S. R. 43 E. B. M. 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 60 days.

9. Time required for the complete application of the water to the proposed use is 60 days.

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.

E. F. Davis,

Applicant.

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

Remarks: The above application is for a small Spring which is increased by waste water and freshets giving sufficient water to irrigate about 50 acres of land.

APPROVAL OF STATE ENGINEER.

The number of this permit is 5813.

Date of first receipt of application 9.00 A.M. March 14, 1910.
Recorded in Book 17 Page 5613 Approved March 14, 1910.

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 May 15, 1910, 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 June 14, 1910.

The whole of said work to be completed on or before September 14, 1910.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to September 14, 1910.

Witness my hand this Fourteenth day of March, 1910.

Jas. Stephenson, Jr.,

State Engineer.

Blank notice for proof of completion mailed applicant also beneficial use of water, June 1, 1910
 Notices received July 8, 1910, fixing September 14, 1910, as date and Paris as place of proof.
 Publication notice mailed Paris Post July 23, 1910.
 Deposition blanks mailed Walter Hoge, July 23, 1910
 J.O. Webster authorized to make examination of works: July 23, 1910
 Depositions, affidavit of publication and fees received October 6, 1910
 Report of water commissioner received December 16, 1910
 Certificate and License issued January 14, 1911.

 Permit No. 5813

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that EDWARD F. DAVIS, of Paris, County of Bear Lake, and State of Idaho, the holder of Permit No. 5813, issued upon Application No. 8436, bearing date of priority of March 14, 1910, authorizing the diversion of 1 second foot of the waters of 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 1 second foot of the waters of Spring, that the point of diversion of said waters, is at a point in the northwest corner of the northwest quarter of southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of section 27, township 13 South of Range 43 East of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northeast quarter of southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) and northwest quarter of southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of section 26, township 13 South of Range 43 East of the Boise Meridian.

Witness my hand this fourteenth day of January, A.D. 1911.

D.G. Martin

State Engineer of the State of Idaho

License issued for 1 second feet

Page 763
 EXTENSION OF TIME.

Upon proper request of F. A. Stacy, holder of Permit No. 5813, I have this 4th day of April, 1917, extended the time for beneficial use of water thereunder to the 14th day of March, 1918.

J. H. Smith,
 State Engineer.

R557

Township 13 South Range 43 East Boise Meridian

SEC.

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SEC.

5813

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.
STATE ENGINEER

Permit No. 5813

Boise, Idaho,

April 4, 1910

Edward F. Davis,

Paris, Idaho

Dear Sir:

5813

I enclosed 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

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho,

June 1, 1910

Edward F. Davis,

Paris, Idaho

Dear Sir:

I enclose herewith blank Notice of Proof of Completion of Works under your permit No. 5813 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 September 14, 1910

Yours truly,

JAS. STEPHENSON, Jr.,

5813

State Engineer.

Notice of Proof of Completion of Works RECEIVED

(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.)

101 8 1910
OFFICE OF STATE ENGINEER

(P. O.) Paris

(Date) July 27 1910

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

DEAR SIR: Notice is hereby given that at 10 A.M. on the 14th day of September, 1910, at Paris, County of Bear Lake, State of Idaho, before Walter Hoge proof will be submitted of the completion of works for the diversion of one second cubic-foot per second of the waters of Spring & Leakage 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

Edward F. Davis

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

Paris, County of Bear Lake, State of Idaho.

3. The number of such permit is 5813, and the date set for the completion of

such work is September 14, 1910.

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 one second cubic foot per second.

6. The amount of lands for which said water is available is Fifty acres, particularly described as follows: NE 1/4 SW 1/4 & NW 1/4 Sec 26 T13 S R 43 E 15 Me.

(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.

desires that the above notice be published, according to law, in the Paris

Post of published in the county in which said works are situated; the expense of which publication will be borne by Applicant

(Signature)

5813

new cor NW 1/4 Sec 27

T13 S R 43 E

PERMIT NO. 5813

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

(Date)

Jul 5th 1910

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

DEAR SIR: Notice is hereby given that at 10 A. M. on the 14 day of September 1910, at Paris County of Bear Lake State of Idaho, before Walter Hage proof will be submitted of the application to beneficial use of one second cubic feet per second of the waters of Spring etc in accordance with the terms and conditions of Permit No. 5813 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

