

No. 15084

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

1. Name of applicant: Reinholdt Fredrich

Postoffice address: Malad City

County: Oneida

State: Idaho

- I. If applicant is a corporation, give
- Date and place of incorporation;
 - The amount of capital stock;
 - The amount paid in;
 - Names and addresses of directors;

- II. The financial resources of the applicant are: (a) Cash on hand;
(b) Treasury stock;
(c) Bonds to be issued;
(d) Other resources;

2. The quantity of water claimed is 3/50 cubic feet per second.

3. Source of water supply: one spring in south-west corner and one spring about the middle of the NE 1/4 Sec. 2, Tp. 13 S. R. 32 E. B. M. and one spring in south-west corner of SE 1/4 Sec. 36, Tp. 12 S. R. 32 E. B. M.

4. Location of point of diversion: From 1st spring about 12 rods north of the SW corner of NE 1/4 Sec. 2, Tp. 13 S. R. 32 E. B. M., and from second spring water will be diverted directly from said spring.

County of Oneida

5. To be used for: Domestic, stock and irrigation purposes.

- I. Irrigation and domestic use: (a) Amount of land to be irrigated: two acres.
(b) In the following legal subdivisions: NE 1/4 Sec. 2, Tp. 13 S. R. 32 E. B. M.

II. Mining, milling, power, manufacturing, transportation or other purposes:

[a] At what point:

[b] Amount of power to be generated;
[c] Is water to be returned to any stream?
return:

H. P. under ft. head
[d] If so, name stream and locate point of

6. Estimated cost of work: \$20.00

7. Description of works for diversion:

I. Kind of work: simple ditch

II. Dimensions of work:

[a] Height of dam

feet, length of dam at top

feet,

length of dam at bottom

feet. Material used in construction:

[b] Capacity of reservoir

acre feet. (c) Size of headgate, width

feet,

Height

feet. (d) Conduit ditch

width at bottom 4 inches feet,

width at water line 6 inches

feet, depth of water 6 inches

feet, diameter of pipe

inches; average grade per mile is 250 feet. Length of conduit is 40 rods miles,
and it crosses the following quarter sections: NE 1/4 Sec. 2, Tp. 12 S. R. 32 E. B. M.

8. The time required for the completion of the construction of such work is six months years.

9. Time required for the complete application of the water to the proposed use is eight additional yearsx months.

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.

Reinholdt Fredrich

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9.00 A. M. April 24, 1914.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 10153

Recorded in Book 34 Page 10153 Approved May 22, 1914

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 approve the same, subject to the following limitations and conditions.

Bond in the sum of _____ to be filed on or before _____

Work to begin on or before July 21, 1914 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 August 22, 1914.

The whole of said work to be completed on or before November 22, 1914.

Beneficial use of water appropriated in accordance herewith, to be made on or before July 22, 1915.

Witness my hand this 22nd day of May, 1914

F. P. KING.

State Engineer.

Remarks: These springs shown on the map accompanying this application, as springs number one, two and three are at the head of a canyon and never reach any body of water. It is the desire of this applicant to use springs one and two for domestic and stock purposes and for irrigating a small garden of two acres and to use the waters of spring number three for domestic and stock purposes. However spring three is not available for irrigation purposes upon the land of the applicant.

Each of these three springs has a normal flow of one inch per second.

Spring number one and two are on land owned by applicant, but spring number three is upon government land.

On proper request of the holder of the above numbered permit, I have this 4th day of January, A.D. 1915, extended the time for completion of works thereunder to July 1st, 1915.

Herbert Wing,

Acting State Engineer.

(Affidavit correcting township number.)

State of Idaho,)
County of Oneida.) ss.

Reinhold Fredrich being first duly sworn deposes and says: that he is the identical person who made application for Permit No. 10153, to appropriate the waters of certain springs situated in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, Township 13 South, Range 32 East and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, Township 12 South Range 32 East, Boise Meridian; that in making such application he designated the land to be irrigated by said water as being in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, Tp. 12 S. R. 32 E.B.M. and that the ditch to be constructed crossed the said NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, Tp. 12 S. R. 32 E.B.M. That said land was mistakenly designated as will be shown by the map filed in the State Engineer's office at Boise, Idaho; that the land to be irrigated by said water and across which said ditch was to be constructed under said permit is the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, Township 13 South, Range 32 East, Boise Meridian, the same being shown by said map filed as aforesaid and which is made a part of this affidavit by reference thereto.

Recorded by _____
Checked by _____

Wherefore affiant prays that said permit No. 10153 be corrected by said State Engineer to correspond to the facts.

Reinhold Fredrich.

Subscribed and sworn to before me this 28th day of June, 1915.

T. E. Ray.
Notary Public.

My commission expires Nov. 12th, 1918.

