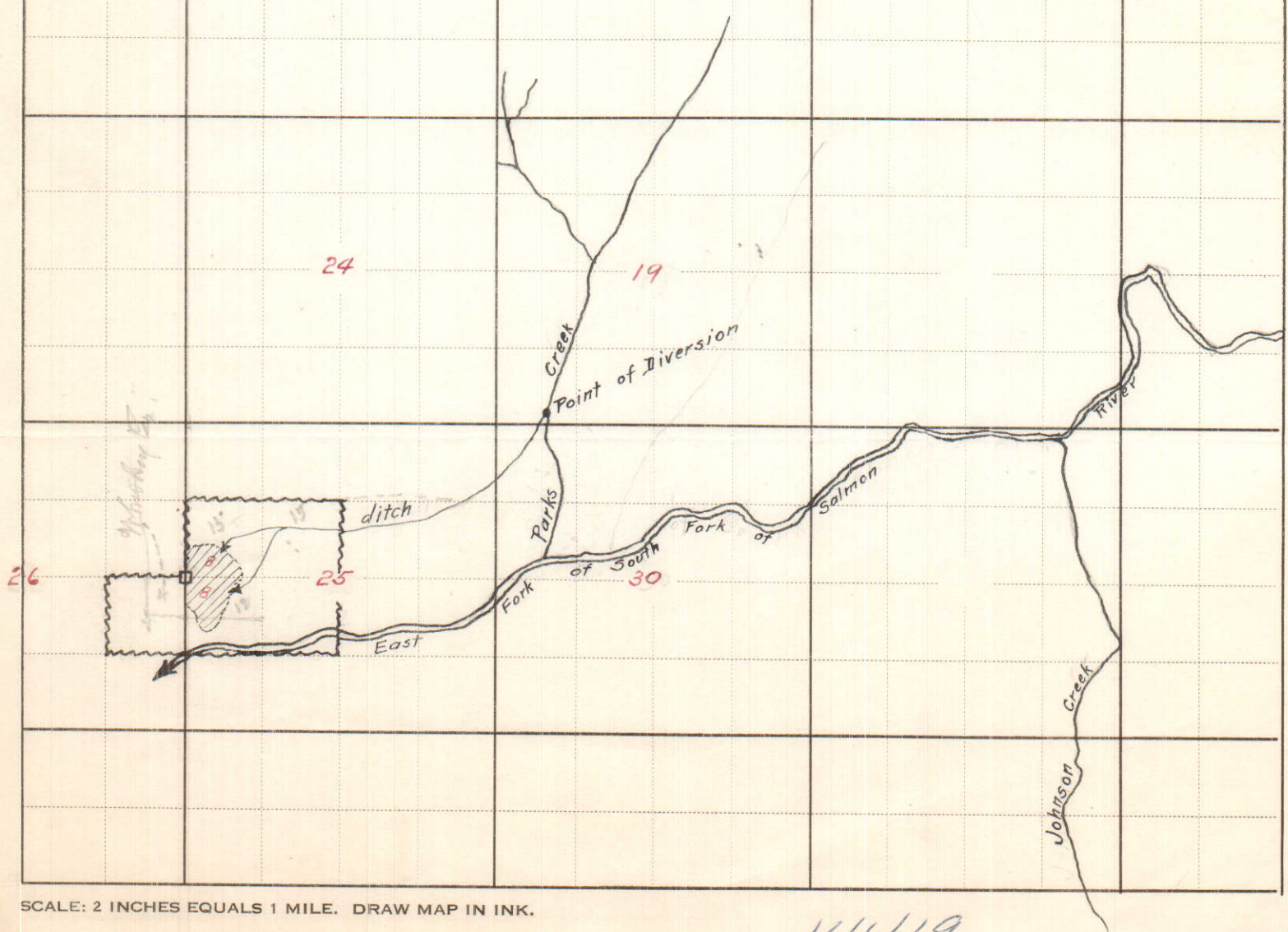


STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE
REPORT OF ENGINEER
PERMIT NO. 14419



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

14419

AFFIDAVIT OF PUBLICATION

NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 9 A. M. on the 20th day of April, 1927, at Boise, County of Ada, State of Idaho, before the Commissioner of Reclamation, proof will be submitted of the application to beneficial use of 1.61 cubic feet per second of the waters of Parks Creek in accordance with the terms and conditions of Permit No. 14419 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are L. C. Merrell.

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

The amount applied to beneficial use is 1.61 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 25; NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, Twp. 19 N., R. 7 E., B. M.

The right to take water from such works is based upon Permit No. 14419.

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

The date of priority which said user is prepared to establish is Nov. 20, 1919.

