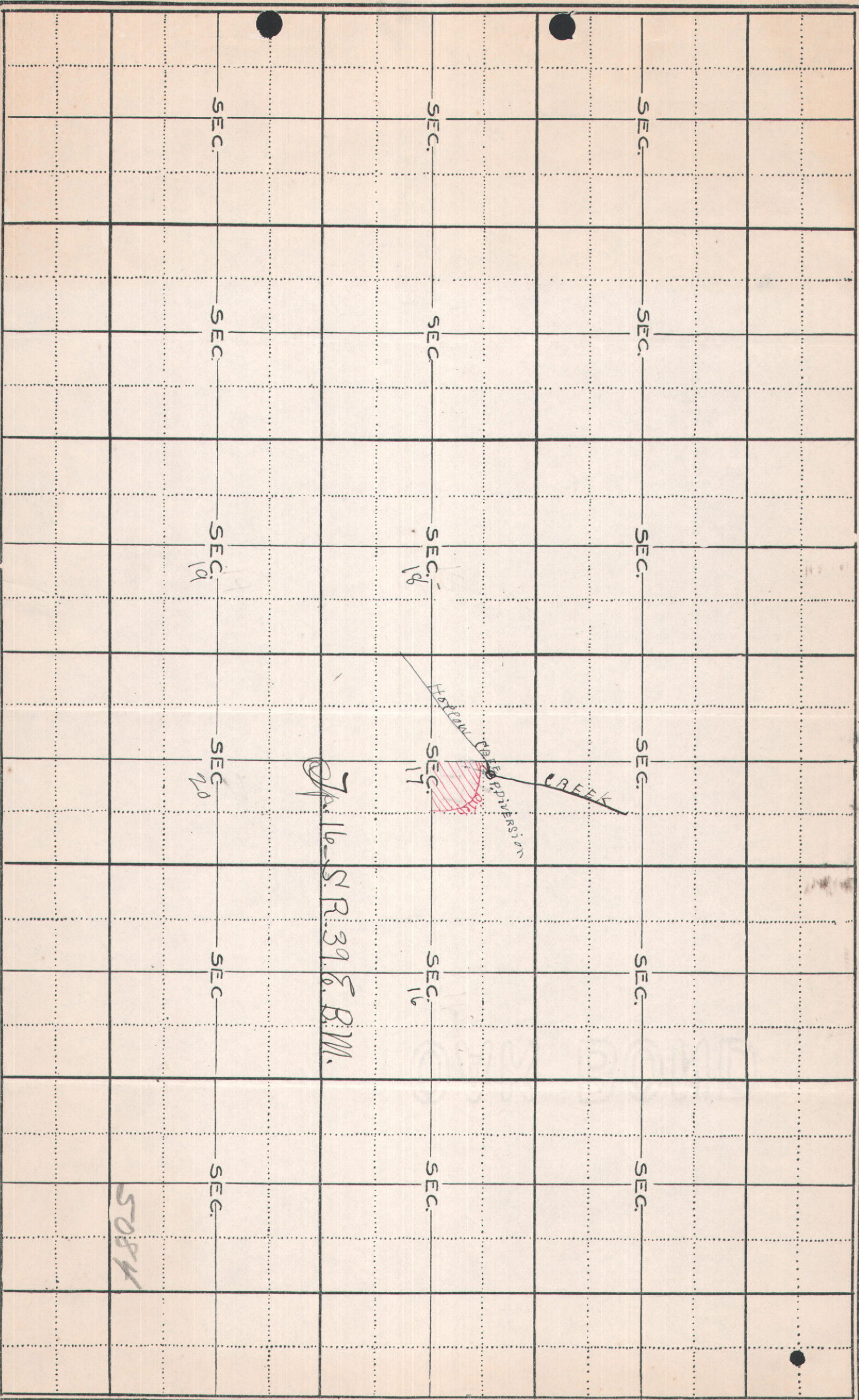




 Oneida County, +
 Weston Hollow Creek, +
 .6 second feet, +
 Irrigation & Domestic, +
 Priority, August 18, 1909.

S T A T E O F I D A H O

Water License No. 5084.