Edward F. Davis, Paris, Idaho

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

Irrigation NE¹/₄ SW¹/₄ & NW¹/₄ S.E.¹/₄ Sec. 26 T¹/₂ 13 S.R. 43 E. 13. 9m

3. The amount applied to beneficial use is

one second c.f.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)

NE¹/₄ SW¹/₄ & NW¹/₄ S.E.¹/₄ Sec. 26 T¹/₂ 13 S.R. 43 E. 13. 9m

RECEIVED

JUL 8 1910

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

OFFICE OF STATE ENGINEER

6. The right to take the water from such works is based upon Permit No. 5813

7. The source of supply from which such water is diverted is

Spring
Leapage etc

8. The date of the priority which said user is prepared to establish is

March 14-1910

5813

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)

E. F. Davis

5813

Boise, Idaho, July 23, 1910

Permit

Permit No. 5813

J.O. Webster,
Idaho Falls, Idaho

Sir:--

Edward F. Davis, of Paris, Idaho, the holder of Permit No. 5813, desires to make proof of completion of works and beneficial use of 1 second foot of spring & seepage, on September 14, 1910.

Very truly yours,

State Engineer

By _____

Enc B

5813

State of Idaho

ENGINEERING DEPARTMENT

BOISE

JAMES STEPHENSON, JR.,
ENGINEER

INSTRUCTIONS.

Proof of Completion of Works

and

Proof of Beneficial Use of Water.

Boise, Idaho, July 23, 1910

Edward F. Davis

c/o Walter Hoge,
Paris Idaho

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works and beneficial use of water under permit

No. 5813

Deposition 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 September 14, 1910 the date set for proof, the enclosed forms (two for permit holder and two each for two disinterested witnesses) should be filled out and sworn to, at Paris, Idaho before Walter Hoge.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fees as follows: Fee for proof of completion of works is \$5.00 for ten second feet or less. Over ten second feet a charge of 30 cents a second foot is made. The fee for beneficial use of water, for power purposes is \$5.00; if for irrigation, \$2.00 for each 40-acre tract, or fraction, to which water has been beneficially applied.

When these have been received, together with report of the Water Commissioner, if everything is properly executed, Certificate of Completion of Works and License will issue.

Yours truly, D.C. Martin 5813

JAMES STEPHENSON, JR.,

State Engineer.

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

Notice is hereby given that at 10th N. on the September
day of September, 1910, at Paris
County of Bear Lake, State of Idaho, before Walter Hoge,
proof will be submitted of the completion of works for the diversion of
1 cubic feet per second of the waters of Spring and
seepage, and of the application to
beneficial use of said water in accordance with the terms and condi-
tions of Permit No. 5813 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

Edward F. Davis, Paris, 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 1
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 cubic feet per second.

4. The place where said water is used is

NE 1/4 SW 1/4 & NW 1/4 SE 1/4 Sec. 26, T.13 S.R. 43 N.B.M. 5813

5. The date of priority which said user is prepared to establish
is March 14, 1910.

D.G. Martin
JAS. STEPHENSON, JR.

State Engineer.

(Place).....

Paris, Idaho.

(Date).....

July 26, 1910

State Engineer, Boise, Idaho.

Dear Sir:

I have your letter of July 23, enclosing Notice of Proof of Completion of Works and Beneficial Use of Water under Permit No. 5813, which will be published as you request, beginning with our issue of July 29, 1910.

Paris Post Pub. Co., per A. T. Hyde

5813

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

PERMIT NO. _____

RECEIVED

OCT - 6 1910

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Jesse Law, 22, Paris, Idaho, Farmer, Paris, Idaho

Ques. 2. Are you acquainted with Edward F. Davis, the

holder of Permit No. 5813, authorizing the diversion of One second-foot of the waters of A certain Spring, at Paris, Idaho for Irrigation & Domestic purposes? How long have you known him, and where does he reside?

Ans. Yes, Fifteen years, Paris, Bear Lake County, Idaho

Ques. 3. Have you read or heard read said Permit No. 5813, and are you familiar with its terms and conditions?

Ans. Yes Sir.

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. N.E. 1/4 Sec. 26, Tp. 13, R. 4 E. B. M. Good farming land. It will require all the water of this Spring and fresh water also to profitably cultivate it.

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. A Reservoir to conserve the water, and a ditch to convey the water onto the above described land.

(Sign here.)

Jesse Law.

5813

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 11th day of September, A. D. 1910.