GEO. N. CARTER,

Commissioner of
Reclamation.

4-3,25

STATE OF IDAHO, }
County of Valley, } SS.

Ray E. Coleman being first duly sworn on oath, deposes and says that he is the publisher and printer of the CASCADE NEWS; that said publication is a newspaper printed and published at Cascade, in the County of Valley and State of Idaho, having a general circulation therein, that said newspaper has been continuously and uninterruptedly published weekly in said county during a period of 78 consecutive weeks prior to the 4th day of March, 1927; that said newspaper is a legal newspaper under Chapter 38 of the Idaho Session Laws, A. D. 1919, and that the advertisement, a copy of which is hereto attached, was published in the regular and entire issue of said paper, 4 weeks, beginning with the issue of March 4, 1927, and ending with the issue of March 25, 1927.

Ray E. Coleman
Subscribed and sworn to before me, a Notary Public, in and for the County of Valley and the State of Idaho, this 28 day of March, 1927.

[SEAL.]

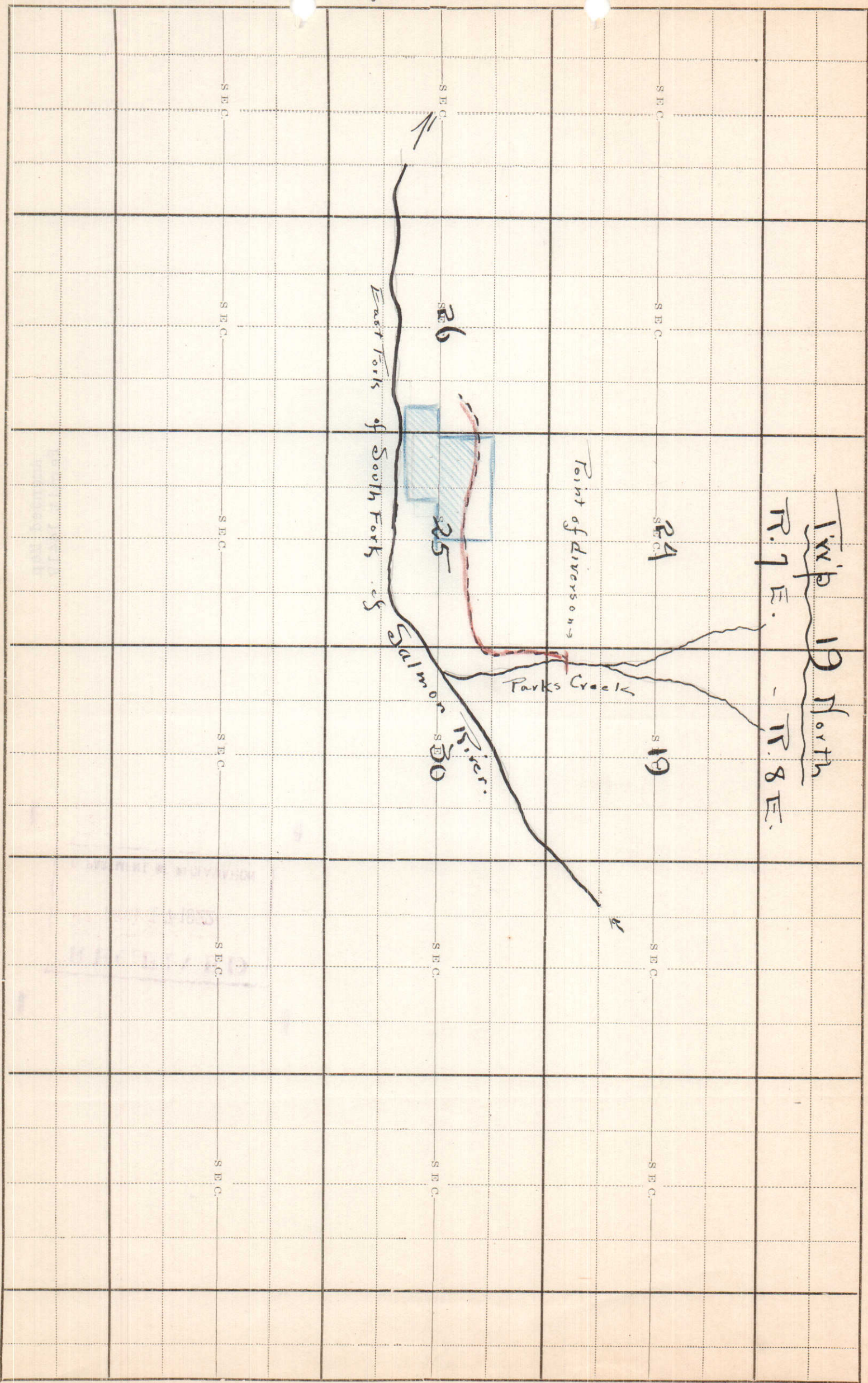
John M. McKelvin
Notary Public.