(SEAL)

Received and filed for record in the office of the State Engineer at Boise, Idaho,
at 9.00 a.m. July 1, 1915.

J. H. Smith,
State Engineer.

Proof of Completion of Works made June 28th, 1915.

Certificate of Completion of Works issued July 24th, 1915.

Permit No. 10153

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that Reinholdt Fredrich, of Malad City, County of Oneida, and State of Idaho, the holder of Permit No. 10153, issued upon Application No. 15084, bearing date of priority of Apr. 24, 1914, authorizing the diversion of $\frac{3}{50}$ of one second foot of the waters of one spring in Southwest corner and one spring about the middle of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, T. 13 S., R. 32 E.B.M. and one spring in Southwest corner SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, T. 13 S., R. 32 E.B.M. county of Oneida, State of Idaho, for domestic, stock and irrigation 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 $\frac{2}{50}$ of one second foot of the waters of one spring in Southwest corner and one spring about the middle of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, T. 13 S., R. 32 E.B.M. and one spring in Southwest corner SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, T. 13 S., R. 32 E.B.M.; that the point of diversion of said waters is from 1st spring about 12 rods North of the SW corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, T. 13 S., R. 32 E.B.M., and from second spring water will be diverted directly from said spring, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, T. 13 So., R. 32 E.B.M.

Witness my hand this 24th day of July, A.D. 1915.

J. H. Smith,

State Engineer of the state of Idaho.

Name of Applicant.....Reinholdt Fredrich, --aled City, Oneida County, Idaho.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Imp 12 S. R 32 E B.M.

SEC.

SEC.

SEC.

35

Imp 13 S. R 32 E B.M.

SEC.

SEC.

SEC.

2

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

3
2
1
--- sixth
--- sixth

10450

Permit Map No. 10153

As Approved

MAY 12 1914

BY

F. P. KING
STATE ENGINEER.

STATE OF IDAHO
ENGINEERING DEPARTMENT

BOISE

A. E. ROBINSON,
STATE ENGINEER

Permit No. 10153

BOISE, IDAHO. May 22, 1914.

Mr. Reinholdt Fredrich,
Malad City, 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.

R. F. KING

A. E. ROBINSON,

State Engineer.

10153

State of Idaho

ENGINEERING DEPARTMENT

BOISE

F. P. KING,
STATE ENGINEER

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Reinholdt Frederich,
Malad, Idaho.

Boise, Idaho, Aug. 1, 1914.

Dear Sir:

Under the terms of your permit No. 10153, you are required to complete your diversion works on or before Nov. 22, 1914. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

F. P. KING,

State Engineer

10153

Malad City Ida.

Nov 17 - 1914

F. R. King

State Engineer

Boise Ida.

Dear Sir

Under the terms of
my permit No. 10153
I am required to completion
my work on Nov 22 - 1914

I do all work done
except digging the
ditch and the ground
is froze so hard to
dig. I

10153

Can you extend
my time to completion
the work till next

Spring to completion
the work
yours truly
Reinhold Friedrich.

10153

November 21, 1914.

Permit 10153.

Reinholdt Frederick,
Malad City, Idaho.

Sir:

Replying to your letter of the 17th would say that you should ~~make~~ application for extension of time, in duplicate, upon the enclosed forms.

Very truly yours,

Herbert Wing,

Acting State Engineer.

2F4

By _____

10153

Permit No. 10153

Application For Extension of Time

For Completion of Works

Reinholdt Fredrich, of Valad City

State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 10153

Under the terms and conditions of said permit, construction work thereunder was required to be completed by November 22nd 1914, 1914

That he has heretofore performed the following work described under said permit:

I have dug and cleaned out the springs described in said permit and erected a part of the dam

costing \$ 15.00

THAT he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

the ground became frozen and could not work the earth or make ditches

WHEREFORE, He asks that the State Engineer extend the time for the completion of construction work under said permit, to July 1st 1915, 1915

And further, deponent saith not

Subscribed and sworn to before me this twenty sixth day of December, 1914

Reinholdt Fredrich

J. E. Taylor
Notary Public.

My commission expires Nov. 12th 1918

Date of receipt at office of State Engineer JAN 4 1915

APPROVAL OF STATE ENGINEER.

Herbert Wing, Acting

I, ~~Ex-Ex-Engineer~~ State Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 10153, to July 1st, 1915.

Witness my hand this 4th day of January, 1915.

Herbert Wing
Acting State Engineer.

(over)

10153

January 9, 1915.

Permit 10153.

Reinholdt Fredrich,
Malad City, Idaho.

Sir:

Your application for extension of time has been
approved and duplicate is herewith returned.

Very truly yours,

Herbert Wing,

Acting State Engineer.

ET

By _____

10153

State of Idaho
ENGINEERING DEPARTMENT
BOISE

STATE ENGINEER

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Reinholdt Fredrich,
Malad City, Idaho.