Sheldon Hoge
Notary Public

PERMIT NO. _____

Proof of Completion of Works

RECEIVED

OCT - 6 1910

DEPOSITION OF HOLDER

OFFICE OF STATE ENGINEER

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

Ans. *Edward F. Davis, 44, Paris, Bear Lake County, Idaho.
Farmer, Paris, Bear Lake County, 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.*

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

Ans. *No. 5813. March 14th 1910. One Second foot. N. 7th
S. E. 4th Sec. 27 Tp. 13 S. R. 43 E. B. M.*

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. About 50 acres. The N. E. 4th S. 7th and
N. 7th S. E. 4th Sec. 26 Tp. 13 S. R. 43 E. B. 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. *It has. I have used it continuously for 16 years
from the same Reservoir and ditch.*

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. *They are fully completed. They do.*

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. *There is no variance.*

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

Ans. *Loam and earth dam. 30 feet long on top, about 4
feet deep in centre. 75⁰⁰. Ditch one mile. cost 125⁰⁰.*

(Sign here.)

Edward F. Davis
5813I 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*, Countyof *Bear Lake*, state of Idaho, on this *14th* day of*September* A. D. 191*0**John A. Coyle*
Notary Public

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

OCT - 6 1910

OFFICE OF STATE ENGINEER

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

Ans. *J. Henry Davis, 39, Paris Idaho,**Farmer, Paris, Benewah Co. Idaho*Ques. 2. Are you acquainted with *Edward J. Davis*, theholder of Permit No. *5813*, authorizing the diversion of *one* second-feet of the waters of*a certain Spring near Paris Idaho, at*
for *irrigation & domestic* purposes? How long have you known him, and where does he reside?Ans. *All my life. Paris Idaho*Ques. 3. Have you read or heard read said Permit No. *5813*, and are you familiar with its terms and conditions?Ans. *Yes sir.*

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 sir. NE⁴ SW² & NW² SE⁴**Sec 26 Tp 13 SR. 43 E. B. M. good**farming land. It will require all the waters of this Spring and*
freshets to profitably cultivate it

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 sir.*

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

Ans. *A reservoir to conserve the water and a**ditch of sufficient capacity to convey the water*
on said land

5813

(Sign here.) *J. Henry Davis*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*, Countyof *Benewah*, State of Idaho, on this *14th* day of*September* A. D. 191*0**Notary Public*

Permit No. _____

Proof of Application of Water to Beneficial Use

OCT - 6 1910

DEPOSITION OF HOLDER

OFFICE OF STATE ENGINEER

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

Ans. Edward F. Davis, 44, Paris, Idaho, Farmer

Paris, 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.

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

Ans. No 5813, March 14th, 1910, 1894

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

Ans. A Spring. N. W. 1/4 S. E. 1/4 Sec. 27 Tp. 13 S. R. 4 E

E. R. 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 red sand earth dam 30 feet long on top, about one second foot of water. The Davis Ditch.

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. N. E. 1/4 S. W. 1/4 Sec. 26, about 40 acres. N. W. 1/4 S. E. 1/4 Sec. 26 Tp. 13 S. R. 4 E E. R. M. about 10 acres irrigated.

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

Ans. It is only used for irrigation.

5813

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

Ans. About 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 person to whom the Permit was issued.

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 _____

WATER-USER CO., PRINTERS & BINDERS, BOISE
7818

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 Blaine State of Idaho, on this 14th day of September A. D. 1917

(Sign) Edmund H. Davis
Ans. I have a number of shares in South Valley Irrigation
Company Canal, and when the water from the spring are
insufficient I use some water from east canal.

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.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. Year 1911, for irrigation purposes, it has amounted
about 50 acres

Permit No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

RECEIVED

OCT - 6 1910

OFFICE OF STATE ENGINEER

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

Ans. Jesse Saw, 32, Paris, Idaho, Farmer, Paris, Bear Lake County, Idaho

Ques. 2. Are you acquainted with Edward F. Davis the holder of Permit No. 5813? How long have you known him and where does he reside?

Ans. Yes. Fifteen years, at Paris, Bear Lake Co., Idaho

Ques. 3. Have you read or heard read said Permit No. 5813, 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. N. W. 1/4 Sec. 27,

Ans. In N. E. 1/4 S. 11. 1/4 N. W. 1/4 S. E. 1/4 Sec. 26 Tp. 13 S. R. 43 E. B. M. In N. E. 1/4 S. E. 1/4 Sec. 27 Tp. 13 S. R. 43 E. B. M. A Reservoir has been built to conserve the Spring waters and also freshet water, and a ditch about 10 miles ^{long} to convey the water onto the land.

