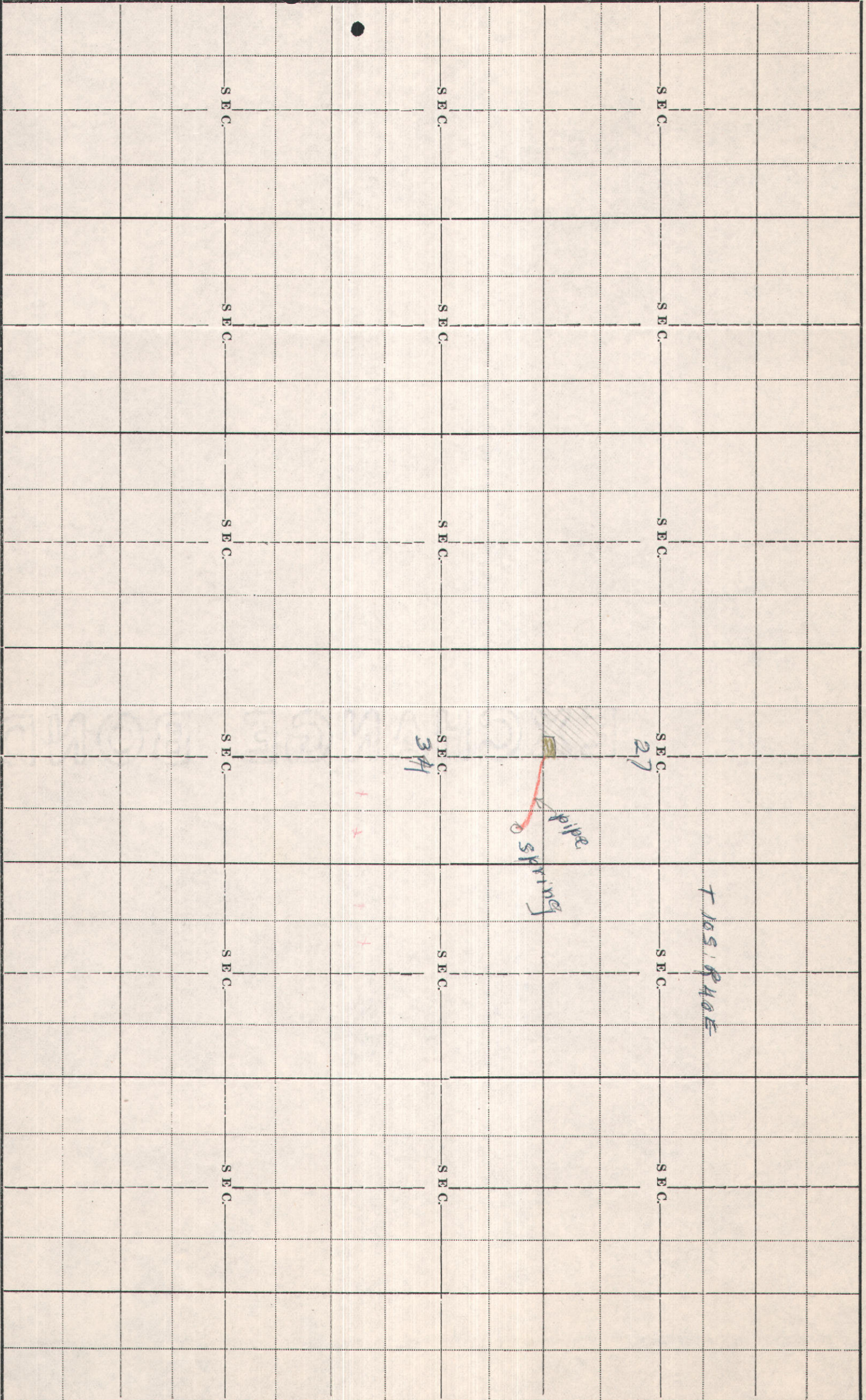
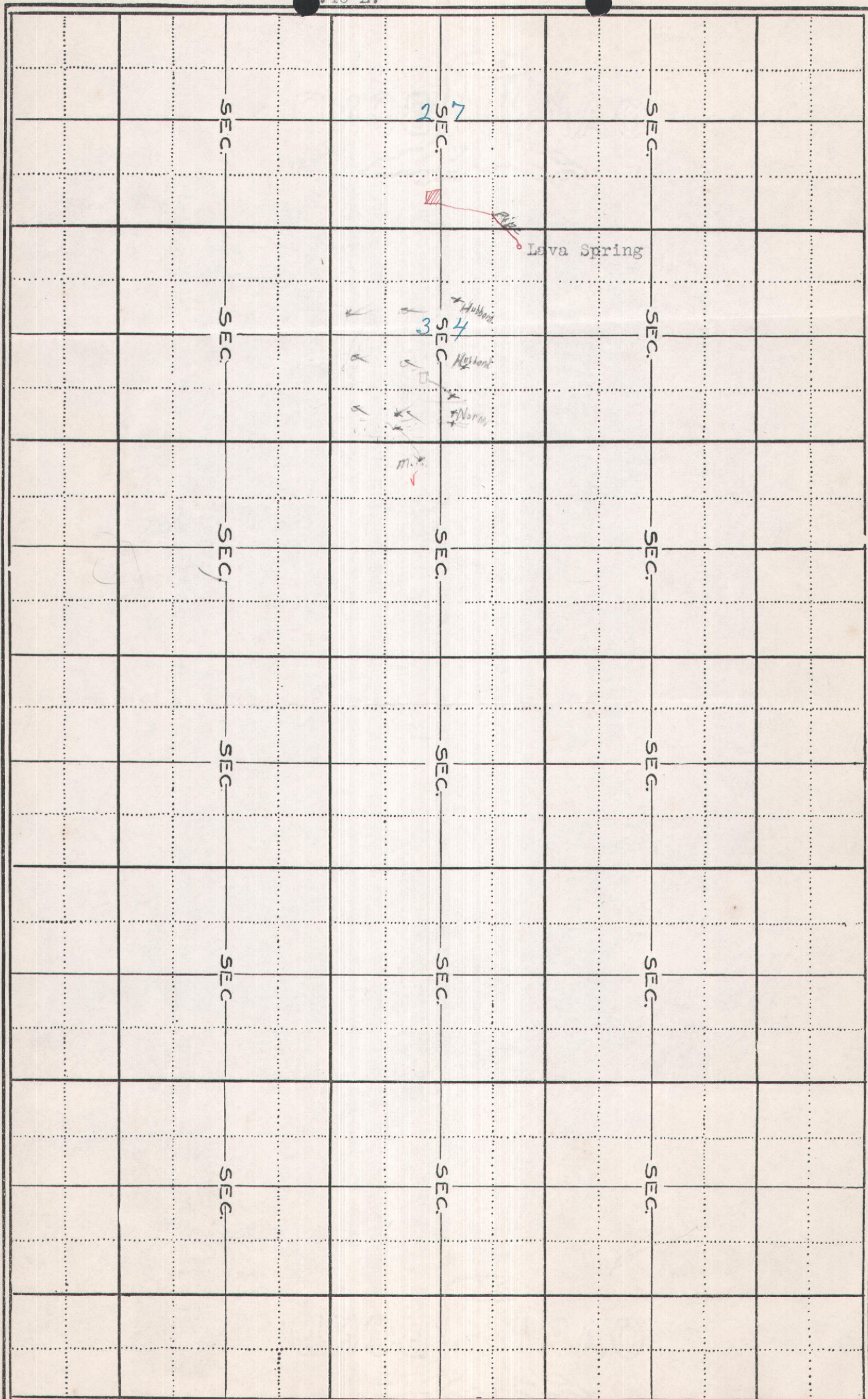