Boise, Idaho, May 17, 1915.

Dear Sir:

Under the terms of your permit No. 10153, you are required to complete your diversion works on or before July 1, 1915. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

J. H. Smith,

10153

State Engineer.

Oneida County, Idaho

T E RAY
PROSECUTING ATTORNEY
MALAD CITY.

June 28th 1915

Mr. Herbert Wing,
State Engineer, Boise, Idaho.

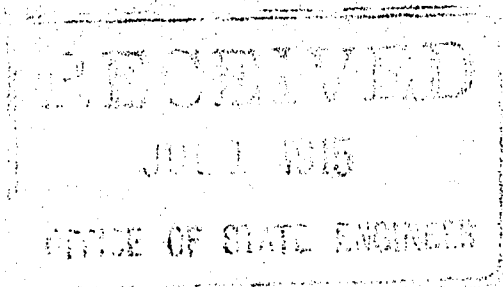
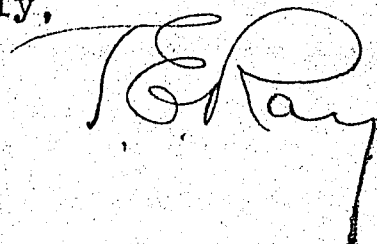
Dear sir:

I enclose herewith Permit No.10153, application for extension of time and map ~~for~~ amendment according to affidavit attached.

It appears that a mistake was made as to the township in which the land to be irrigated and ditch to be constructed are located, said land being in township 13 south instead of township 12 south. This was a clerical error as may readily be seen by the map enclosed.

Am holding affidavit for proof of completion of works until this mistake is corrected by your office. If anything further than affidavit necessary please notify me that I may take matter up and have corrected by applicant.

Very truly,



10153

July 6, 1915.

Permit 10153. - R. Fredrich.

T. E. Ray, Attorney.
Malad City, Idaho.

Sir:

The affidavit correcting township number under
above permit has been placed on record under the
above numbered permit. Same is herewith returned
to you, with the original permit.

Very truly yours,

J. H. SMITH,

State Engineer.

P-10153-Aff.

By _____

10153

OFFICE OF STATE ENGINEER

Permit No.

Proof of Completion of Works

Affidavit of Holder

STATE OF IDAHO,
 County of Oneida } ss.

Reinholdt Fredrich, being first duly sworn upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 10153 and that his postoffice address is Malad City State of Idaho

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 1st, 1915.

Third: That the use for which said water is intended is Domestic, stock and irrigation

Fourth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: simple ditch, dam and reservoir
 (Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 5 feet, length of dam at top 12 feet, length of dam at bottom 6 feet. Material used in construction earth and stone

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir two acre feet. See remarks

(c) Size of headgate: Width 6 inches ~~feet~~ height 6 inches ~~feet~~

(d) Conduit ditch width at bottom 4 inches ~~feet~~, width at water line 6 inches ~~feet~~ depth of water 6 inches ~~feet~~; diameter of pipe inches;

((State whether ditch, flume or pipe.))

average grade per mile is 250 feet. Length of conduit is 40 rods ~~miles~~

Fifth. That said works are capable of conducting to the place of intended use ten inches or 1/5 second feet of water.

Sixth. That water appropriated under said permit is available for two acres of land described as follows: in the west central part of the NE 1/4 NE 1/4 Sec. 2, Twp. 13 South Range 32 East B.M.

Seventh. Remarks: That dam and reservoir above mentioned is built about 8 rods south of the land to be irrigated and on the line of the ditch above mentioned

Reinholdt Fredrich
 Sign here.

Subscribed and sworn to before me this twenty eighth June, 1915

My commission expires November 12th 1918

J. E. Ray
 Notary Public.

10153

July 9, 1915.

Permit 10153

Reinhold Fredrich,
Maled, Iasco.

Sir:

We are today in receipt of your affidavit and
fee for proof of completion of works under above
permit. The certificate will be issued and mailed
to you in a few days. Am enclosing here ith receipt.

Very truly yours,

J. E. Smith,

State Engineer.

R7479

By _____

10153

Boise, Idaho.
August 4, 1916.

Permit 10153

Mr. Reinholdt Fredrich,
Malad City, Idaho.

Dear Sir:

Enclosed herewith find Certificate of
Completion of Works issued under the above
Permit.

Yours truly,

C.C.W.

J. H. SMITH,
State Engineer.

By _____

10153

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Reinhold Fredrich,
Malad, Idaho.

December 1, 1915.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 10153, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

J. H. Smith,

State Engineer

10153

S. D. DAVIS

PHILIP J. EVANS

DAVIS & EVANS
ATTORNEYS-AT-LAW
MADRID CITY, IDAHO

January 15, 1916.

Hon. State Engineer,
Boise, Idaho.