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 1 second foot, I have seen that much being conveyed

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. N. E. 1/4 S. 11. 1/4 & N. W. 1/4 S. E. 1/4 of Sec. 26 Tp. 13 S. R. 43 E. B. M. It is used for irrigation on about 50 acres of above described land.

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

Ans. 5413

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. Sandy soil with clay subsoil. About one second foot.

Permit No. -----

**Proof of Application of Water to
Beneficial Use**

DEPOSITION OF WITNESS

Received and filed -----

NEW YORK CO., PRINTERS & BINDERS, 1011
7517

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

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 would like to state on the above described land during
the irrigation season of 1909, and have, to me or said
land for 10 years last past.*

(Sign) *Joe Law*

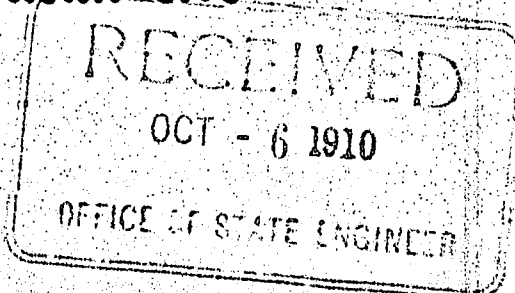
I hereby certify that the foregoing testimony was read to the above subscriber before
its signing, that I believe him to be the person he represents himself to be, and that said
testimony was subscribed and sworn to before me, at my office in _____, *Law*
County of _____, State of Idaho, on this *14th* day of *September*, A. D. 19*10*

Charles Hoage
Notary Public

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. J. Henry Davis, 39, Paris Idaho, farmer,
Paris, Bear Lake Co Idaho

Ques. 2. Are you acquainted with Edward F. Davis the
 holder of Permit No. 5813? How long have you known him and where does he reside?

Ans. Yes all my life, Paris Idaho

Ques. 3. Have you read or heard read said Permit No. 5813, 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 con-
 veying water from point of diversion to place of use.

Ans. NW 4 SE 4 Sec 27 Tp 13 S. R. 43 E. B. M.

NW 4 SE 4 Sec 27 Tp 13 S. R. 43 E. B. M.

A reservoir has been built to conserve the spring water
and also freshet water and a ditch about one mile long to convey the water
on to the lands.

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 one second foot, I have seen that much being conveyed
in said ditch.

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 sub-
 division.)

Ans. It is used to irrigate about 50 acres of the
above described land namely NW 4 SE 4 & NW 4 SE 4
Sec 26 Tp 13 S. R. 43 E. B. M.

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

Ans. _____

5813

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. Loamy soil with clay subsoil
About one second foot

Permit No.

Proof of Application of Water to
Beneficial Use

DEPOSITION OF WITNESS

Received and filed

STENOGRAPHIC CO., PRINTERS & BINDERS, 402 E.
7th St.

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. 1912

John H. Hoag
Notary Public

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

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 seen the water used on the land for
fifteen or sixteen years and would not give
anything. About one second foot each year

(Sign) *J. Henry Davis*

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF BEAR LAKE,

} ss

E. E. Porter

being first duly sworn,

deposes and says that he is the Editor & Manager 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, Proof of
Completion, was published in the
said PARIS POST for six successive weeks,
the first publication having been made on the 29th
day of July, 1910, and the last on the
9th day of September, 1910;
and that the same was published in the newspaper proper
and not in a supplement.

E. E. Porter

Subscribed and sworn to before me this 14th
day of September, 1910.

Walter Hoge

Notary Public

My commission expires Nov. 29th 1910.

Notice

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 14th day of September, 1910, at Paris, county of Bear Lake, State of Idaho, before Walter Hoge, proof will be submitted of the completion of works for the diversion of 1 cubic foot per second of the waters of Spring and seepage, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 5813 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 Edward F. Davis, Paris, 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 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 1 cubic foot per second.

4. The place where said water is used is N E 1 4 S W 1-4 and N W 1-4 S E 1-4 Sec. 26, T. 13 S R. 43 E B M.

5. The date of priority which said user is prepared to establish is March 14, 1910.

D. G. MARTIN,
State Engineer.

RECEIVED

OCT - 6 1910

OFFICE OF STATE ENGINEER

5813



WALTER HOGE

SMITH HOGE

Bear Lake County Abstract Co.