NAME OF APPLICANT Fred Burtop # 139



Name of Applicant Fred Burton of Grace, Bannock County, Idaho
.40 E.

T 10 S.



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

13960

Printed and for sale by the Statesman Shop, Boise, Idaho.

State of Idaho

License and Certificate of Water Right

Water License No. 13960Amount 0.1 sec. ft.Water District No. 5-FPriority April 4, 1919.

THIS IS TO CERTIFY that FRED BURTON,
 of Grace, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated April 4, 1919; that Permit No. 13960
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.4
 second feet, was issued thereunder on September 20, 1919, showing that said works
 were completed on the 15th day of September, 1919; and that on the 3rd
 day of April, 1920,

FRED BURTON,

of Grace, Idaho, State of Idaho, made proof to the satisfaction of the
~~Commissioner of Reclamation~~
~~State Engineer~~ of Idaho, of a right to the use of the waters of Lava Spring,
 a tributary of ----, for the purpose of irrigation & domestic use,
 under Use Permit No. 13960 of the ~~Commissioner of Reclamation~~
~~State Engineer~~, 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~~
~~Commissioner of Reclamation~~
~~Engineer~~ of Idaho and entered of record in Volume 5 of Licenses, at page 2659, on the 16th
 day of September, 1920;

The right hereby confirmed dates from April 4,, 1919;

The Point of Diversion is located
 in the NE ¼ NE ¼, Sec. 34, Tp. 10 S., R. 40 E., B. M. County of Bannock.