My commission expires _____

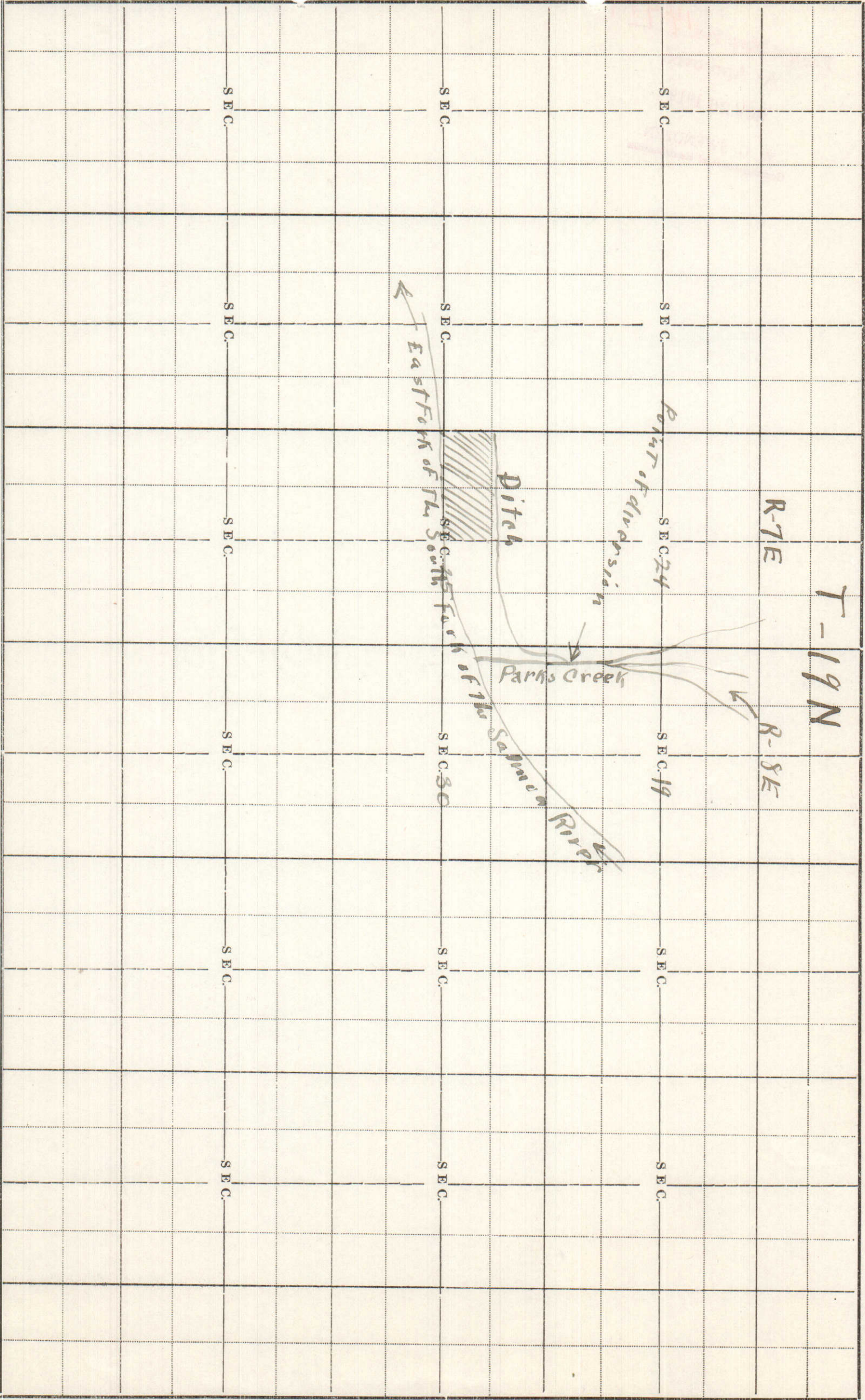
14419

NAME OF APPLICANT

Lewis C. Marrell.



NAME OF APPLICANT *Lewis C. Merrell*



State of Idaho

License and Certificate of Water Right

Water License No. 14419

Amount 0.32 sec. ft.

Water District No.