Dear Sir:

Enclosed find Notice of proof of application for water for beneficiary
use of Reinholdt Fredrick.

Very respectfully,

DAVIS & EVANS,

By *S. D. Davis*

SDD/AE

RECEIVED

JAN 17

OFFICE OF STATE ENGINEER

10153

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 18th day of March, 1916,
 at Malad, County of Oneida, State of Idaho,
 before S. D. Davis, Notary Public, proof will be submitted

of the application to beneficial use of 3/50 of one second foot ~~XXXXXX~~ of the waters of
one spring in SW corner and one in about middle of NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, Tp.13 S,
R.32 E. B.M. & one spring in SW corner in accordance with the terms and conditions of Permit No. 10153
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, T.13, S, R.32 E. B.M.
 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 Reinholdt Fredrick
of Malad, City, Idaho.

2. The use to which said water has been applied is for irrigating and domestic purposes.

3. The amount applied to beneficial use is 3/50 second feet.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)
2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, Tp.13 S, R. 32 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 the
Reinholdt Fredrick ditch.

6. The right to take the water from such works is based upon Permit No. 10153

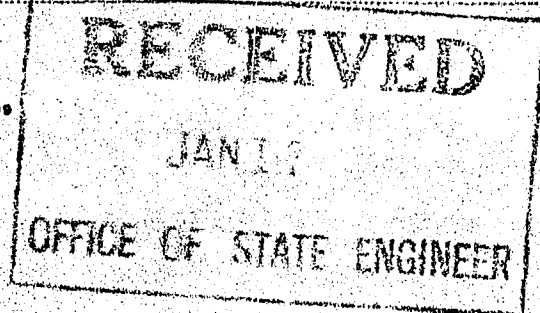
7. The source of supply from which such water is diverted is a spring about 12 rods north
of the southwest corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, Tp.13 S, R. 32 E. B. M.

8. The date of the priority which said user is prepared to establish is March 15th, 1914.
of the SW corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, Tp.13 S, R.32 E. B. M.

J. H. Smith,

F. P. KING,
 State Engineer.

A. C. & CO. 18839



10153

Mar 18

January 17, 1916.

Re Permit No. 10153.

Messrs. Davis & Evans,
Attorneys at law,
Malad, Idaho.

Gentlemen:--

We are today in receipt of your letter enclosing notice of proof of use of water under above permit. Notice for publication will be sent to the Malad Enterprise in time for the required four weeks publication prior to March 18th and deposition blanks will be furnished Mr. S.D.Davis, notary public.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

10153

(Place).....Malad, Idaho.....

(Date).....February 14, 1916.....

State Engineer, Boise.

Dear Sir:

I have your letter of.....February 12, 1916..... enclosing Notice of Proof of Beneficial Use of Water under Permit No. 10153..... which will be published as you request, beginning with our issue of.....February 17, 1916.....

Idaho Enterprise
By A. A. Wilson

10153

STATE OF IDAHO
ENGINEERING DEPARTMENT

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Reinholdt, Frederick,
c/o S. D. Davis, Notary Public,
Malad, Idaho.

BOISE, IDAHO, February 17, 1916.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. 10153.

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 March 18th, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Malad, before S.D. Davis, N.P.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice 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, License will issue.

Yours truly,

J.H. SMITH,

State Engineer.

10153

Affidavit of Publication,

The Idaho Enterprise
Malad, Idaho

NOTICE FOR PUBLICATION Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 o'clock a. m. on the 18th. day of March 1916, at Malad, County of Oneida, State of Idaho, before S. D. Davis, notary public, proof will be submitted of the application to beneficial use of 3-50 of one second foot of the waters of one spring in SW Corner and one spring about the middle of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ sec 2, tp. 13, R 32 E. B. M. and one spring in the SW corner of SE $\frac{1}{4}$ SE $\frac{1}{4}$ sec 35 tp. 13 south range 32, E. B. M. in accordance with the terms and conditions of permit number 10153, heretofore issued by the state engineer of the state of Idaho.

1. The name and post office address of the person or corporation holding said permit are, Reinholdt Fredrick, of Malad City, Idaho.

2. The use to which said water has been applied is, irrigation and domestic use.

3. The amount applied to beneficial use is, 3-50 of 1 second foot

4. The place where said water is used is, two acres in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$, section 2, tp. 13, south range 32 E. B. M.

5. The right to take the water from such works is based upon permit number 10153.

6. The source of supply from which such water is diverted is, Springs.

7. The date of priority which said user is prepared to establish is Mich. 15, 1914.

J. H. SMITH, State Engineer

2-17 3-9

I, A. C. Elton

Managing Editor, of the

IDAHO ENTERPRISE, published weekly, at Malad City,

Idaho, do solemnly swear that a copy of the notice, as per

clipping attached, was published weekly in the regular and

entire issue of said newspaper, and not in any supplement

thereof, for 6 consecutive weeks,

commencing with the issue dated July 17, 1916

and ending with the issue dated March 9, 1916.