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 feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	40 E.	27	SE ¼ SW ¼	5	6

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 ~~Commissioner of Reclamation~~
~~State Engineer~~, affixed at Boise, Idaho, this 16th
 day of September, 1920.

W. G. SWENDSEN,~~Commissioner of Reclamation~~ ~~State Engineer~~.

By

S. T. BAER,

Deputy.

(SEAL)

State of Idaho License and Certificate of Water Right

Water License No. 8766

Amount 1.6 sec. ft.

Water District No. 27 A

Priority Nov. 6, 1912.

THIS IS TO CERTIFY that SAUEL BUCKLEY,
 of Chilly, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated September 26, 1912; that Permit No. 8766
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2
 second feet, was issued thereunder on October 13, 1914, showing that said works
 were completed on the 11th day of October, 1914; and that on the 22nd
 day of November, 1919,

JOSEPH YOUNG,

of Mackay, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation, State Engineer of Idaho, of a right to the use of the waters of Big Lost River,
 a tributary of ----, for the purpose of irrigation use,
 under Use Permit No. 8766 of the State Engineer, 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
 Commissioner of Reclamation, State Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2658, on the 16th
 day of September, 1920;

The right hereby confirmed dates from November 6, 1912;

The Point of Diversion is located
 in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Tp. 8 N., R. 21 E., B. M.
 County of Custer.

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 1.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 N.	22 E.	7	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	20
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	20
		8	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	20
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	20

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 Commissioner of Reclamation, State Engineer, affixed at Boise, Idaho, this 16th
 day of September, 1920.

W. G. STEIDSEN,

Commissioner of Reclamation, State Engineer.

By S. T. BAER,

Deputy.

(SEAL)

APPLICATION FOR PERMIT 13-2088

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 19820
Permit No. 13960
District No. 5-F

1. Name of Applicant: **Fred Burton**

Postoffice address: **Grace**

County: **Bannock**

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-fifths(2/5)** cubic feet per second.

3. Source of water supply: **Lave^a Spring** which is a tributary of **none**

4. Location of point of diversion: _____ feet distant from the
corner of Section _____, T. _____, R. _____, B. M., and is in the **NE $\frac{1}{4}$ NE $\frac{1}{4}$**
of Section **34**, T. **10 S.**, R. **40 E.**, B. M., County of **Bannock**

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: **\$800.00**

8. Kind of works: **Box at spring, about 100 rods of iron pipe.**

9. Height of dam _____ feet; length of dam at top _____ feet; length of dam at bottom
_____ feet; material used in dam _____

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

11. Ditch: Width at bottom _____ feet; width at water line _____ feet; depth of water
_____ feet; dimensions of flume _____

Diameter of pipe **2** inches; length of conduit **1/3** miles.

Average grade per mile **30** feet.

12. The time required for the completion of such work is **$\frac{1}{2}$** years.

13. The time required for the complete application of the water to the proposed use is **no** additional years.

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

15. (a) Is reservoir to be used? **No.** 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.

Fred Burton. Applicant.

By Fred G. Olsen Agent.

Department of Reclamation.
Date of first receipt at office of ~~State Engineer~~ 9:00 A. M. April 4, 1919

Returned to applicant for correction

Corrected application received

APPROVAL OF ~~STATE ENGINEER~~ COMMISSIONER OF RECLAMATION.

The number of this permit is **13960**
Recorded in Book **49** Page **13960** Approved **April 15, 1919**
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 **June 14, 1919** 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 **July 15, 1919**
The whole of said work to be completed on or before **October 15, 1919**
Beneficial use of water appropriated in accordance herewith, to be made on or before **October 15, 1919**

Witness my hand this 15th day of April, 1919.

W. G. Swendsen.

Commissioner of Reclamation
~~State Engineer.~~

Remarks:

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10 S	4 E	27	Private ownership, Fred Burton.								5								5
AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS.																			
I, Lizzie Larson, of Grace, County of Bannock, State of Idaho, do hereby certify that I am the owner of the land on which the spring mentioned in the application of Fred Burton located, to-wit: Near the north line of the NE¼ of the NE¼, S. 34, T. 10 S., R. 40 E., B. M., and that I do hereby grant unto the said Fred Burton permission to file on the said spring as set forth in the foregoing application.																			
Lizzie Larson.																			
STATE OF IDAHO,) COUNTY OF BANNOCK,) ss:																			
On this 31st day of March, 1919, before me a Notary Public for the State of Idaho, at Grace, personally appeared Lizzie Larson known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that she executed the Witness my hand and seal, the day and year in this certificate first above written.																			
Fred. G. Olsen.																			
Notary Public.																			
My commission expires Dec. 21, 1920																			
(SEAL)																			
Works completed Sept. 15, 1919 Certificate issue: Sept. 20, 1919																			