Priority 11-20-1919

THIS IS TO CERTIFY that Lewis C. Merrill of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 20, 1919; that Permit No. 14419 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.61 second feet, was issued thereunder on March 20, 1922, showing that said works were completed on the 17th day of March, 1922; and that on the 20th day of April, 1927,

Lewis C. Merrill

of Boise, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Parks Creek, a tributary of Salmon River, for the purpose of irrigation and domestic use, under Use Permit No. 14419 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3529, on the 15th day of August, 1926;

The right hereby confirmed dates from November 20, 1919;

The Point of Diversion is located in the SW 1/4 SW 1/4, Sec. 19, Tp. 19 N., R. 8 E., B. M., Valley County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.32 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
19 N.	7 E.	25	SW 1/4 NW 1/4	25	8
			NW 1/4 SW 1/4	20	8

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, affixed at Boise, Idaho, this 15th day of August, 1926.

GEO. N. CARTER

Commissioner of Reclamation

(SEAL)

77 2035

APPLICATION FOR PERMIT 77-2035 TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. **20511**
Permit No. **14419**
District No. **80-B**

1. Name of Applicant: **Lewis C. Merrell, 1035 Warm Springs Ave.**

Postoffice address: **Boise** County: **Ada** 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: **one and sixty one-** ^{**hundredths**} cubic feet per second.

3. Source of water supply: **Parks Creek** which is a tributary of **E. Fork of S. Fork, Salmon River.**

4. Location of point of diversion: _____ feet distant from the
corner of Section _____, T. _____, R. _____, B. M., and is in the **SW $\frac{1}{4}$ of the SW $\frac{1}{4}$**
of Section **19**, T. **19 N.**, R. **8 E.**, B. M., County of **Valley.**

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: **\$1,500.00**

8. Kind of works: **Ditch.**

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 **3** feet; height **4** feet.

11. Ditch: Width at bottom **3** feet; width at water line **3 $\frac{1}{2}$** feet; depth of water **1**

feet; dimensions of flume _____

Diameter of pipe _____ inches; length of conduit **1 $\frac{1}{2}$** miles.

Average grade per mile **7** feet.

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

13. The time required for the complete application of the water to the proposed use is **2** 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.

Lewis C. Merrell

Applicant.

By

Agent.

Commissioner of Reclamation

Date of first receipt at office of ~~State Engineer~~ **3:00 P. M. Nov. 20, 1919.**

Returned to applicant for correction

Corrected application received

APPROVAL OF ^{COMMISSIONER OF RECLAMATION}
~~STATE ENGINEER~~

The number of this permit is **14419**

Recorded in Book **51** Page **14419** Approved **November 26, 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 **January 25, 1920.** 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 26, 1921.**

The whole of said work to be completed on or before **May 26, 1922.**

Beneficial use of water appropriated in accordance herewith, to be made on or before **May 26, 1924.**

Witness my hand this **26th** day of **November, 1919.**

W. G. Swendsen.
State Engineer.

Commissioner of Reclamation.

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															
19 N.	7 E.	25					40 40												80														
The ownership of all the above land is private, taken up as homestead Owner, Fred W. Holcomb. Application for Amendment To Permit to appropriate the Public Waters of the State of Idaho, No. 14419. Comes now Lewis C. Merrell, and represents to the Commissioner of Reclamation of the State of Idaho, That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 14419, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: <table><tr><td>Twp. 19 N., R. 7 E., Sec. 25,</td><td>SE¼ NW¼</td><td>20 acres</td></tr><tr><td>" 25</td><td>SW¼ NW¼</td><td>25 "</td></tr><tr><td>" 25</td><td>NE¼ SW¼</td><td>5 "</td></tr><tr><td>" 25</td><td>NW¼ SW¼</td><td>20 "</td></tr><tr><td>" 26</td><td>NE¼ SE¼</td><td>10 "</td></tr></table> making a total of 80 acres. That an additional amount of water is not asked for, and that the right of others will not be adversely affected by such change. Signed at Boise, Idaho, this 15th day of March, 1922. Lewis C. Merrell Date of receipt at Office of Department of Reclamation Mar. 17, 1922.																			Twp. 19 N., R. 7 E., Sec. 25,	SE¼ NW¼	20 acres	" 25	SW¼ NW¼	25 "	" 25	NE¼ SW¼	5 "	" 25	NW¼ SW¼	20 "	" 26	NE¼ SE¼	10 "
Twp. 19 N., R. 7 E., Sec. 25,	SE¼ NW¼	20 acres																															
" 25	SW¼ NW¼	25 "																															
" 25	NE¼ SW¼	5 "																															
" 25	NW¼ SW¼	20 "																															
" 26	NE¼ SE¼	10 "																															

Approval of Commissioner of Reclamation

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 14419. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

W. G. SWENDSEN,
Commissioner of Reclamation

By Geo. B. Archibald,
Assistant.