A. C. Elton

Subscribed and sworn to before me this 11

day of March, 1916.

J. H. Smith
Notary Public

10153

S. D. DAVIS

PHILIP J. EVANS

DAVIS & EVANS
ATTORNEYS-AT-LAW

NALAD CITY, IDAHO

March 21, 1946.

OK
2⁰⁰

Hon. State Engineer,
Boise, Idaho.

Dear Sir:-

Kindly address all communications to me at Arbon, Idaho,
and oblige,

Yours Respectfully,

Reinholdt Friedrich

RECEIVED

APR 23 1946

OFFICE OF STATE ENGINEER

10153

State of Idaho
Engineering Department
Boise

March 24, 1916.

Re Permit No. 10153.

Mr. Reinholdt Frederich,
Arbon, Idaho.

Sir:--

As it will be some time before an engineer from this office will be able to make the examination required for final proof on the water, and as the amount claimed is so small, I would suggest that you send us the name of some one near you who can do this work for you. Any one who is familiar with the measurement of water and can give an estimate of the amount of land under cultivation, will be acceptable. If you will send us the name of some one, we will mail him the blanks required for his report and map. The check for fees, in the sum of \$2.00, is herewith returned as no additional fees are charged where the expense of the examination is paid by the holder.

Very truly yours,

J. H. SMITH,

State Engineer.

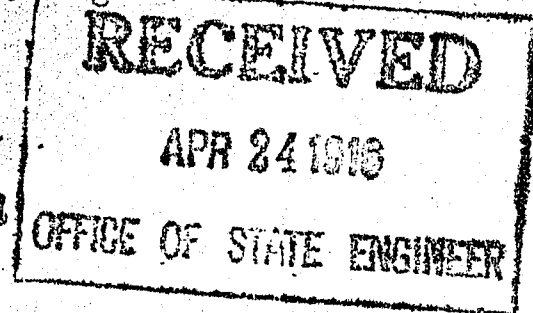
Ch\$2

By *C. Brown*

Arbon Idaho.

April 17 1916.

10153



Sir:--

Mr. V. L. Tolson is familiar with water. so you can send blanks to him. Sincerely, Reinholdt Frederich

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. My name is Reinholdt Fredrick. I am 27 years of age. I am a farmer by occupation and my Post Office address is Malad, 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. _____

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

Ans. 10153 is number of permit and date of priority April 2, 1914.

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

Ans. Springs designated as numbers 1, 2, and 3, and these springs are located one in SW corner and one spring about the middle of NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, Tp 13, S., and one SW corner SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, Tp 13 S., R. 32 E. B.M. and diversion is at head of each.

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. dams ditches and pipe are the means of diversion and conveying water. A ditch 6 inches deep and 6 inches wide is connecting springs

Nos. 1 and 2, the said ditch beginning at the head of No. 2. A dam is just below No. 2, and a ditch of the same size conveys all of the water of said springs to place where water is used for irrigation. There is an inch pipe conveying all of the water of spring No. 3 to a trough where the whole of the same is used for stock and domestic purposes.

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.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation and stock and domestic purposes upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, Tp. 12 S., R32, E. B. M. 2 acres of which tract is planted into fruit trees and garden stuff and irrigated with this water.

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. 3/50 of a cubic foot would be the minimum amount of water required for the use specified above.

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. _____

10153

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

Ans. ...About the latter part of August, 1915, it was first used to irrigate 2 acres of garden and fruit trees, and was first used for domestic purposes in March of 1914.

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. ...No other waters have been used upon the lands herein described

(Sign) *Reinholdt Friedrich*

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 *Malad*, County of

Owada, State of Idaho, on this *18th* day of *March*

A. D. 19*16*.

S. J. Jarvis
Notary Public, *Malad, Idaho*

10153

Permit No. 10153.....

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. Stett, 23 years, Arbon, Idaho, Arbon, Idaho. Am a farmer by occupation.

Ques. 2. Are you acquainted with Reinholdt Fredrick, the holder of Permit No. 10153? How long have you known him and where does he reside?

Ans. Have known him for two years. He resides at Malad, Idaho.

Ques. 3. Have you read or heard read said Permit No. 10153, and are you familiar with its provisions and conditions?

Ans. I have read it and am acquainted with its provisions and conditions

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. One spring in SW corne and one spring about the middle of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec. 2, Tp. 13 S., R. 32, E. B. M. and one spring in SW corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 35, Tp. 13 S., R. 32, E. B. M. The former two are used for irrigation by means of dam and ditch, and the latter named is used for domestic purposes and is conveyed by pipe for domestic purposes

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. 3/50 of one second foot and have seen that amount 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.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. For irrigation has been used, and for domestic and stock purposes this water has been used. the whole of the water has been used for the above purposes and to irrigate 2 a cres planted in fruit trees a nd garden upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 2, Tp. 12 S., R. 32, E. B. M., Idaho.