Permit No. 13960

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that Fred Burton of Grace, County of Bannock, and State of Idaho, the holder of Permit No. 13960, issued upon Application No. 19820 bearing date of priority of April 4th, 1919, authorizing the diversion of 0.4 second feet of the waters of Lava Spring, County of Bannock, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.4 second feet of the waters of Lava Spring; that the point of diversion of said waters is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34, T. 10 S., R. 40 E. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, Twp. 10 S., R. 40 E. B. M.

Witness my hand this 20th day of September, A. D. 1919.

W. G. Swendsen.

Commissioner of Reclamation.

By: S. T. Baer.

Deputy.

License issued for 0.4 second feet

Page 2659

September 21,
1920

Re Permit No. 13960

Mr. Frederick Burton
Grace, Idaho

Dear Sir:

I am enclosing herewith water license issued
under the above numbered permit, together with receipt
for fees paid.

Very truly yours

J. C. MCWING

Commissioner of Reclamation

BY _____

W. L.
R. 5871

13960



D. W. DAVIS, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
W. G. SWENDSEN, COMMISSIONER
BOISE

BUREAU OF WATER RESOURCES
WATER APPROPRIATIONS
CAREY ACT DEVELOPMENT

June 14, 1920.

Re: Permit 13960.

Mr. Fred Burton,
Grace, Idaho.

Dear Sir:

We are in receipt of depositions in the matter of proof of use of water under the above numbered permit. Upon the receipt of affidavit of publication and fees in the sum of \$2.00, license will be issued you.

Yours very truly,

W. G. Swendsen,
Commissioner of Reclamation,

By: W. G. Swendsen

CMB:MW

Dear Sir:

13960

I am sorry that this affair has not been closed up previous to this date, as it is due to the fact that the attorney in whose hands the matter was placed, has moved away and neglected to attend to the matter as I had paid him for the work. Trusts that all will be O.K. Thanks
Frederick Burton

Notice for Publication

Notice of Proffer of Application of water to Beneficial Use.

Notice is hereby given that at 10 am on 3d day of April, 1920, at Grace, County-Bannock State of Idaho, before Fred O. Olson, a notary public, proof will be submitted of the application to beneficial use of 0.4 cubic feet per second of the waters of Lava Spring in accordance with the terms and conditions of permit No. 13930 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 Fred Burton, Grace, Idaho

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

3 The amount applied to beneficial use is 0.4 cubic feet per second.

4 The place where said water is used is tract in the sec 1-3 of the sw 1-4 of sec 37 tp 18 S. R 40 E-B M.

5 The name of the canal or ditch or other works by which said water is conducted to such of use is Hay's Pipe Line.

6 The right to take water from such work is based upon Permit No. 13930.

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

8 The date of the priority which said user is prepared to establish is Sept 22, 1919

W. G. Swendsen
Commissioner of Reclamation

Proof of Publication

This certifies that the attached Notice of publication of application for water was published in the Gem Valley Progress a weekly newspaper published at Grace, weekly for 6 consecutive weeks in its regular issue and not in any supplement, with the date commencing Feb. 27th, 1920 and the last publication on April 2, 1920. This I witness as editor of above named paper.

Gem Valley Progress
by *Hector F. Evans, Mgr & Editor*

Sworn to before me this 3rd day of September, 1920

John Albay
Notary Public for Bannock Co.
Idaho

13960

June 14, 1920.

Re: Permit 13960.

Mr. Fred Burton,
Grass, Idaho.

Dear Sir:

We are in receipt of depositions in the matter of proof of use of water under the above numbered permit. Upon the receipt of affidavit of publication and fees in the sum of \$2.00, license will be issued you.

Yours very truly,

W. G. Swendsen,
Commissioner of Reclamation,

By: _____

CMB:HW

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. Fred Burton, 64, Grace, Idaho, Farmer and Stockgrower.

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. 13960, April 4, 1919.

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

Ans. Lave Spring, near center of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 34, T. 10 S. R. 40 E. B.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. 100 rods of iron pipe, 2/5 cubic feet per second.

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. Domestic use, irrigation of garden and orchard, two acre tract in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 27, T. 10 S. R. 40 E. B.M.

