

Name of Applicant.....

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North



Peak

Section 4

T. 5 N. R. 41 E.

South

RECEIVED
FEB 7 1914
OFFICE OF STATE ENGINEER

9743

AFFIDAVIT OF PUBLICATION

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 16th day of January, 1914, at Bancroft, County of Bannock, State of Idaho, before Wm. H. Jackson, Jr., N. P., proof will be submitted of the application to beneficial use of two-fifths of one cubic foot per second of the waters of Sheepbeck Creek, in accordance with the terms and conditions of Permit No. 9743, heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Esther N. Peterson, Bench, Bannock County, Idaho.

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

3. The amount applied to beneficial use is two-fifths of one cubic foot per second.

4. The place where said water is used is NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 4, Township 11 S., Range 41 E. B. M.

5. The right to take the water from such works is based upon Permit No. 9743.

6. The source of supply from which such water is diverted is Sheepbeck Creek.

7. The date of the priority which said user is prepared to establish is September 26, 1913.

F. P. KING, State Engineer.

STATE OF IDAHO, }
COUNTY OF BANNOCK. } SS

I, W. H. HILDRETH, being first duly sworn, deposes and says that he is the publisher of THE SODA SPRINGS CHIEFTAIN, a newspaper published every week in Soda Springs, County of Bannock, State of Idaho; that the annexed advertisement was published once each week for *Four* successive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the *Eleventh* day of *December*, 191*3*, and the date of the last publication was on the *First* day of *January*, 191*4*.

W. H. Hildreth

Subscribed and sworn to before me this *Eighth* day of *January*, 191*4*.

L. E. Eastman
Notary Public.

RECEIVED

JAN 2 11914

OFFICE OF STATE ENGINEER

9743

Scale: 2 Inches—1 Mile. Draw Plan in Ink.

Printed and for sale by The Tribune Co., Ltd., Pocatello, Idaho.

Name of Applicant — *Esther M. Peterson*
Township *11 South* — Range *41 E. B. M.*

PERMIT MAP NO. *9743*
AS APPROVED

NOV 18 1913

F. P. King
State DEPT

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9743

County: Bannock
Stream: Sheepbeck Creek
Amount: 2/5 of 1 sec.ft.
Use: Irrigation
Priority: 9-26-1913

STATE OF IDAHO

Water License No. 9743

WHEREAS, On the 26th day of September, A. D. 1913, Esther N. Peterson,

of Bench, County of Bannock, State of Idaho, duly made application (No. 14497) to me for a permit to use 2/5 of 1 cubic foot per second of the waters of Sheepbeck Creek

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

WHEREAS, On the 6th day of November, A. D. 1913, Permit No. 9743 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 6th day of May, A. D. 1914, and for the application to beneficial use of said water on or before the 6th day of May, A. D. 1914 and,

WHEREAS, On the 16th day of January, A. D. 1914, Esther N. Peterson,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 2/5 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 9743, dated February 14, 1914, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2/5 of 1 cubic foot per second of said water, with date of priority of September 26, 1913, and

WHEREAS, On the 16th day of January, A. D. 1914, Esther N. Peterson,

the holder of said permit, duly made proof of the application to beneficial use of 2/5 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

Esther N. Peterson

of Bench, County of Bannock, State of Idaho, the holder and owner of said Permit No. 9743, a perpetual right, dating from September 26, 1913, to the use of 2/5 of 1 cubic foot per second of the waters of Sheepbeck Creek,

in the County of Bannock and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 3, T. 11 S., R. 41 E.B.M.,

and conducted to and upon 20 acres in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 4, T. 11 S., R. 41 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 of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 14th day of February, A. D., nineteen hundred and fourteen.

F.P.KING.

(Seal)

State Engineer.

13 2062

No. 14497.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Esther N. Petersen

Postoffice address: Bench

County: Bannock

State: Idaho.

I. If applicant is a corporation, give

(a) Date and place of incorporation:

(b) The amount of capital stock:

(c) The 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. The quantity of water claimed is 2/5 cubic feet per second.