Proof of Completion of Works made March 17, 1922.
Certificate issued March 20, 1922.

Permit No. 14419

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Lewis C. Merrell of Boise, County of Ada, and State of Idaho, the holder of Permit No. 14419, issued upon Application No. 20511, bearing date of priority of November 20, 1919, authorizing the diversion of 1.61 second feet of the waters of Parks Creek, County of Valley, 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 1.61 second feet of the waters of Parks Creek; that the point of diversion of said waters is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, Twp. 19 N., R. 8 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25; NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26, Twp. 19 N., R. 7 E., B. M.

Witness my hand this 20th day of March, A. D. 1922.

W. G. SWENDSEN,
Commissioner of Reclamation

By Geo. B. Archibald,
Assistant.

Upon proper request of the holder of the above numbered Permit (14419) I have this 24th day of March, 1924, extended the time for beneficial use proof to the 26th day of May, 1927.

W. G. SWENDSEN,
Commissioner of Reclamation.

QUITCLAIM DEED

THIS INDENTURE, Made this 11th day of September, in the year of our Lord one thousand nine hundred and twenty-eight between LEWIS C. MERRELL and DELPHINE M. MERRELL, his wife, of Carmel-by-the-Sea, County of Monterey, State of California, the parties of the first part, and J. H. CARPENTER of Yellow Pine, County of Valley, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to his heirs and assigns, that certain license and certificate of water right issued by George N. Carter, Commissioner of Reclamation of the State of Idaho, being numbered 14419, with date of priority of the 20th of November, 1919, and all the water rights mentioned and described therein.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Lewis C. Merrell (Seal)

Delphine M. Merrell (Seal)

STATE OF CALIFORNIA)
) ss.
County of Monterey)

On this eleventh day of September in the year 1928, before me Eleanor Pitcher, a Notary Public in and for said State, personally appeared Lewis C. Merrell and Delphine Merrell, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

Eleanor Pitcher
Notary Public residing at Carmel,
Calif. My Commission Expires May
16, 1932.

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 11:30 A. M., September 19, 1928.

Geo. N. Carter
Commissioner of Reclamation
C.B.

August 15, 1928

Re: Permit 14419-Merrill

Hawley & Hawley, Attorneys
Overland, Building
Boise, Idaho

Gentlemen:

We are mailing you herewith water license
issued under the above numbered permit, together
with receipt for fees paid.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By

Chief Clerk

CB/co
Encl.

14419

HAWLEY & HAWLEY
ATTORNEYS AND COUNSELORS

JAMES H. HAWLEY
JESS B. HAWLEY

O. W. WORTHWINE
SAM S. GRIFFIN
JAMES H. HAWLEY, JR.

OVERLAND BUILDING

BOISE, IDAHO

August 14, 1928

Mr. George N. Carter,
Commissioner of Reclamation,
Capitol Building,
Boise, Idaho.

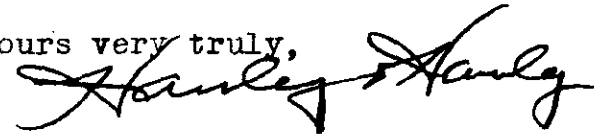
Re: Permit 14419 - Lewis C. Merrell.

Dear Mr. Carter:

Your letter of the 3rd stating that your
Examining Engineer's report for proof of beneficial use
of water under the above permit is on file, and stating
that the fees were \$4.00, and upon receipt of that amount
license would be issued.

On behalf of Mr. Merrell we enclose you
check for \$4.00 and ask that you send the license in
Mr. Merrell's name to us.

Yours very truly,



CWM:LL
Encl.

14419

August 3, 1928.

Re: Permit 14419.

Mr. Lewis C. Merrill,
Boise, Idaho.

Dear Sir:-

The report of our examining engineer for proof of beneficial use of water under the above permit is now on file here. This report shows parts of two forty-acre tracts under irrigation. The fees will, therefore, amount to only \$4.00 and, upon receipt of this amount, license will be issued you.

Very truly yours,
GEO. H. CARTER,
Commissioner of Reclamation.

By _____
Chief Clerk.