BONDED ABSTRACTORS

PARIS, IDAHO

October 4th 1910

D G Martin, State Engineer,

Boise, Idaho.

Dear Sir:

Find enclosed herewith Proof papers
of E. F. Davis, and our check for \$9.00 together with
affidavit of publisher; these papers have been delayed
for a short time but we trust you will find same satis-
factory.

We are,

Yours very respectfully,

RECEIVED

OCT - 6 1910

OFFICE OF STATE ENGINEER

Walter Hoge

5813

October 6, 1910.

Permit 5813 - Edw.F.Davis

Walter Hoge & Son,
Paris, Idaho.

Gentlemen:-

I am today in receipt of yours of the 4th inst.
inclosing depositions in proof of completion of works and
beneficial use of water, affidavit of publication and fees
under above permit. Am inclosing herewith receipts for fees.
As soon as the report of the water commissioner is received
the matter of issuing the certificate and license will be
taken up.

Very truly yours,

State Engineer.

R3038-9

Ry...

5813

Report of Engineer

RECEIVED

DEC 16 1910

OFFICE OF STATE ENGINEER

1. State name of applicant and number of permit: Edward F. Davis, Permit No. 5813
2. State source of water supply: Spring & seepage
3. Location of point of diversion: 1/4 Cor. NW 1/4 Sec. 27, T. 13 S. R. 43 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: 1 foot
- (b) Width at water line: 1.5 feet
- (c) Depth of water: 1 foot
- (d) Grade per mile: 20 feet

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

There is about one second foot of water now being used through the ditch

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: NE 1/4 SW 1/4 and NW 1/4 SE 1/4 Sec. 26 Tp. 13 S

R. 43 E. B. M.

All under cultivation

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. D. Webster
Water Commissioner
1st Div.

STATE OF IDAHO,

County of _____

NS.

_____, 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.

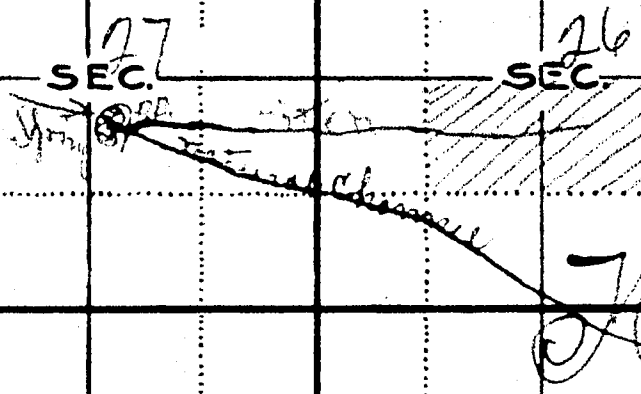
5813

RECEIVED
DEC 6 1910
OFFICE OF STATE ENGINEER

SEC. SEC. SEC. SEC. SEC.

SEC. SEC. SEC. SEC. SEC.

SEC. SEC. SEC. SEC. SEC.



5813

Boise, Idaho, January 31, 1911

Permit No. 5813

Edward F. Davis,
Paris, Idaho

Sir:--

Inclosed herewith find Certificate of
Completion of works issued under above Permit.
Also Water License.