3. Source of water supply: Sheepbeck Creek

4. Location of point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, T. 11 S. R. 41 E. B. M.

County of Bannock

5. To be used for: irrigation

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 20 acres.

(b) In the following legal subdivisions: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 4, T. 11 S. R. 41 E. B. M.

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

[a] At what point:

[b] Amount of power to be generated:

H. P. under

ft. head

[c] Is water to be returned to any stream?
return:

[d] If so, name stream and locate point of

6. Estimated cost of works: \$100.00

7. Description of works for diversion:

I. Kind of works: ditch.

II. Dimensions of works:

[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

feet,

width at water line 2

feet, depth of water 2

feet; diameter of pipe

from 1 inch to 4 in. per rod

inches; average grade per mile is

feet. Length of conduit is 3/4

miles,

and it crosses the following quarter sections: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.
4, T. 11 S. Range 41 E. B. M.

8. The time required for the completion of the construction of such work is none years.

9. Time required for the complete application of the water to the proposed use is
additional years.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.

Esther N. Peterson

Applicant.

By Wm. H. Jackson, Jr.,

W.

Agent.

Date of first receipt at office of State Engineer 9.00 A. M. Sep. 26, 1913.

Returned to applicant for correction Oct. 10, 1913.

Corrected application received Oct. 23, 1913.

APPROVAL OF STATE ENGINEER

The number of this permit is 9743

Recorded in Book 32 Page 9743 Approved November 6, 1913.

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 January 5, 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 February 6, 1914.

The whole of said work to be completed on or before May 6, 1914.

Beneficial use of water appropriated in accordance herewith, to be made on or before May 6, 1914.

Witness my hand this 6th day of November, 1913.

F. P. King

State Engineer.

Remarks:

Proof of completion of works made January 16, 1914.

Certificate of completion of works issued February 14, 1914.

PERMIT NO. 9743

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Esther N. Peterson, of Bench, County of Bannock, and State of Idaho, the holder of Permit No. 9743, issued upon Application No. 14497, bearing date of priority of September 26, 1913, authorizing the diversion of $\frac{2}{5}$ of 1 second foot of the waters of Sheepbeck creek, County of Bannock, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use $\frac{2}{5}$ of 1 second foot of the waters of Sheepbeck creek; that the point of diversion of said waters is at a point in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 3, T. 11 S., R. 41 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 20 acres in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 4, T. 11 S., R. 41 E.B.M.

Witness my hand this 14th day of February, A. D. 1914.

F. P. KING,

State Engineer of the State of Idaho.

License issued for $\frac{2}{5}$ second feet

Page 1556

Recorded by
Checked by

February 21, 1914.

Permit 9743 - Esther Peterson

The Jackson Real Estate Co.,
Pocatello, Idaho.

Gentlemen:

Am enclosing herewith certificate and
license issued under above permit, together with
receipts for fees.

Very truly yours,

F.P.KING,

State Engineer.

C&L-R6220-21

By _____

9743

REPORT OF ENGINEER

9748

1. State name of applicant and number of permit: *Esther N. Petersen.*
2. State source of water supply: *Sheepback Creek.*
3. Location of point of diversion:
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *Yes.*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *Small ditch 1 foot Large ditch 2 feet.*
 - (b) Width at water line: *Small ditch 1 foot. Large ditch 2 feet.*
 - (c) Depth of water: *Small ditch 4 inches. Large ditch 8 inches deep.*
 - (d) Grade per mile: *About 26 feet to the mile.*
 - (e) Capacity of ditch: *One ditch 50 inches & 1/2 hundred inches second feet.*
6. State whether or not water has been turned into works of diversion and if so, to what extent: *Has been used for irrigating described land.*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *West 1/2 of N.E. 1/4 of N.E. 1/4 of Sec 4 Township 11 Range 41 E.B.M.*
That twenty acres of N.E. 1/4 of N.E. 1/4 of Sec 4 Township 11 Range 41 E.B.M.
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

Sheepback creek flowing west from mountains divided above section (4) line and run west & north west through west 1/2 of N.E. 1/4 of N.E. 1/4 of Section 4 Township 11 Range 41 E.B.M.