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. The land is a sandy loam and is of a agricultural nature and the whole amount of said water is not sufficient to irrigate the said land.

10153

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

Ans. No.

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

Ans. During the irrigation season of last summer I saw two acres irrigated with this stream.

(Sign)

John R. Stott

I hereby certify that the foregoing testimony was read to the above subscriber before its signing. I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Malad, County of Oneida

State of Idaho, on this 18th day of March A. D. 1911

J. S. Jarvis

Notary Public

My Commission Expires 4/27/18

Malad, Idaho

10153

Permit No. 10153

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Harvey A. Folsom, 24 years, Cedar Hill, Idaho, farmer by occupation and my postoffice address is Cedar Hill, Idaho.

Ques. 2. Are you acquainted with Reinholdt Fredrick, the holder of Permit No. 10153? How long have you known him and where does he reside?

Ans. Yes. Have known him for nine years. He resides at Malad, Idaho

Ques. 3. Have you read or heard read said Permit No. 10153, and are you familiar with its provisions and conditions?

Ans. I am acquainted with its conditions and have heard it read

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. One spring in SW corner and one spring about the middle of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec. 25, Tp. 13 S., R. 32, E. B. M. and one spring in SW corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 35, Tp. 13 S., R. 32, E. B. M. The former two are used for irrigation by means of dam and ditch and the later named is used for domestic purposes and is conveyed by pipe for watering domestic purp

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. 3/50 of one second foot and have seen that amount 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.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. For irrigation this water has been used, and for domestic and stock purposes, and the whole of the said water has been used for the above purposes and for the purpose of irrigating 2 acres of land upon NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 2, Tp. 12, S., R. 32, E. B. M., Idaho.

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. The land is a sandy loam and is agricultural nature, and the whole amount of said water is not sufficient to irrigate the said land

10153

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.

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

Ans. During the irrigation season of last summer I saw two acres irrigated with this stream

(Sign)

Harvey A. Tolson

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, in Malad, County of Oneida, State of Idaho, on this 18th day of March, A. D. 1916

S. T. Davis

Notary Public.

My Commission Expires

4/27/18

Malad, Idaho

Affidavit of Publication,

The Idaho Enterprise
Malad, Idaho

NOTICE FOR PUBLICATION Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 o'clock a. m. on the 18th day of March 1916, at Malad, County of Cassia, State of Idaho, before S. D. Davis, notary public, proof will be submitted of the application to beneficial use of 3-50 of one second foot of the waters of one spring in SW Corner and one spring about the middle of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ sec 2, tp. 13, R 32 E. B. M. and one spring in the SW corner of SE $\frac{1}{4}$ SE $\frac{1}{4}$ sec 35 tp. 13 south range 32, E. B. M. in accordance with the terms and conditions of permit number 10153, heretofore issued by the state engineer of the state of Idaho.

1. The name and post office address of the person or corporation holding said permit are, Reinholdt Fredrick, of Malad City, Idaho.

2. The use to which said water has been applied is, irrigation and domestic use.

3. The amount applied to beneficial use is, 3-50 of 1 second foot

4. The place where said water is used is, two acres in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$, section 2, tp. 13, south range 32 E. B. M.

5. The right to take the water from such works is based upon permit number 10153.

6. The source of supply from which such water is diverted is, Springs.

7. The date of priority which said user is prepared to establish is Mch. 15, 1914.

J. H. SMITH, State Engineer
2-17 3-9

NOTICE FOR PUBLICATION

I, Walter Jones
Publisher, of the

IDAHO ENTERPRISE, published weekly, at Malad City,

Idaho, do solemnly swear that a copy of the notice, as per

clipping attached, was published weekly in the regular and

entire issue of said newspaper, and not in any supplement

thereof, for four consecutive weeks,

commencing with the issue dated Feb. 17, 1916,

and ending with the issue dated March 2, 1916.

Walter Jones

Subscribed and sworn to before me this 18th

day of March 1916

S. D. Davis

Notary Public

Malad, Idaho

10153

March 24, 1916.

Re Permit No. 10153.

Mr. Reinholdt Frederick,
Arbon, Idaho.

Sir:--

As it will be some time before an engineer can be
obtained, it is suggested that you should, that work for
you. Any one who is familiar with the measurement of
water and can give an estimate of the amount of land
under cultivation, will be acceptable. If you will
send us the name of some one, we will mail him the
blanks required for his report and map. The check
for fees, in the sum of \$2.00, is herewith returned
as no additional fees are charged where the expense
of the examination is paid by the holder.