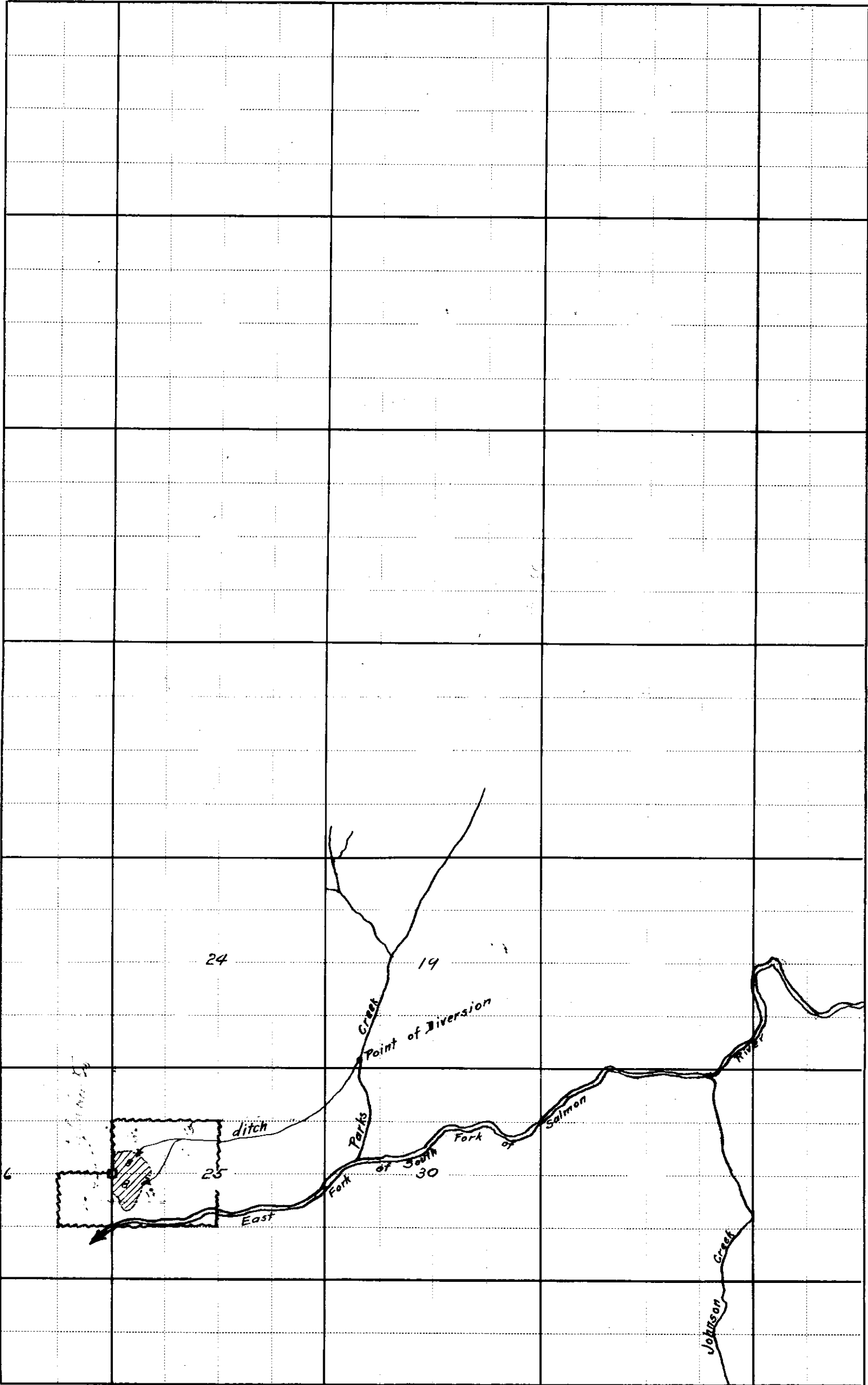
14419

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 14419

REPORT ON PROOF OF BENEFICIAL USE



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

14419

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 14419This proof is for beneficial useIn Water District No. 80-B

1. Name of applicant: L. C. Merrell
2. Source of water supply: Parks Creek
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19
T. 19 N., R. 8 E. County of Valley

4. Describe works as they exist, giving dimensions and capacities of same: Rock diversion,
Head Gate 4' wide x 6' long x 3' deep. Slitch 2 ft wide x 1 ft deep
steep gradient, Capacity 3 sec. ft.

5. Water is used for: irrigation and domestic purposes
6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions 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): S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 25; NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, T. 19 N., R. 7 E., B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Salmon River

Remarks: _____

This examination was made on the 4th day of July 1928

(Signed)

Fred A. Johnson

Examiner.

14419

~~L. O. Morrell~~ Jas Carpenter

Jim Carpenter

Permit No. 14419

Examination for beneficial use

County Valley

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion, and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. 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.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. 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.
-

AFFIDAVIT OF PUBLICATION

NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICATION OF WATER TO MUNICIPAL USE

Notice is hereby given that at 10 A. M. on the 10th day of April 1927, at Boise, County of Ada, State of Idaho, before the Commissioner of Reclamation, proof will be submitted of the application to beneficial use of 1.01 cubic feet per second of the water of Parks Creek in accordance with the terms and conditions of Permit No. 14419 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are L. C. Morgan.