J. P. Jensen

STATE OF IDAHO,

County of *Camack*

ss.

J. P. Jensen, 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.

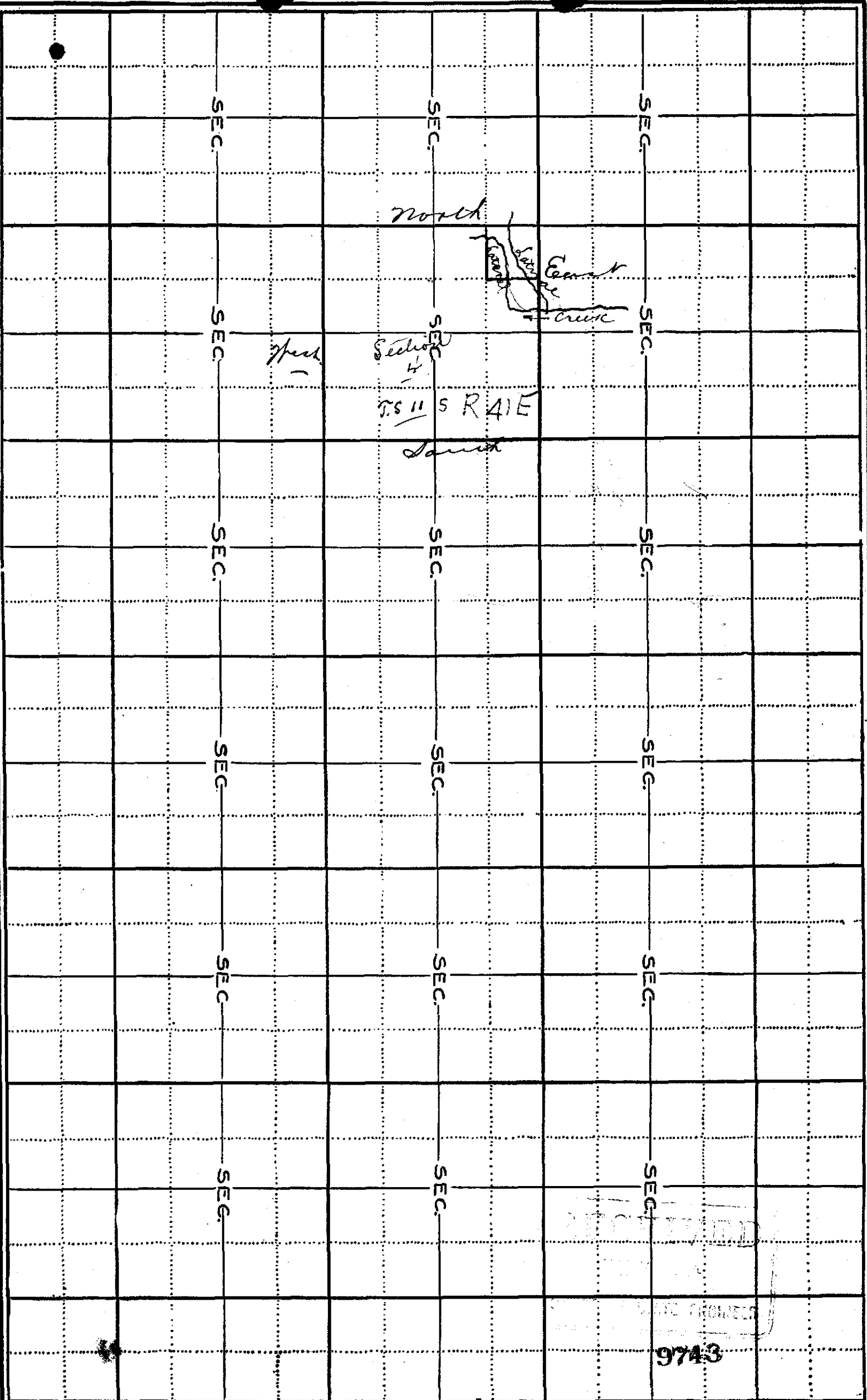
Subscribed and sworn to before me this *5* day of *February* 191*7*

My Commission Expires *Aug 1 - 1917*

Notary Public.

