

Name of Applicant John F. Martinson Per. No 8580

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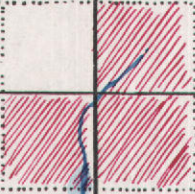
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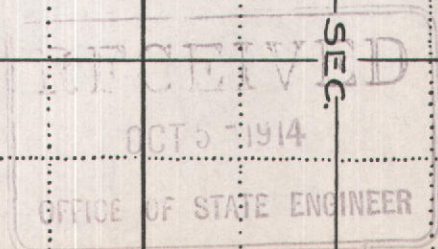
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8580

*[Handwritten signature]*

County: Bannock  
Stream: Springs  
Amount: 29/50 sec.ft.  
Use: Irrigation  
Priority: 8-3-1912.

## STATE OF IDAHO

Water License No. 8580

WHEREAS, On the 3rd day of August, A. D. 1912, John E. Martinsen,

of Thatcher, County of Fremont, State of Idaho, duly made application (No. 12896) to me for a permit to use 1.5 cubic feet per second of the waters of

Unnamed Springs

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

WHEREAS, On the 24th day of August, A. D. 1912, Permit No. 8580 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 24th day of August, A. D. 1913, and for the application to beneficial use of said water on or before the 24th day of August, A. D. 1914, and,

WHEREAS, On the 27th day of August, A. D. 1913, John E. Martinsen,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1.5 cubic feet per second of said waters, as evidenced by my Certificate No. 8580, dated September 13, 1913, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.5 cubic feet per second of said water, with date of priority of August 3, 1912, and

WHEREAS, On the 15th day of September A. D. 1914, John E. Martinsen,

the holder of said permit, duly made proof of the application to beneficial use of 29/50 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

John E. Martinsen

of Thatcher, County of Fremont, State of Idaho, the holder and owner of said Permit No. 8580, a perpetual right, dating from August 3, 1912, to the use of 29/50 of 1 cubic foot per second of the waters of unnamed springs,

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 in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 28, T. 11 S.,

R. 40 E.B.M.,

and conducted to and upon 29 acres, divided as follows: 4 acres in SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , 20 acres in NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 27; 5 acres in NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 28, all in T. 11 S., R. 40 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 25th day of January, A. D. nineteen hundred and fifteen.

Herbert Wing,

(Seal)

Acting State Engineer:

13 2051

13-2051

No. 12896

## APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: John E. Martinson

Postoffice address: Thatcher 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 1.5 cubic feet per second.

3. Source of water supply: Unnamed springs

4. Location of point of diversion: Near the SE corner of the SE $\frac{1}{4}$  Sec. 28, T. 11 S. R. 40 E.

County of Bannock

5. To be used for: Irrigation &amp; Domestic purposes

- I. Irrigation and domestic use: (a) Amount of land to be irrigated: Seventy Five acres.  
 (b) In the following legal subdivisions: NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 28; SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 27, Township  
 11 So. Range 40 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: \$200.00

7. Description of works for diversion:

I. Kind of works: Dam &amp; Ditch

II. Dimensions of works: [a] Height of dam two feet, length of dam at top 15 feet,

length of dam at bottom 20 feet. Material used in construction: Earth

[b] Capacity of reservoir acre feet. [c] Size of headgate, width feet,

Height feet. (d) Conduit Ditch width at bottom 5/6 feet,

width at water line one feet, depth of water 2/3 feet; diameter of pipe

inches; average grade per mile is 1 $\frac{1}{2}$  feet. Length of conduit is 5/8 miles,  
 and it crosses the following quarter sections: The east half of the Southeast quarter of  
 Section 28 and the Southwest quarter of the Northwest quarter of Section 27,  
 Township 11 So. Range Forty East B.M..

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

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

John E. Martinson..... Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9.00 a.m. August 3, 1912.

Returned to applicant for correction

Corrected application received

### APPROVAL OF STATE ENGINEER.

The number of this permit is 8580

Recorded in Book 27 Page 8580 Approved August 24, 1912.

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 October 23, 1912, 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 24, 1913.

The whole of said work to be completed on or before August 24, 1913.

Beneficial use of water appropriated in accordance herewith, to be made on or before August 24, 1914

Witness my hand this 24th day of August, 1912.

A. E. Robinson,  
State Engineer.

Remarks:

The spring is wholly upon land belonging to applicant.

Satisfactory affidavit of proof of completion of works made August 27, 1913.

Certificate of completion of works issued September, 13, 1913.

PERMIT NO. 8580.

### CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that John E. Martinson, of Thatcher, County of Bannock, and State of Idaho, the holder of Permit No. 8580, issued upon Application No. 12896, bearing date of priority of August 3, 1912, authorizing the diversion of 1.5 second feet of the waters of Unnamed Springs, 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 1.5 second feet of the waters of Unnamed Springs: that the point of diversion of said waters is near the SE Cor. of SE  $\frac{1}{4}$  Sec. 28, Twp. 11 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: NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  Sec. 28, SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  Sec. 27, Twp. 11 S., R. 40 E. B. M., containing 75 acres.

Witness my hand this 13th day of September, A.D. 1913.

F.P. King,

State Engineer of the State of Idaho.

License issued for <sup>29/50</sup> second feet

Page 1760

Recorded by C13

Checked by 413

February 26, 1973

Mr. Donald Norseth  
State of Utah  
Division of Water Rights  
442 State Capitol  
Salt Lake City, Utah 84114

Dear Mr. Norseth:

We are in receipt of your letter of February 23, 1973. A search of our records has failed to find but one filing of the land in question and this file only covers a small portion of the land. We have searched the Bear River Decree and our source and plat indexes, with little success. If the water right you are inquiring about can be explained with greater detail, maybe we can assist you further.

Please contact us if you have any questions on the matter.

Very truly yours,

Donald W. McEldowney  
Water Rights Administrator

DWM/cd

Enc: Copy of License

13 2051

February 23, 1973

Mr. Keith Higginson  
Department of Water Administration  
Statehouse, Annex 2  
Boise, Idaho 83707

Dear Keith:

I am considering acquiring an interest in a farm in Idaho and am investigating the water rights that pertain to the land. Could you do me a favor and have one of your men check out the water rights of record in your office? The land is located as follows:

|                                      |                         |
|--------------------------------------|-------------------------|
| W $\frac{1}{2}$ of NW $\frac{1}{4}$  | Section 27, T11S, R40E, |
| NW $\frac{1}{4}$ of SW $\frac{1}{4}$ | Section 27, T11S, R40E, |
| E $\frac{1}{2}$ of NE $\frac{1}{4}$  | Section 28, T11S, R40E, |
| SW $\frac{1}{4}$ of NE $\frac{1}{4}$ | Section 28, T11S, R40E, |
| SE $\frac{1}{4}$                     | Section 28, T11S, R40E, |
| S $\frac{1}{2}$ of SW $\frac{1}{4}$  | Section 28, T11S, R40E, |
| NE $\frac{1}{4}$ of SW $\frac{1}{4}$ | Section 28, T11S, R40E, |
| NW $\frac{1}{4}$                     | Section 33, T11S, R40E, |
| N $\frac{1}{2}$ of SW $\frac{1}{4}$  | Section 33, T11S, R40E, |
| SW $\frac{1}{4}$ of SW $\frac{1}{4}$ | Section 33, T11S, R40E, |
| NW $\frac{1}{4}$ of SE $\frac{1}{4}$ | Section 33, T11S, R40E, |
| SE $\frac{1}{4}$ of NE $\frac{1}{4}$ | Section 32, T11S, R40E, |

I would appreciate any information you can provide. Thank you.

Yours truly,

  
Donald Norseth

DCN/mmt

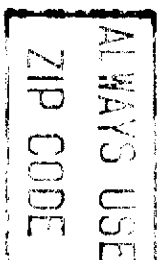
p.s. Congratulations on your appointment.

13 2051

Division of Water Rights

442 State Capitol

Salt Lake City, Utah 84114



Mr. Keith Higginson  
Department of Water Administration  
Statehouse, Annex 2  
Boise, Idaho 83707

13 2051

Per. No 8580

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JUL 14 1964  
OFFICE OF STATE ENGINEER

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# REPORT OF ENGINEER

1. State name of applicant and number of permit: John E Martinson Per. No 8580
2. State source of water supply: Un-named Springs
3. Location of point of diversion: SE 1/4 SE 1/4 Sec 28 T11S R40E BM.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:  
They Are
5. Describe works as they exist, giving dimensions of same as follows:
  - (a) Width of conduit at bottom: 10 inches
  - (b) Width at water line: 1 foot
  - (c) Depth of water: 8 inches
  - (d) Grade per mile: 80 feet
  - (e) Capacity of ditch: 2 second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent:  
It has - To Capacity
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: 4 acres SW 1/4 NW 1/4 - 20 acres NW 1/4 SW 1/4 Sec 27  
5 Acres NE 1/4 SE 1/4 Sec 28. All in T11S R40E BM.
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: \_\_\_\_\_

RECEIVED

SEP 27 1914

OFFICE OF STATE ENGINEER

Examined Sept. 28 - 1914

T. G. Bantz

STATE OF IDAHO,

County of \_\_\_\_\_

} ss.

\_\_\_\_\_, 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 \_\_\_\_\_ 191\_\_\_\_\_

My Commission Expires \_\_\_\_\_

Notary Public.

8580

ETU