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

The permit issued is beneficial use to 1.01 cubic feet per second.

The place where said water is used is for irrigation give full and accurate description of the lands irrigated: Section 34, Township 10 N., Range 12 E., Section 34, Twp. 10 N., R. 12 E., S. 34.

The right to take water from such works is based upon Permit No. 14419.

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

The date of priority which said user is prepared to establish is Nov. 20, 1919.

GEORGE CARTER,

Commissioner of Reclamation.

4-3.25

STATE OF IDAHO, }
County of Valley, } SS.

Ray E. Coleman, being first duly sworn on oath, deposes and says that he is the publisher and printer of the CASCADE NEWS; that said publication is a newspaper printed and published at Cascade, in the County of Valley and State of Idaho, having a general circulation therein, that said newspaper has been continuously and uninterruptedly published weekly in said county during a period of 78 consecutive weeks prior to the 4th day of March, 1927; that said newspaper is a legal newspaper under Chapter 38 of the Idaho Session Laws, A. D. 1919, and that the advertisement, a copy of which is hereto attached, was published in the regular and entire issue of said paper, 4 weeks, beginning with the issue of March 4, 1927, and ending with the issue of March 25, 1927.

Ray E. Coleman

Subscribed and sworn to before me, a Notary Public, in and for the County of Valley and the State of Idaho this 28 day of March, 1927.

John M. McKelton

[SEAL.]

Notary Public.

My commission expires _____

14419

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 14419

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Lewis C. Herrell

Boise, Idaho

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

Ans. Acting individually

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

Ans. #14419 Permit Dated Nov. 26, 1919. Priority Nov. 20, 1919

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

Ans. Parks Creek, Valley County SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 19, Township 19
N. R. 8 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. Headgate 3 x 4 feet.

Ditch 3 ft. on bottom

3 $\frac{1}{2}$ ft. at water line

Depth 1 ft. water

1 $\frac{1}{4}$ miles long

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. S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 25 T. 19 N. R 7 E. B M

NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW of SW, Sec. 25, T. 19 N. R 7 E. BM

NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Sec. 26 T. 19 N. R 7 E. B M.

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

Ans. None other

14419

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

Ans. 1.61 Sec. feet

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. Original Permit Applicant

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

Ans. Since filing in 1919 and used each and every year for irrigation purposes.

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. No.

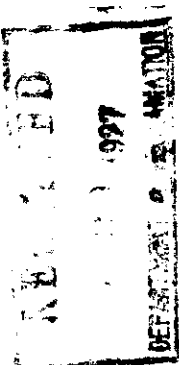
(Sign)

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 Carmel, County of Monterey, State of California, on this 22nd day of March, A. D. 1927.

My commission expires

Sept 18, 1929.

14419



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 14419

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. J. J. Oberbillig; 50 yrs.; Boise, Idaho; mining.
Boise, Idaho

Ques. 2. Are you acquainted with Lewis C. Merrell, the holder of Permit No. 14419? How long have you known him and where does he reside?

Ans. nearly 2 years

Ques. 3. Have you read or heard read said Permit No. 14419, 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. Park Creek Valley County, Idaho; SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 19,
Twp. 19 N. R. 8 E. B. M.; Headgate 3 x 4 feet; Ditch 3 feet on
bottom, 3 $\frac{1}{2}$ feet at water line; one and a quarter mile long

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

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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. Irrigation

14419

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

Ans. None other.

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. Good farm land.
I have secured fruit

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. The land in 1918, - 1921 - 1924
1926
at least one hundred acres.

(Signed) J. C. Churchill

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 Bonanza County of Ada, State of Idaho, on this 20th day of April, A. D. 1927

W. C. [Signature]
Notary Public.

My commission expires Sept 13-28

14419

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 14419

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Chas. W. Mack, 45 years, Boise, Idaho, Insurance.

Ques. 2. Are you acquainted with Lewis C. Merrell, the holder of Permit No. 14419? How long have you known him and where does he reside?

Ans. Yes. 10 years.

Ques. 3. Have you read or heard read said Permit No. 14419, 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. Parks Creek, Valley County, Idaho; SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19,

Township 19 N. R. 8 E. B. M.; Headgate 3 x 4 feet. Ditch 3 ft.
on bottom, 3 $\frac{1}{2}$ ft. at water line; one and a quarter miles long.

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

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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. Irrigation

14419

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

Ans. None other

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.