9743

Name of Applicant.....



9743

C. P. J.

Office of the State Engineer

Butte, Idaho,

Jan. 30 1914

J. P. Jensen ,
c/o Canute Mickelson.
Bench, Idaho.

DEAR SIR:

Mrs. Esther N. Peterson, residing at Bench
County of _____, State of Idaho, has requested that
you make examination required under Permit No. 9743. 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,

F. P. KING A. E. ROBINSON,
State Engineer.

9743

The Jackson Real Estate Company

POCATELLO, IDAHO

January 29, 1914.

Hon. F. P. King,
Boise, Idaho.

Dear Sir:

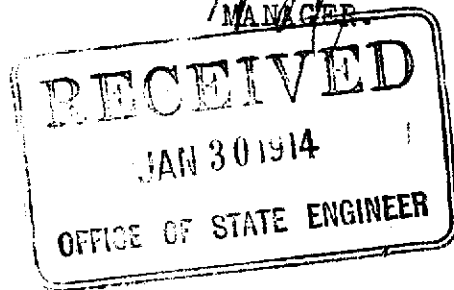
I hand you herewith proof of completion of works of Esther N. Peterson together with her check drawn in your favor for \$5.00, the same being under permit No. 9743.

Mrs. Peterson suggests the name of J. P. Jensen, *of Camanche, Idaho* Bench, Idaho to make a report on the works of diversion,

Yours truly,

Wm H Jackson Jr
MANAGER

J/W
Encl.



9743

Permit No. 9743

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bannock

ss.

Esther N. Peterson

, 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. 9743 and that his postoffice address is Bench

State of Idaho

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 6, 1914

Third: That the use for which said water is intended is 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: One ditch six 12 ft. wide 1 ft. deep
(Reservoir, dam, ditch, flume, pipe or otherwise.)

One ditch 2 ft. wide 2 ft. deep

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

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

(b) Capacity of reservoir.....acre feet.

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

(d) Conduit width at bottom.....feet, width at water line.....feet, depth of water.....feet; diameter of pipe inches; average grade per mile is.....feet. Length of conduit is.....miles.

Fifth. That said works are capable of conducting to the place of intended use one second feet of water.

Sixth. That water appropriated under said permit is available for 20 acres of land described as follows: NE 1/4, Section 4, Township 11 South, Range 41

East, Boise Meridian

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JAN 30 1914

OFFICE OF STATE ENGINEER

Seventh. Remarks: That

Esther N. Peterson

Sign here.

Subscribed and sworn to before me this 28 day of January, 1914

My commission expires Oct. 19-1913

9743

Notary Public.

January 22, 1914.

Permit 9743 Esther N. Peterson

Jackson Real Estate Co.,
Pocatello, Idaho.

Gentlemen:

Am today in receipt of your letter enclosing depositions, affidavit of publication and fees for proof of beneficial use of water under above permit. In reply would say that the affidavit of holder and fee of \$5.00 for proof of completion of works was not enclosed. The affidavit blank with instructions was mailed to you November 25th. We also requested the name of some competent person to make report on beneficial use of water. I am enclosing herewith fresh affidavit form which should be filled out and returned to us as soon as possible, as the final proof cannot be accepted until this proof has been made.

Very truly yours,

F. P. KING,

State Engineer.

By _____

F5-6

9743

The Jackson Real Estate Company

POCATELLO, IDAHO

January 19, 1914.

Hon. F. P. King,
Boise, Idaho.