Very truly yours,

J. H. SMITH,

State Engineer.

Ch\$2

By _____

10153

Office of the State Engineer

Boise, Idaho, Apr. 24, 1916

Mr. V. G. Folsom,
Cider Hill, Idaho.

DEAR SIR:

.....Reinholdt Frederick....., residing atArbon.....
County of, State ofIdaho....., has requested that
you make examination required under Permit No.10153..... Will you
therefore, arrange with the holder of said Permit to make such examination as will
enable you to answer the questions on the enclosed blank? Also, make a sketch on
the enclosed blank plat showing source of supply, point of diversion, route of ditch
and place of use. You should, also, arrange with the holder of said Permit for the
payment of your fee for your services, and such proper expenses as you will incur in
making this examination and report.

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

Very truly yours,

J. H. SMITH,

A. E. ROBINSON,
~~XXXXXXXXXXXX~~
State Engineer.

10153

REPORT OF ENGINEER

1. State name of applicant and number of permit: Reinholdt Fredrich, Co. 10153
2. State source of water supply: Two Springs numbered one and two
3. Location of point of diversion: No. 1: about 12 rods north of the SW corner of NE 1/4 NE 1/4 Sec. 2, Tp. 13 S. R. 32 E. B. M., No. 2: at head of spring
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: I found the work completed in accordance with the terms of the permit.
5. Describe works as they exist, giving dimensions and capacities of same: There is a ditch the width of which is at the bottom 4 inches and 6 inches wide at the water line; this ditch is 8 inches deep, and this ditch conducts the water from the both springs to applicants orchard
6. State whether or not water has been turned into works of diversion: The above described ditch was conducting the water from both springs to applicant's orchard
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NE 1/4 NE 1/4 of Sec. 2, Tp. 13 S., R. 32, E. B. M., an acre and one-half in orchard and about 1/2 acre in lucerne
8. Submit map on enclosed plat, showing location and details of above description.

Remarks: The applicant owns the land upon which these springs are located and the amount of water from each is so small that applicant is the only one who could utilize this water.

This examination was made on the 19 day of May 1916.

(Signed)

W. H. Folsom

Examiner.

(This report must be sworn to when not made by an attache of the State Engineer's office)

STATE OF IDAHO

County of Oneida

} ss.

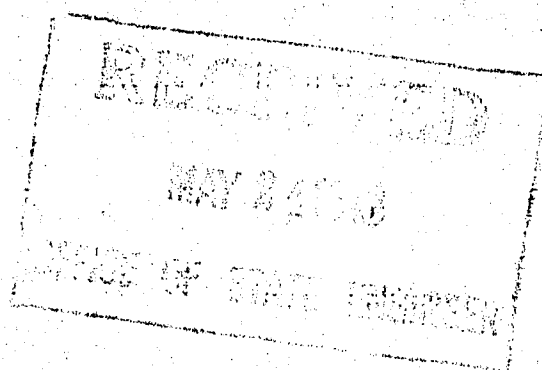
V. G. Folsom, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 22 day of May 1916.

My Commission Expires 4/27/18

A. D. Davis
Notary Public.
Malad, Idaho.

10153



Name of Applicant

Township 13 S, R 32 E, B. 14 N

Setch

Section 9

Section 10
Section 11
Section 12

Map of T. 13 S. R. 32 E. showing location and details of matter required

by State Engineer under permit No 10153

W. H. Folger

June 3, 1916.

Re Permit 10153.

Reinholdt Frederick,
Arbon, Idaho.

Sir:--

Enclosing herewith water license issued under above
permit.