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. 2/5 cubic feet per second

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. _____

13960

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

Ans. Used since 1907 for aforementioned purpose and in the amount of
two fifths cubic feet per second.

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. none

(Sign) Fred Burton

I hereby certify that the foregoing testimony was read to the above subscribed 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 Grace, County of Bannock State of Idaho, on this third day of April A. D. 1920

Fred C. Olsen
Notary Public
Grace, Idaho

13960

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. Wm Trappett, 40, Grace, Idaho, FarmerQues. 2. Are you acquainted with Fred Burton, the holder of Permit No. 13960? How long have you known him and where does he reside?Ans. About 20 years and he resides at Grace, Idaho.Ques. 3. Have you read or heard read said Permit No. 13960, and are you familiar with its provisions and conditions?Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Lava Spring, near center of the NE¹ NE¹ sec. 34 township 10 south range 40 east Boise meridian

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. two fifth second feet

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. domestic use and for irrigating garden and orchard, about two acre tract in the SE¹ SW¹ sec 27 T.10 S.R.40 east Boise meridian

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. Land is sandy loam and forAns. small tract requires ten inches per acre.

13960

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. Saw this water used in the year 1915 and each year since, for domestic use and irrigation, and to the amount of about 2/5 cubic feet per

second

(Sign)

Wm. J. Griffith

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 Grace County of Bennecke, State of Idaho,

on this 27 day of April A. D. 1920

Frank E. Quinn

Notary Public.

My commission expires Dec. 21, 1920.

13960

RECORDED
JUN 20 1920

Permit No.

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. John Van Vleet, 30, Grace, Idaho, FarmerQues. 2. Are you acquainted with Fred Burton, the holder of Permit No. 13960? How long have you known him and where does he reside?Ans. Thirteen years, he resides at Grace, Idaho.Ques. 3. Have you read or heard read said Permit No. 13960, and are you familiar with its provisions and conditions?Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Lava Spring, near center of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ S. 34, T. 10 S. R. 40 E. B. M. pipe line, 2" at the head and 1 $\frac{1}{4}$ " at lower end.

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. 20 miner's inches, have seen the pipe running full

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. Domestic use, and irrigating garden, two acre tract in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ S. 27, T. 10 S., R. 40 E. B. M. on cultivated land

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. Sandy Loam, the amount carried by this pipe will irrigate one and one half acre.

13960

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

and to what extent?

Ans. None

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. In July 1919 and September 1919, I saw water used for domestic
this purposes and for irrigation on aforementioned tract.

(Sign)

John Van Ness

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 Grace County of Bannock State of Idaho,

on this 11 day of June A. D. 1920

Notary Public.

Frank E. Allen

My commission expires December 21, 1920

13960

June 5, 1920.

Re: Permit 13960.

Mr. Fred Burton,
Graco, Idaho.

Dear Sir:

In looking through the files of the above numbered permit, I find that the depositions for the proof of beneficial use of water have not been received here. Please advise us as to whether or not this proof was taken before F. C. Olson, at Graco, Idaho, on April 3rd, 1920, and if so, ascertain why the depositions have not been filed here.

The report of our engineer has been made, but no action can be taken in regard to this proof until the depositions have been filed.

Yours very truly,

W. G. Swendsen,
Commissioner of Reclamation.

By:

OMB:MT

13960

REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 5-F

1. State name of applicant and number of permit: Fred Burton - Permit 13960
2. State source of water supply: Lava Springs
3. Location of point of diversion: NE¹/₄NE¹/₄ Sec. 34, T. 10 S., R. 40 E., B.M.
4. Describe works as they exist, giving dimensions and capacities of same:

1 1/4 in. pipe, 2000 ft. long to house and barn-yard.
Ditch, 0.5' D. 0.5 B. to garden.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SE¹/₄SW¹/₄ Sec. 27, T. 10 S., R. 40 E.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? One.
9. Give names and amount of each right: Fred Burton.
10. What large stream would the water here appropriated finally reach?
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks: About 6 A' water by water from this spring, all in cultivation.

This examination was made on the 14th day of May 1920.

(Signed)

L. R. Annett.
 L. R. Annett.

Examiner.

13960

Fred Burton
Grace, Ida.
Permit 13960

34-1000-1000

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

ss.