Dear Sir:

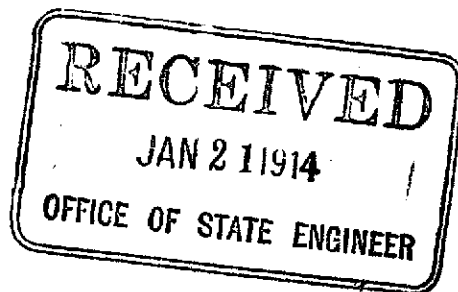
We hand you herewith proof of application of
Water to Beneficial Use of Esther N. Peterson and two
witnesses, Permit No. 9743, together with our check for
\$2.00.

Yours truly,



MANAGER.

W
Encl.



9743

The Jackson Real Estate Company

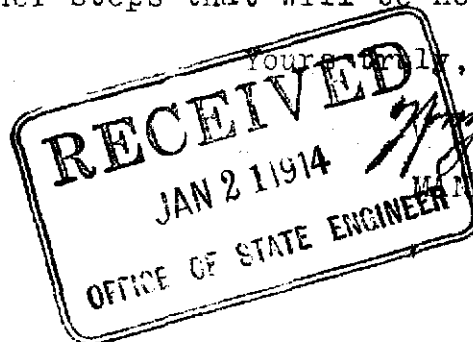
POCATELLO, IDAHO

January 20, 1914.

Hon. F. P. King,
Boise, Idaho.

Dear Sir:

We are this day sending you in separate letter proof of Completion of Works of Esther N. Peterson and if you can issue Water License to her within the next two or three weeks we would like to prevail upon you to send us a certified copy of this permit. We ask this as we need this copy to be transmitted to the District Land Office in connection with the final proof of Mrs. Peterson upon the Desert Land Entry of her deceased husband. If this certified copy cannot be had within the specified time or at least within thirty days kindly advise us in order that we may take other steps that will be necessary.



J/W

9743

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
COUNTY OF BANNOCK. } SS

NOTICE FOR PUBLICATION

Notice of First of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 14th day of January, 1914, at Bannock County of Bannock, State of Idaho, before Wm. H. Jackson, Jr., M. P. proof will be submitted of the application to beneficial use of two-fifths of one cubic foot per second of the waters of Snake Creek, in accordance with the terms and conditions of Permit No. 9743, heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Walter N. Peterson, Bannock County, Idaho.

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

3. The amount applied to beneficial use is two-fifths of one cubic foot per second.

4. The place where said water is used is NE 1/4 of NE 1/4, Section 4, Township 21 S., Range 21 E. E. M.

5. The right to take the water from such works is based upon Permit No. 9743.

6. The source of supply from which such water is diverted is Snake Creek.

7. The date of the priority which said user is prepared to establish is September 24, 1913.

F. F. KING, State Engineer

I, W. H. HILDRETH, being first duly sworn, deposes and says that he is the publisher of THE SODA SPRINGS CHIEFTAIN, a newspaper published every week in Soda Springs, County of Bannock, State of Idaho; that the annexed advertisement was published once each week for *Four* successive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the *Eleventh* day of *December* 1913, and the date of the last publication was on the *First* day of

January 1914.

W. H. Hildreth

Subscribed and sworn to before me this *Eighth* day of *January* 1914.

L. L. Peterson
Notary Public.

RECEIVED
JAN 21 1914
OFFICE OF STATE ENGINEER

9743

PERMIT No. 9743

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Esther N. Peterson, age 29 years; occupation, housewife;

P. O. Bench, Idaho.

Ques 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. I am acting in my own behalf.

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

Ans. No. 9743. Date Nov. 6, 1913. Date of priority under such permit.

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

Ans. Source: Sheepbeck Creek. Point of diversion is in SW¹ NW¹, Section 3, Twp 11 S. R. 41 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. I have two ditches, each about $\frac{1}{2}$ mile long, and one of which is 2 $\frac{1}{2}$ feet wide and 2 ft. deep; the other of which is about 2 ft. wide and 1 $\frac{1}{2}$ ft. deep, and though I cannot describe the volume in cubic feet, yet either one of said ditches will carry enough water for the irrigation of the whole of 20 acres of land.