WHEREAS, On the 18th day of August, A. D. 1909, JOHN P. NIELSON, of Weston, County of Oneida, State of Idaho duly made application (No. 7320) to me for a permit to use six-tenths (.6) of one cubic foot per second of the waters of WESTON HOLLOW CREEK, County of Oneida, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 18th day of August, A.D. 1909, Permit No. 5084 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 18th day of February A.D. 1910, and for the application to beneficial use of said water on or before the 18th day of February, A.D. 1910 and, - WHEREAS, On the 17th day of February, A.D. 1910, JOHN P. NIELSON, the holder of said permit duly made proof of the completion of adequate works for the diversion of six-tenths (.6) of one cubic foot per second of said waters, as evidenced by my Certificate No. 5084, dated April 23, 1910, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use six-tenths (.6) of one cubic foot per second of water, with date of priority of August 18, 1909, and,

WHEREAS, On the 17th day of February, A.D. 1910, JOHN P. NIELSON, the holder of said permit duly made proof of the application to beneficial use of six-tenths (.6) of one 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 P. NIELSON, of Weston, County of Oneida, State of Idaho, the holder and owner of said Permit No. 5084, a perpetual right, dating from August 18, 1909, to the use of six-tenths (.6) of one cubic foot per second of the waters of WESTON HOLLOW CREEK, in the County of Oneida, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 1620 feet south of northwest corner of Northeast quarter of Section 17, Township 16 South, Range 39 East of Boise Meridian, and conducted to and upon 30 acres in the Southwest quarter of Northeast quarter (SW4 NE4) Section 17, Township 16 South, Range 39 East of Boise Meridian, 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 23rd day of April, A.D. Nineteen hundred and ten.

D. G. Martin,

State Engineer.

13 2027

No. 7320.

13-2027

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: John P. Nielson,

Postoffice address: Weston.

County, Oneida, State, Idaho.

2. The quantity of water claimed is 6/10 of one cubic foot per second.

3. Source of water supply Weston Hollow Creek.

County of Oneida. *Franklin*4. Location of point of diversion: 1620 feet south of NW cor of NE $\frac{1}{4}$ section 17 township 16 south Range 39 East Boise Meridian.

5. To be used for:

I. Irrigation.

(a) Amount of land to be irrigated; thirty acres.

(b) In the following legal subdivisions: In the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 17 township 16 south Range 39 East Boise Meridian.

6. Estimated cost of works: About ten dollars.

7. Description of works for diversion;

I. Kind of works: One small ditch.

II. Dimensions of works:

(d) Conduit, ditch, width at bottom one foot, width at water line two feet. Average grade per mile is 5.25 feet. Length of conduit is one fourth mile and it crosses the following quarter sections: On land to be irrigated to land described in 5 I (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is: Work is completed and been in use during entire irrigation season of 1909.

9. Time required for the complete application of the water to the proposed use is 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 P. Nielson,

Applicant,

By S. P. Morgan, Agent..

APPROVAL OF STATE ENGINEER.

The number of this permit is 5084.

Date of first receipt of application 9 am. August 18, 1909.

Recorded in Book 14, Page 5084, Approved August 18, 1909.

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 grant the same, subject to the following limitations and conditions:

Work to begin on or before October 17, 1909, 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 November 18, 1909.

The whole of said work to be completed on or before February 18, 1910.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to February 18, 1910.

Witness my hand this eighteenth day of August, 1909.

Jas. Stephenson, Jr.,

State Engineer.

Blank notice of proof of completion of works and beneficial use of water mailed applicant Nov. 1, 1909.

Notice of proof received Dec. 27, 1909, fixing February 17, 1910. as date and Weston, Ida., as place of proof.

Publication notice mailed the Preston News January 12, 1910.

Deposition blanks mailed C. H. Norton, M. P. January 12, 1910.

J. O. Webster, Water Commissioner, notified January 11, 1910, to make examination.

Depositions of holder and witnesses received March 9, 1910.

Report of water commissioner received March 30, 1910.

Fees received March 31, 1910.

Affidavit of publication received April 6, 1910.

Certificate and license issued April 23, 1910.

Permit No. 5084.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:-

This is to certify that JOHN P. NIELSON, of Weston, County of Oneida, and State of Idaho, the holder of Permit No. 5084, issued upon Application No. 7320, bearing date of priority of April 18, 1909, authorizing the diversion of six-tenths (.6) of one second foot of the waters of WESTON HOLLOW CREEK, County of Oneida, 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 six-tenths (.6) of one second-foot of the waters of WESTON HOLLOW CREEK, that the point of Diversion of said waters is at a point 1620 feet south of northwest corner of Northeast quarter Section 17, Township 16 South, Range 39 East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 30 acres in the Southwest quarter of Northeast quarter (SW4 NE4) Section 17, township 16 South, Range 39 East of Boise Meridian.

Witness my hand this 23rd day of April, A. D. 1910.

D. G. Martin

State Engineer.