County of _____

_____, being first duly sworn, deposes and says that the

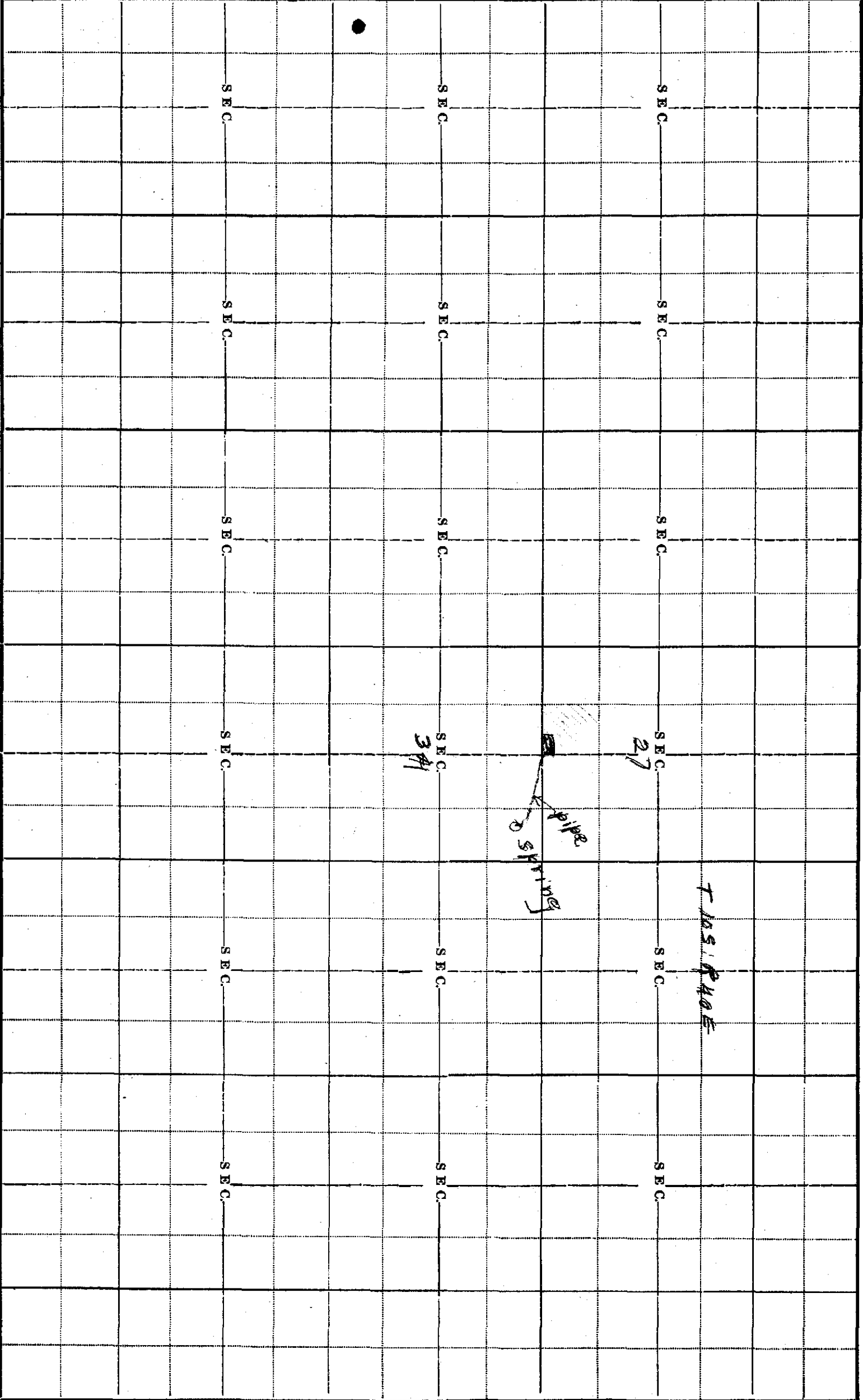
statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____

19 _____

My commission expires _____ Notary Public.

NAME OF APPLICANT Fred Burton # 13960



State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

BOISE, IDAHO, **March 12, 1920**

Fred Burton,
c/o Fred C. Olson,
Grace, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under Permit No. **13960.**

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 the permit holder's rights:

1. On **April 8, 1920,** 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 **Grace, before Fred C. Olson, notary public.**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice. When these have been received, together with report of examining engineer, you will be further advised as to fees due before issuing license.

Yours truly,

W. G. SUNDSTEN,
Commissioner State Engineering.

13960

(P. O.)

(Date)

Grace Idaho

March 1, 1920

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of Feb 28, 1920 enclosing notice of proof under
Permit No. 13960 which will be published as you request, beginning with our issue of Mar 5
1920

13960

Gem Valley Progress
Hector E. Evans

February 12, 1920.