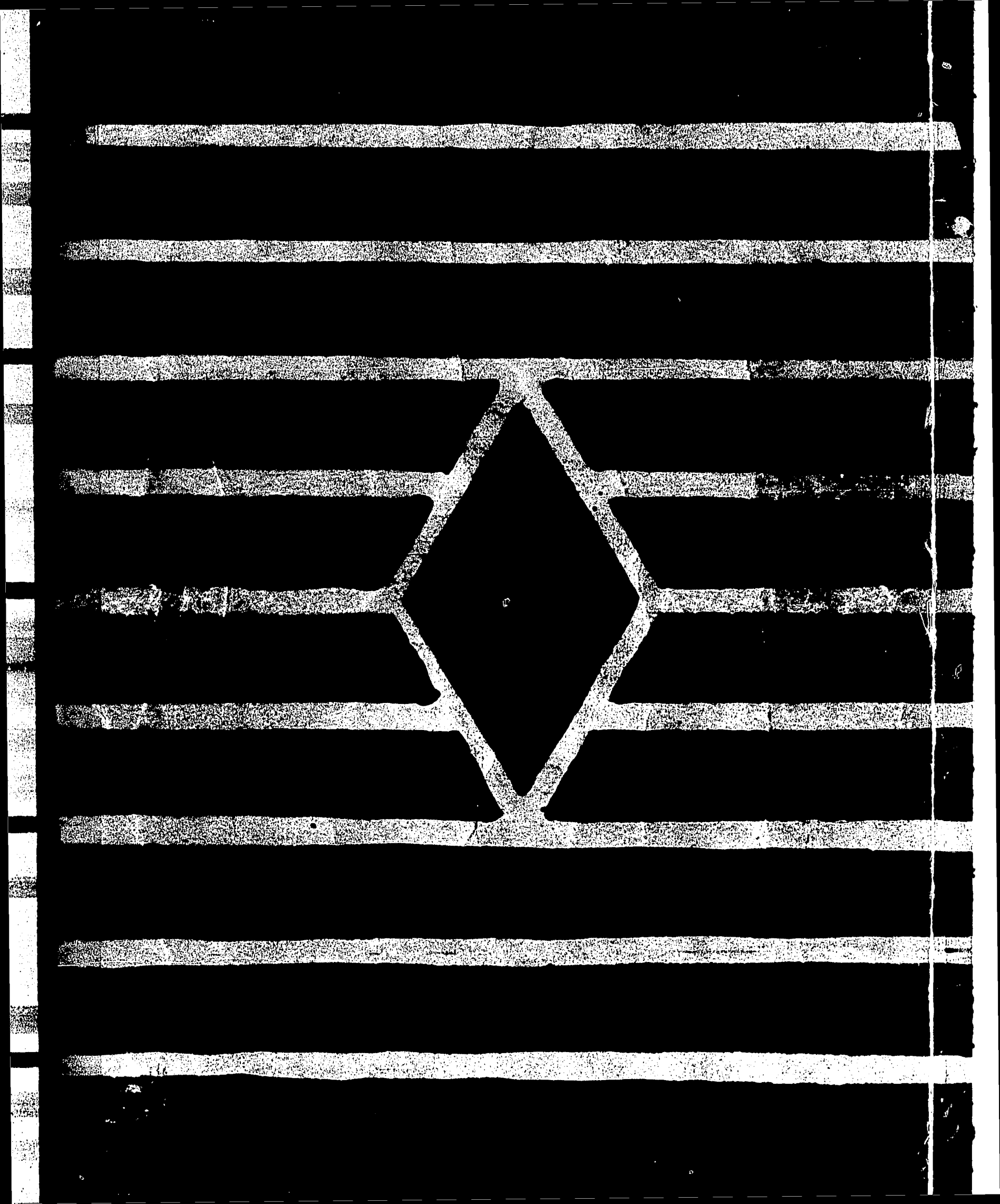
Very truly yours,

State Engineer

By _____

E. C. C. W. L.

5813



 Bear Lake County *
 Spring *
 1 second foot *
 Irrigation and domestic *
 Priority 3-14-10 **

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

Water License No. 5813

WHEREAS, On the 14th day of March, A.D. 1910, EDWARD F. DAVIS, of Paris, County of Bear Lake, State of Idaho, duly made application (No. 8436) to me for a permit to use 1 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 14th day of March, A.D. 1910, Permit No. 5813, 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 14th day of September, A.D. 1910, and for the application to beneficial use of said water on or before the 14th day of September A.D. 1910; and

WHEREAS, On the 14th day of September, EDWARD F. DAVIS, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 5813, dated January 14, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1 cubic foot per second of the waters of a spring, with date of priority of March 14, 1910, and

WHEREAS, On the 14th day of September, A.D. 1910, EDWARD F. DAVIS, the holder of said permit duly made proof of the application to beneficial use of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to EDWARD F. DAVIS, of Paris, County of Bear Lake, State of Idaho, the holder and owner of said permit No. 5813, a perpetual right, dating from March 14, 1910, to the use of 1 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 in the northwest corner of the northwest quarter of southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of section 27, township 13 south of Range 43 East of the Boise Meridian, and conducted to and upon the Northeast quarter of southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) and northwest quarter of southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of section 26, township 13 south of Range 43 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 fourteenth day of January,
 A.D. Nineteen hundred and eleven.

(SEAL)

D.G. Martin

State Engineer

Recorded January 14, 1911