License issued for 6/10 second fee

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FROM Jim Stanton

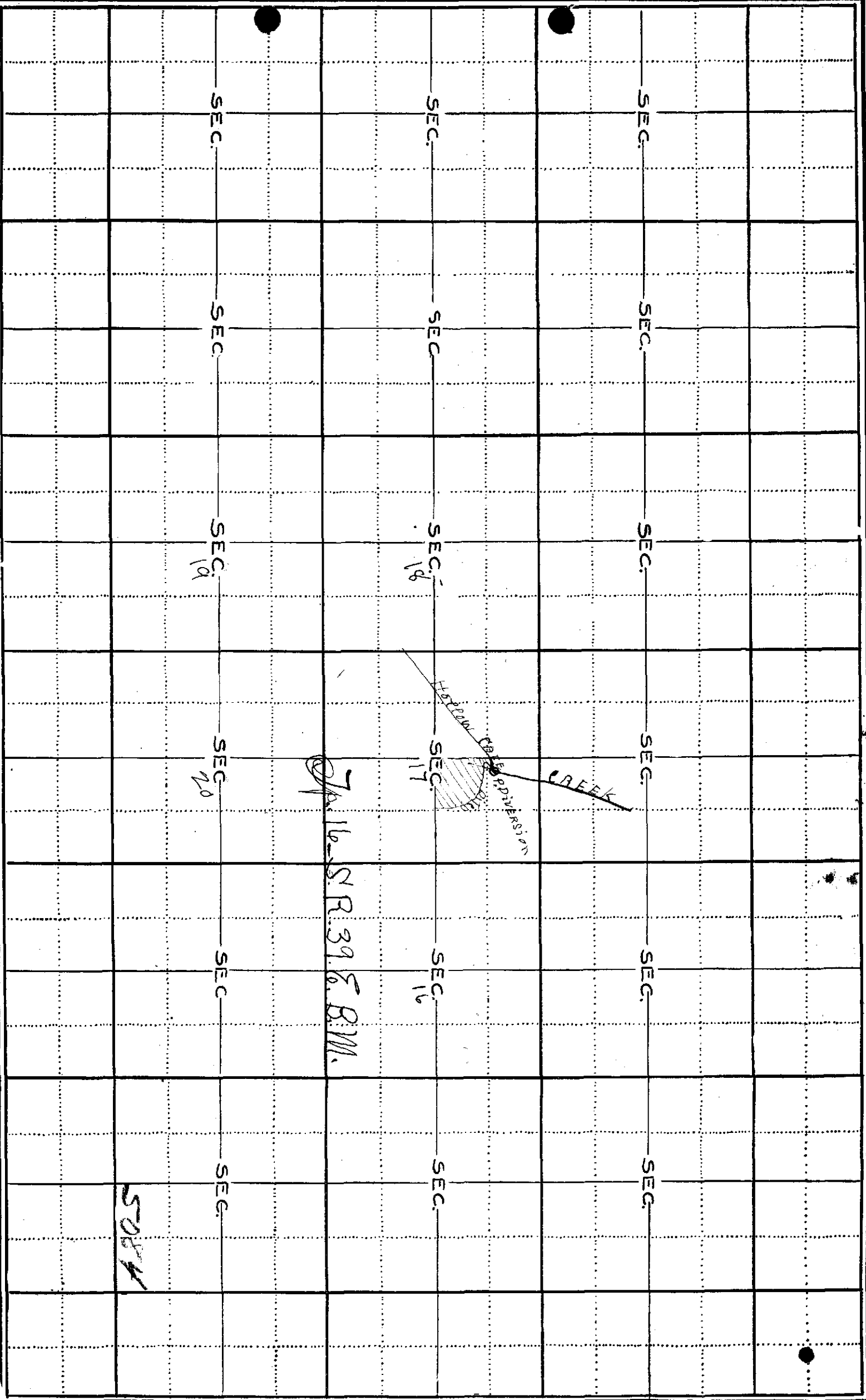
DATE 1-30-79

TO file

SUBJECT Location, 13-20279 13-0138

USGS map DD-93 shows no Weston Creek in this location (Sec 17 T. 16S R. 39E). Suggest this be checked out before rights are entered in computer. or any other flowing source


SIGNATURE



Report of Engineer

1. State name of applicant and number of permit: John A. Nielson - Permit 5384
2. State source of water supply: Wagon Hollow creek
3. Location of point of diversion: 1020' S. of E. cor. of E. 1/4 of Sec. 17, Tp. 15 S., R. 50 E.

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: 1 foot
- (b) Width at water line: 2 feet
- (c) Depth of water: 6
- (d) Grade per mile: 50

6. State whether or not water has been turned into works of diversion and if so, to what extent:

The terms of permit have been fully complied with

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: 30 acres in south and west part of the SW 1/4 of NE 1/4 of Sec. 17, Tp. 16 S. R. 39 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:

J. O. Webster
Water Commissioner
1st Div.

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 _____ 190_____.

My Commission Expires _____

Notary Public.