Very truly yours,

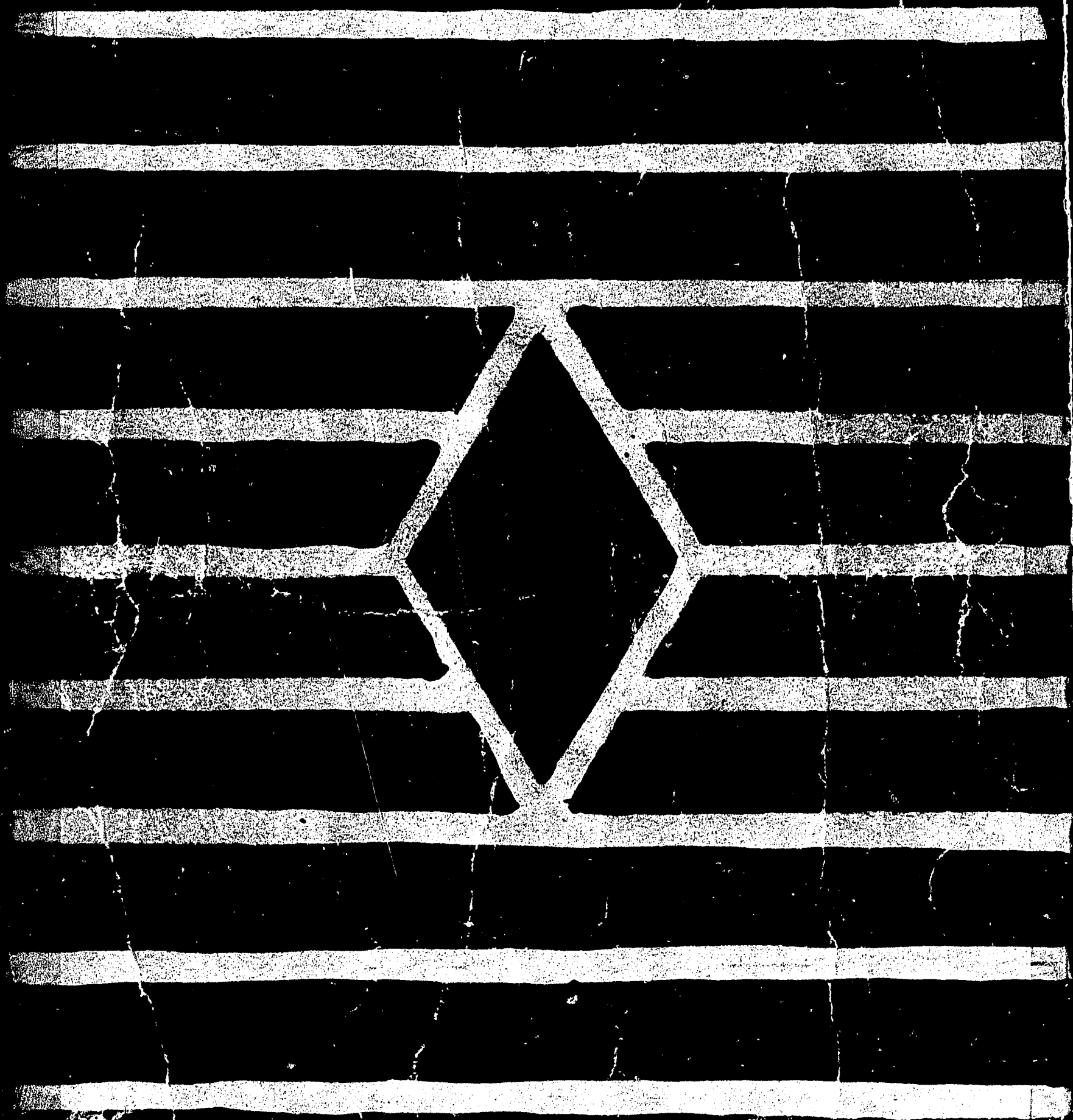
J. H. SMITH,

State Engineer.

WL

By _____

10153



County: Oneida,
 Stream: Springs.
 Amount: 3/50 of 1 cu.ft.
 Use: Irrg. & Domestic
 Priority: 3-15-14

STATE OF IDAHO

Water License No. 10153.....

Water District No. 23.

WHEREAS, On the 24th day of April, A. D. 1914, Reinholdt Frederick

of Arbon, County of Oneida, State of Idaho, duly made application (No. 15084) to me for a permit to use 3/50 of 1 cubic foot per second of the waters of springs in Water District No. 23

County of Oneida, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 22nd day of May, A. D. 1914, Permit No. 10153 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 22nd day of November, A. D. 1914, and for the application to beneficial use of said water on or before the 22nd day of July, A. D. 1915, and,

WHEREAS, On the 4th day of January, A. D. 1915, the time for completion of works under said permit was extended to July 1, 1915, and the time for beneficial use of water to February 22 1916, and,

WHEREAS, On the 28th day of June, A. D. 1915, Reinholdt Frederick

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 3/50 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 10153 dated July 24, 1915, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3/50 of 1 cubic foot per second of said water, with date of priority of April 24, 1914, and

WHEREAS, On the 18th day of March, A. D. 1916, Reinholdt Fredrick

the holder of said permit, duly made proof of the application to beneficial use of 3/50 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 Reinholdt Frederick,

of Arbon, County of Cassia, State of Idaho, the holder and owner of said Permit No. 10153, a perpetual right, dating from March 15, 1914, to the use of 3/50 of 1 cubic foot per second of the waters of springs,

in the County of Oneida and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted as follows: from 3 springs near the S.W.

cor. of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 2; 1 spring about the middle of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 2, and one spring at the S.W. Cor of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 35, in T. 13 S., R. 32 E.B.M.

and conducted to and upon 1 $\frac{1}{2}$ acres of land in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 2, T. 13 S., R. 32 E.B.M.,

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 or 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 1st day of June A. D. nineteen hundred and Sixteen

J. H. SMITH

State Engineer:

17 2008

(Seal)

