

No Color
Documents
In File

13-

State of Idaho
License and Certificate of Water Right

Water License No. 19923 Amount 0.1 second foot
Water District No. Priority September 18, 1946

THIS IS TO CERTIFY that E. O. BERGESON
of Dayton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 18, 1946; that Permit No. 19923
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.1 second foot, was issued thereunder on July 30, 1951, showing that said works
were completed on the 18th day of July, 1951; and that on the 30th
day of August, 1951,
HILLTOP WATER ASSOCIATION, Assignee,
of Dayton, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Atkinson
Creek, tributary of, for the purpose of domestic, stock and irrigation
, under Use Permit No. 19923 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4961, on the 8th day of August, 1952;
The right hereby confirmed dates from September 18, 1946;
The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 4, Twp. 15 S., R. 38 E., B. M. Franklin County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.1 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			W 1/2 SW 1/4 Section 2; E 1/2 SE 1/4 Section 3; W 1/2 NW 1/4 Section 11; Twp. 15 South, Range 38 East, B. M.		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
8th day of August, 1952.

(SEAL)

MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 20091 Amount 5.88 second feet
Water District No. Priority May 31, 1947

THIS IS TO CERTIFY that JACK ALLRED
of Gannett, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 31, 1947; that Permit No. 20091
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
6 second feet, was issued thereunder on March 28, 1949, showing that said works
were completed on the 8th day of April, 1948; and that on the 15th
day of July, 1949,

JACK ALLRED
of Gannett, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of two wells
situated on (subterranean flow), for the purpose of irrigation and domestic use
, under Use Permit No. 20091 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4962, on the 8th day of August, 1952;
The right hereby confirmed dates from May 31, 1947;
are
The Point of Diversion is located in the SW 1/4 SW 1/4 and
in the SW 1/4 SE 1/4, Sec. 3, Tp. 1 S., R. 19 E., B. M. Blaine County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 5.88 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	19 E.	3	SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			SW 1/4 SE 1/4	40	34
		10	NW 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
			N 1/2 SW 1/4 NW 1/4	20	20
			SE 1/4 NW 1/4	40	40
			Number of Acres Actually Irrigated -		294

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
8th day of August, 1952.

(SEAL)

MARK R. KULP
State Reclamation Engineer

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

Application No. 27487
Permit No. 19923
District No.

Bergeson's interest
CANCELLED pursuant to sec. 42-311
Idaho Code Annotated, by order of
State Reclamation Engineer
dated FEB 4 1952

1. Name of Applicant: E. O. BERGESON

Postoffice address: Dayton

County: Franklin

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) 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. Quantity of water claimed: Two (2) cubic feet per second.

3. Source of water supply: Atkinson Creek which is a tributary of Non-tributary (Sinks)

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 3 , T. 15 S., R. 38 E. , B.M., County of Franklin

5. Water is to be used for Irrigation and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section , T. , R. , B.M.
(b) Amount of power generated: H.P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 5,000.00

8. Kind of works: Ditches and diversion dam and 15,000 gallon concrete storage tank

9. Height of dam 10 feet; length of dam at top 200 feet; length of dam at bottom 20
feet; material used in dam: Rock, earth, concrete

10. Size of headgate: Width feet; height feet;

11. Ditch: Width at bottom 2 feet; width at water line 3 feet; depth of water 0.5 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 1 miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is None additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

E. O. BERGESON

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 11:50 A. M. Sept. 18, 1946

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19923

Recorded in Book 72 Page 19923 Approved September 30, 1946

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 November 30, 1946 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 March 30, 1949

The whole of said work to be completed on or before September 30, 1951

Beneficial use of water appropriated in accordance herewith, to be made on or before September 30, 1951

Witness my hand this 30th day of September, 1946

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ARNOLD WILLIAMS, Governor of the State of Idaho,

and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 30th.....

day of September, 1946

STATE OF IDAHO

Countersigned :

(SEAL)

By IRA H. MASTERS

By ARNOLD WILLIAMS

Governor.

Secretary of State.

Remarks: The water of Atkinson Creek has been used on the land described in this application for the past 40 years.

During the dry season of the year Atkinson Creek is fed by springs rising in Section 4, Twp. 15 S., Range 38 E.B.M.

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
15 S.	38 E.	3 11	40				40 40								40 40 3				83 120
Total Number of Acres to be Irrigated -																		203	
14-A:	Existing water rights and/or valid permits appurtenant to the lands to be irrigated are-- None other than the water of Atkinson Creek, which has been used on this place for 40 years.																		
--: <u>A S S I G N M E N T</u> :-																			
For Value Received, I hereby assign all my right, title and interest in .10 cubic feet per second in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 19923, to Hill Top Water Association, Inc.																			
E. O. Bergeson Kenna S. Bergeson																			
State of Idaho) (SS County of Franklin)																			
On this 14th day of June, 1948, before me, a Notary Public for the State of Idaho, residing at Preston, Idaho, personally appeared E. O. Bergeson and Kenna S. Bergeson, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same.																			
In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.																			
J. N. Larsen Notary Public Residing at Preston, Idaho																			
My commission expires May 1, 1949																			

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 19923

Comes now, Lon Cahoon, President of Hill Top Water Association, Inc., and represents to the State Reclamation Engineer of the State of Idaho.

That it is the owner and holder of an Assignment to appropriate .10 cubic feet per second, in and to Permit to appropriate the Public Waters of the State of Idaho, No. 19923.

That the point of diversion is described in Permit No. 19923 as being located NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, Tp. 15S. R. 38E B.M., and conveyed to the place of use through constructed ditch, as per map filed herewith.

That Hill Top Water Association now requests that the point of diversion be changed to a point located 1048 Feet North and 760 Feet West of SE Corner of Sec. 4, Tp. 15 S. R. 38E B.M., and conducted to a place of use through metal pipe lines, as per map attached.

That the place or places of intended use of said assigned water under Permit No. 19923, for domestic and stock watering purposes, gardens and lawns read as follows: NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 2, Tp. 15 S. R. 38E B.M.; and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 11, Tp. 15 S. R. 38 EBM; and the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 3, Tp. 15 S. R. 38 EBM;

such

That the associations reasons for desiring to make/change are as follows.

That no additional water, other than covered in the Assignment of .10 cubic feet per second, under Permit No. 19923 is being requested and that the rights of others will not be adversely affected by such change.

Signed at Preston, Idaho, this 6th day of July, 1948.

Hill Top Water Association, Inc.
By Lon Cahoon
Title - President

Date of receipt at Department of Reclamation - July 12, 1948

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 19923. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R. Kulp
State Reclamation Engineer

Permit No. 19923

CERTIFICATE OF COMPLETION OF WORKS

To all Whom It May Concern:

This is to certify that HILL TOP WATER ASSOCIATION of Dayton, County of Franklin, and State of Idaho, the holder of a partial interest Permit No. 19923, issued upon Application No. 27487 bearing date of priority of September 18, 1948, authorizing the diversion of 0.1 second foot of the waters of Atkinson Creek, County of Franklin, State of Idaho, for domestic and stock watering 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 0.1 second foot of the waters of Atkinson Creek; that the point of diversion of said waters is located 1048 feet North and 760 feet West from the Southeast corner of Section 4, Township 15 South, Range 38 East, B.M., and in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said section; and that the place of use of said water is in the W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 2, W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 11, and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 3; All in Twp. 15 South, Range 38 East, B.M.

Witness my hand this 30th day of July, A. D. 1951.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made July 12, 1951
Certificate of Completion of Works issued July 30, 1951.

LICENSE ISSUED FOR 0.1 SEC. FT.

Age 4941