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. The water is used for the irrigation of 20 acres of cultivated land in the Lot 1, Section 4, Twp 11 South, Range 41 East Boise Meridian, and I have raised successful crops of hay and grain on 20 acres thereof during each of the last four years.

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

Ans. Besides irrigation purposes, the water is used for watering animals only.

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

Ans. two-fifths of a cubic foot.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the person to whom the permit was issued.

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JAN 21 1914

OFFICE OF STATE ENGINEER

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

Ans. It has been used during each of the last four seasons

on 20 acres of the subdivision mentioned above as much as has been necessary for the raising of successful crops, and has been ready for use all the time during said seasons.

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) Arthur H. Peterson

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 Bancroft, Bannock, County of

Idaho, State of Idaho, on this 16th day of January

A. D. 1914.

Wm Jackson

Notary Public.

Permit No. 9743

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. James P. Jensen, age 54 yrs. occupation, farmer.

Residence and P. O. Bench, Idaho.

Ques. 2. Are you acquainted with Esther M. Peterson, the holder of Permit No. 9743? How long have you known him and where does he reside?
Yes Have known her all her life and she resides at Bench, Idaho.

Ans.

Ques. 3. Have you read or heard read said Permit No. 9743, 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. Source: Sheepcock Canyon or Creek. Diversion point:-- SW¹/₄ NW¹/₄ Section 3, Twp 11 S. R. 4. E. B. M. She has two ditches, or one main ditch and a branch. The main ditch is about 2 ft. wide and 2 ft. deep and the branch ditch about 1¹/₂ ft wide and 1 ft. deep.

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. The works, or either ditch mentioned will carry at least 25 inches of water, and I have seen that much so 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.

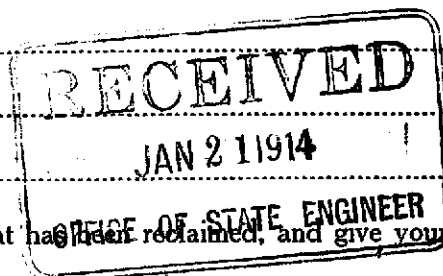
Ans. The water is used for irrigation on 20 acres of the Lot 1, in above mentioned twp and range, (Section 4), the same being cultivated land and requiring at least one inch to the acre for its successful irrigation.

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

Ans. For irrigation and domestic purposes only.

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. Soil: partly black loam and partly gravelly and I estimate it will take at least an inch to the acre for its successful irrigation.



9743

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. I have seen the water used to the extent of 20 to 25 inches used on the lands for which it was appropriated sufficient to produce successful crops, during the last three or four years.

(Sign)

James P. Jensen

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 Bancroft, County of Bannock, State of Idaho, on this 15th day of January A. D. 1914.

Am. Jackson

Notary Public.

My Commission Expires January 11, 1915.

9743

Permit No. 9743...

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

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

Ans. Canute H. Mickelsen, age 38 years. Occupation-farmer.

P. O. Bench, Idaho.

Ques. 2. Are you acquainted with Eather H. Peterson, the holder of Permit No. 9743? How long have you known him and where does he reside?

Ans. Yes. Have known her 23 years, and she resides at Bench, Idaho.

Ques. 3. Have you read or heard read said Permit No. 9743, 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. Source: Sheepbeck Creek. Place of diversion; SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, Twp 11 S. R. 41 E.B.M. One ditch 4 ft. wide and 2 ft deep; and I judge it is $\frac{3}{4}$ mile long, and a branch ditch about $\frac{1}{4}$ mile long $1\frac{1}{2}$ ft. wide and 1 ft deep.

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. Four second feet of water, or more. I have seen the ditch full of water.

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. Used for irrigation on the Lot 1, Sec 4, Twp 11 S. R. 41 E.B.M. The land is cultivated land, and successful crops have been raised on the claim, as a result of the irrigation.

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

Ans. None, except domestic purposes.

RECEIVED

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OFFICE OF STATE ENGINEER

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 soil is a gravelly soil, and would require an inch to the acre for its profitable irrigation.