Re Permits 13960-13977

Mr. Fred G. Olson,
Omaha, Idaho.

Dear Sir:--

We are in receipt of notices for proof of use of water under the above permit. One copy of each will be mailed to the Osa Valley Progress for the required four weeks publication prior to April 3 and deposition blanks will be mailed to you.

Very truly yours,

W. G. SWENSON,

Commissioner of Reclamation.

By _____

13960

Grace, Idaho, Feb. 10, 1920

Department of Reclamation

Boise, Idaho.

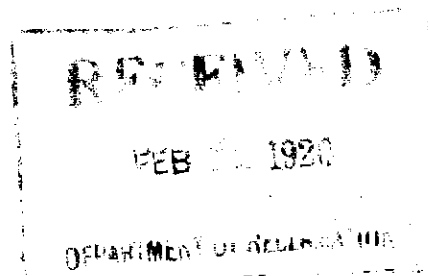
Attention Mr. Swenson

Inclosed find notice for publication of proof of water for permits Nos 13977 and 13960. Will you please approve the same and return to me, one for each permit.

It is the intention to publish same in the Gem Valley Progress, a newspaper published in Grace, County of Bannock, State of Idaho.

Respectfully,

Fred C. Olsen



13960

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 3 day of April, 1920,
at Grace, County of Bannock, State of Idaho,
before Fred C. Olsen, a notary public, proof will be submitted
of the application to beneficial use of 0.4 cubic feet per second of the
waters of Lava Spring in accordance with the terms and conditions of
Permit No. 13960 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.....
Fred Burton, Grace, Idaho

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

3. The amount applied to beneficial use is 0.4 cubic feet per second

4. The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) Tract in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Sec. 27, Twp 10 S., R. 40 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 Hayes Pipe Line

6. The right to take water from such works is based upon Permit No. 13960

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

8. The date of the priority which said user is prepared to establish is April 15, 1919

Sept. 22 - 1919

13960

W. G. SWENDSEN,

State Engineer.

Commissioner of
Reclamation.

57F.
den - 7474-34-105-40E

State of Idaho
ENGINEERING DEPARTMENT
·BOISE

Fred Burton
Grace, Idaho.

Dear Sir:

July 7, 1919

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. ~~13960~~-----, 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 date it is submitted.

Yours truly,

W. G. Swendsen.

13960

~~State Engineer.~~
Commissioner of Reclamation

October 1, 1919.

In re: Permit 13960.

Fred G. Olson,

Grass, Idaho.

Dear Sir:

Herewith find certificate of completion of work
issued under the above numbered permit, together with receipt
covering fees submitted.

Yours very truly,

S. C. SWENSON,
Commissioner of Reclamation.

By

Chief Clerk.

13960

Permit No. 13960

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Bannock

} ss.

Fred Burton

, 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. 13960, and that his postoffice address is Grace, Bannock county State of Idaho

Second: That the name of the stream from which said water is to be diverted is

Lava Spring

Third: That the point of diversion of said water is about 30 rods south and 30 rods west of the northeast corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$ of sec. 34, T.10 S., R.40 E., Boise M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Oct. 15, 1919, 19

Fifth: That the use for which said water is intended is domestic and irrigation

Sixth: 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: Iron pipe

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work: pipe 2"

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

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

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit pipe width at bottom 2" ~~1 1/2~~ width at water line 2" ~~1 1/2~~ depth of water feet; diameter of pipe 2 inches; average grade per mile is 30 feet. Length of conduit is 1/3 miles.

Seventh: That said works are capable of conducting to the place of intended use

2/5 second feet of water.

Eighth: That water appropriated under said permit is available for five acres of land described as follows: tract of five acres in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of sec. 27, T.10 S., R.40 E.B.M.

Ninth: Remarks: That

Fred Burton

(Sign here)

Subscribed and sworn to before me this 15 day of September, 19 19

My commission expires Dec. 21, 1920

Notary Public.

13960

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Fred Burton
Grace, Idaho

July 7, 1919

Dear Sir:—

Under the terms of your permit No. 13966 you are required to complete your diversion works on or before Oct. 15, 1919. 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,

W. G. Srendsen.

Commissioner of Reclamation.

13966

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit No. 13960
Fred Burton,
Grace, Idaho.