9743

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. I have seen the water used, to the extent of 2/5 cubic ft. per second of time used on the land during each of the last four seasons. The water so used has been used on the lands whenever necessity required, and there has been actual crops raised as a result of the irrigation.

(Sign) Samuel N. Mickelson

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 Bancroft, County of Bannock, State of Idaho, on this sixteenth day of January, A. D. 1914.

Wm Jackson

Notary Public.

My Commission Expires January 11, 1915.

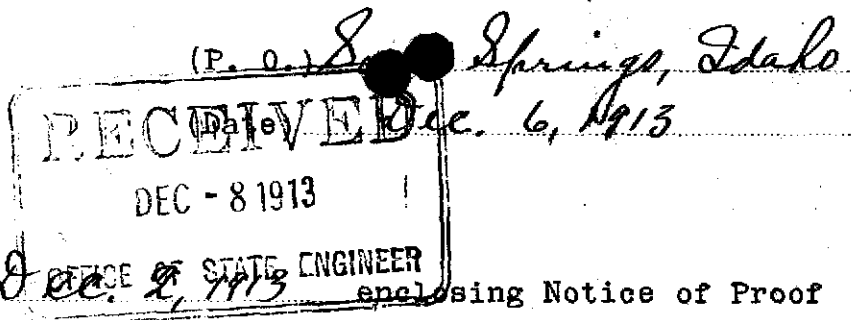
State Engineer, Boise.

Dear Sir:

I have your letter of *Dec. 2, 1913* enclosing Notice of Proof of Beneficial Use of Water under Permit No. *9743* which will be published as you request, beginning with our issue of *Dec. 11, 1913*

N. H. Hildreth Pub.
Soda Springs Chieftain

9743



State of Idaho

A. E. ROBINSON
ENGINEER

ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS.

Esther N. Peterson, Proof of Beneficial Use.
c/o Wm. H. Jackson, Jr., Boise, Idaho,
Pocatello, Idaho Dec. 22, 1913.

Dear Sir:

~~xxx~~ Madam:
I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your permit No.

9743.

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 January 10th, 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

Pocatello, before Wm. H. Jackson, Jr., W.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,

A. E. ROBINSON
F.P.KING, XXXXXXXXXXXXX
State Engineer.

9743

Can 16

November 28, 1913.

Permit 9743

Jackson Real Estate Co.,
Pocatello, Idaho.

Gentlemen:

Replying to yours of the 25th inst. would say that you failed to specify in your letter either the name of the holder or the number of the permit under which proof is to be made. However, in view of the fact that, on the 25th, we received notices from your office for proof of beneficial use of water by Esther H. Peterson for permit No. 9743, we take it this is the proof to which you refer. The date set in the notices for this proof is January 16th.

Very truly yours,

F. P. KING,

State Engineer.

By _____

9743

The Jackson Real Estate Company

POCATELLO, IDAHO

November 25, 1913.

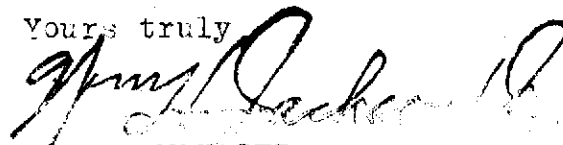
Hon. F. P. King,
Boise, Idaho.

Dear Sir:

We are not just sure whether or not we inserted the date in the Notice for Publication of the Water Proof, completion of works and application of water to a beneficial use, or not, but if we did not the date we would like it to be set for is January 16, 1914.

Thanking you to allow it to be heard on this date, we are

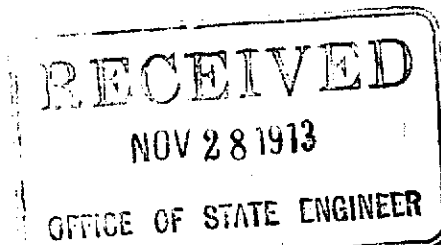
Yours truly



MANAGER.

W

9743



Jan 16

November 25, 1913.

Permit 9743 - Esther M. Peterson

Wm. H. Jackson, Jr.,
Mgr. Jackson Real Estate Co.,
Pocatello, Idaho.

Sir:

Am in receipt of your letter enclosing notice for publication for proof of completion of works and beneficial use of water under above permit. Replying thereto would say that, under the new law, where the amount of water does not exceed 6.4 second feet, notice of proof of completion of works is not required to be published. All that is required in such cases is the affidavit of the holder, form for which is herewith enclosed, and fee of \$5.00.

The notice for proof of beneficial use of water is required to be advertised and notice for this proof will be sent to the Soda Springs Chieftain in lieu of the notice enclosed in your letter.

If the holder will send us the name of some competent person to make the examination, the necessary blanks will be sent him for his report.

Very truly yours,

F. P. KING,

State Engineer.

F5-6

By _____

9743

The Jackson Real Estate Company

POCATELLO, IDAHO

November 24, 1913.

Mr. F. P. King,
Boise, Idaho.

Dear Sir:

We are handing you herewith Notice of Publication of the Proof of completion of works and application of water to a beneficial use of water of Esther M. Petersen.

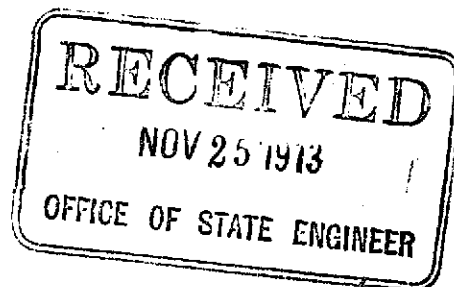
You will notice that we have not allowed quite sixty days from this date before the proof but we are very anxious on behalf of Mrs. Petersen that the proof be published to be taken on the date mentioned in the notice in order that it may be submitted at the same time and place as the proof upon her Desert Land Entry.

Thanking you in advance for forwarding this notice for publication at once in order that it may be properly attended to, we are

Yours truly,

Wm H Jackson
MANAGER.

J/W
Encl.



Send 75-6-3H.

May/14

9743

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 16th day of January, 1914,
 at Banscroft, County of Bannock, State of Idaho,
 before Wm. H. Jackson, Jr., H.P., proof will be submitted
 of the application to beneficial use of two-fifths of one cubic feet per second of the waters of
Sheepbeek Creek, in accordance with the terms and conditions of Permit No. 9743,
 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 xxxxxx

Esther N. Peterson, Bench, Bannock County, Idaho.

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

3. The amount applied to beneficial use is two-fifths of one cubic foot per second.

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

NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 4, Township 11 S., Range 41 E. B. M.

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

5 6. The right to take the water from such works is based upon Permit No. 9743.

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

7 8. The date of the priority which said user is prepared to establish is September 26, 1913.

F. P. KING
 State Engineer.

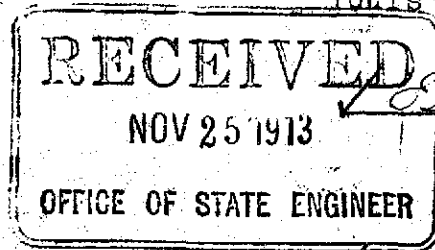
Bench, Idaho, November 18, 1913.

The State Engineer,
Boise, Idaho.

Dear Sir:

You are hereby authorized to publish
the notice attached hereto in the Soda Springs
Chieftain at my expense.

Yours truly,



9702

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON,
STATE ENGINEER

Permit 9743. Peterson.
The Jackson Real Estate Co.,
Pocatello, Idaho.

BOISE, IDAHO, November 13, 1913.

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.

A. E. ROBINSON,

E. E. ROBINSON

State Engineer.

9743

Scale: 2 Inches—1 Mile. Draw Plan in Ink.

Printed and for sale by The Tribune Co., Ltd., Pocatello, Idaho.

Name of Applicant—*Esther N. Peterson*
Township *11 South*—Range *41 E.B.M.*

PERMIT MAP NO. *9743*

AS APPROVED

NOV 6 1920

F. P. King

SPECIAL AGENT

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