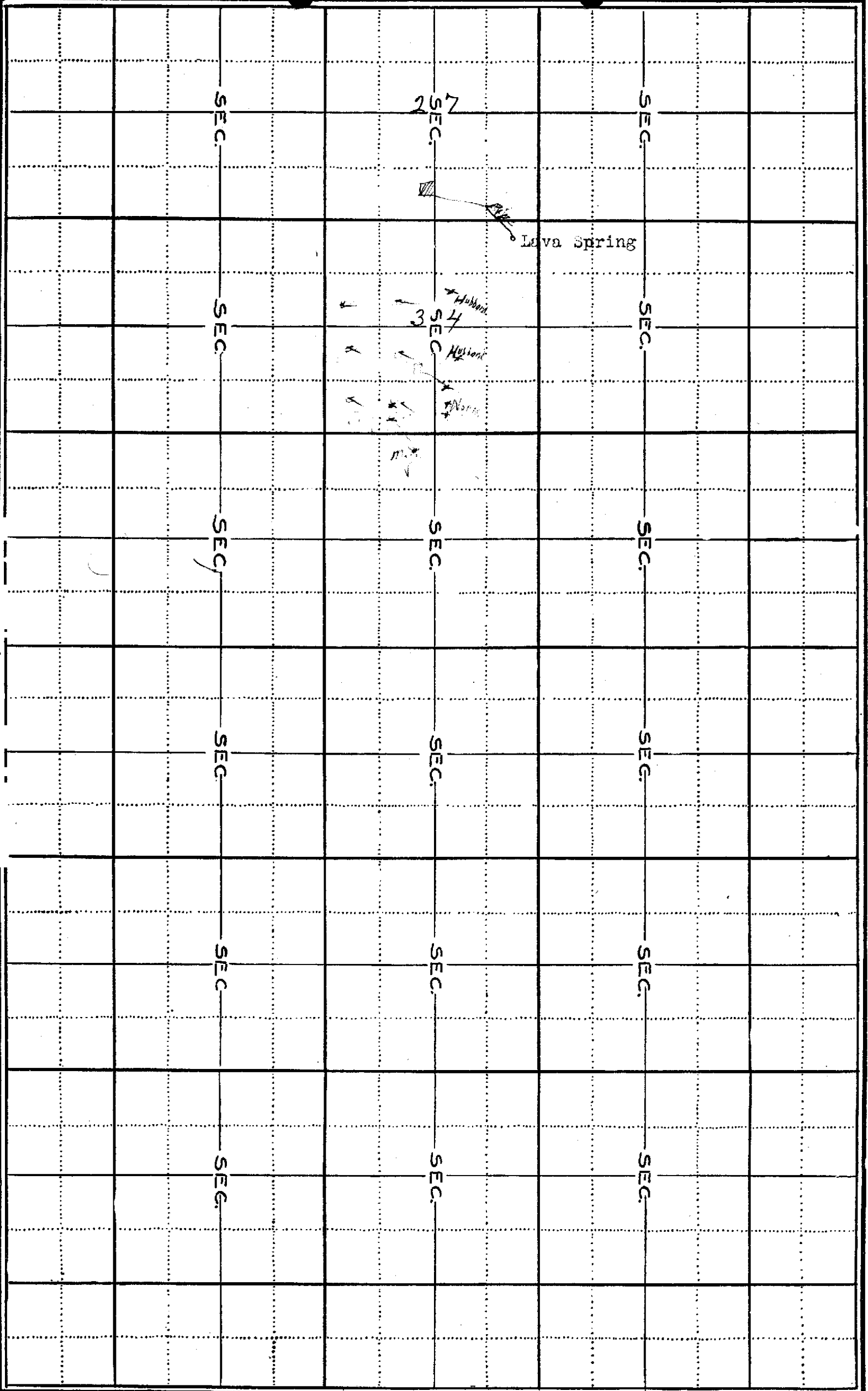
Boise, Idaho,
April 15, 1919

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.

W. G. Swendsen. ~~LEWIS SMITH,~~
~~State Engineer.~~
Commissioner of Reclamation.

13960



Grace, Idaho, April 2, 1919.

Office of State Engineer,

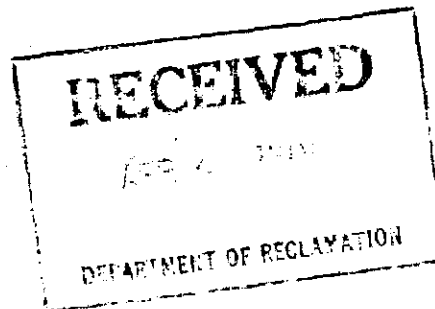
Boise, Idaho.

Gentlemen:

Inclosed find application for permit by Fred Burton, also my check for \$5.00 to cover filing fee. Please send any criticism which you may make to me, if none please send permit to me for delivery to Mr. Burton.

Yours,

Fred C. Olson



13966