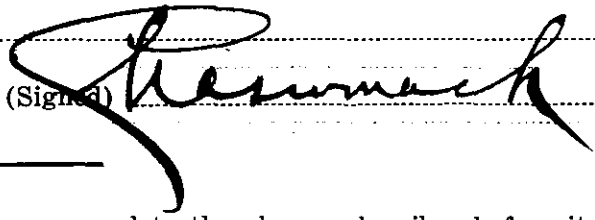
Ans. Good land, farming at least 3 second feet.

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

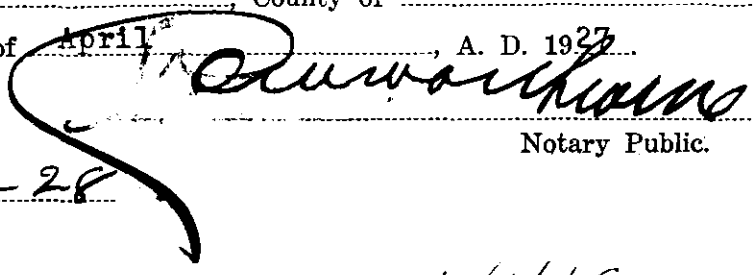
Ans. None

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. Every year since 1918
At least 90 acres.

(Signed) 

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 Boise, County of Ada, State of Idaho, on this 20th day of April, A. D. 1927.


Notary Public.

My commission expires Sept 13-28

14419



THE CASCADE NEWS

OFFICIAL PAPER OF VALLEY COUNTY
RAY E. COLEMAN, EDITOR AND OWNER

CASCADE, IDAHO

3/1/27

Department of Reclamation,
Boise, Idaho,
Geo. H. Carter, Commissioner,
Dear Sir:

We are in receipt of your copy and order for publication of Notice for Publication for L. C. Merrell, the first publication of which will appear in our issue of Friday, March 4, and a marked copy mailed you immediately upon it's appearance.

Very truly yours,
Cascade News

Ray E. Coleman

14419

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date February 25, 1927

Publisher, Cascade News
Cascade, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to April 20, 1927, the date set for proof, the expense of the publication to be paid by the applicant, L. C. Merrell, or his agent Chas. Mack, Boise, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

GEO. N. CARTER

Commissioner of Reclamation.

14419

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) February 25, 1927

(P. O.) Boise, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Cascade News of Cascade, published in
the county in which the works are situated.

W. M. Menez
By Thomas M. Menez
agent.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

14419

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 9 A. M. a. m. on the 20th day of April, 1927,
at Boise, County of Ada, State of Idaho,
before Commissioner of Reclamation, proof will be submitted
of the application to beneficial use of 1.61 cubic feet per second of the
waters of Parks Creek in accordance with the terms and conditions of
Permit No. 14419 heretofore issued by the Commissioner of Reclamation
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are

L. C. Merrell

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

The amount applied to beneficial use is 1.61

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 25; NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, Twp. 19 N., R. 7 E., B. M.

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

The right to take water from such works is based upon Permit No. 14419

The source of supply from which such water is diverted is Parks Creek

The date of the priority which said user is prepared to establish is Nov. 20, 1919

GEO. H. CARTER

Commissioner of Reclamation.

80-B-Valley
27-27-19-
1971-8E

14419

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Feb. 2, 1927.

Mr. Lewis C. Merrill
Boise, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. **14419**....., 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,

GEO. H. CARTER,
Commissioner of Reclamation.

14419

STATE OF IDAHO
Department of Reclamation

Permit No. 14419

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO

County of Ada } ss.

Allen A. Eaton, At. for L.C. Merreldt Boise

State of Idaho being first duly sworn upon his oath deposes and says:

That he is ^{Agent of} the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 14419

THAT, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by May 26, 1924

THAT he has heretofore put to beneficial use .8 second feet of water and has irrigated ⁴⁰ approximately acres.

THAT, for the following reasons, he is unable to put to beneficial use within the required time, the remainder of the water appropriated under his permit, to-wit:

The additional land upon which the water is to be used has not yet been cleared of timber and the process of clearing is necessarily a slow one. Certificate for completion of works was issued March 20, 1922.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the making of proof of beneficial use under said permit to May 26, 1927

Subscribed and sworn to before me this 24th day of March, 1924.

My commission expires Feb 2, 1925

Notary Public.

Date of receipt at office of Department of Reclamation MAR. 24, 1924.

APPROVAL OF COMMISSIONER OF RECLAMATION

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the making of proof of beneficial use under Permit to Appropriate the Public Waters of the State of Idaho, No. 14419, to May 26, 1927.

Witness my hand this 24th day of March, 1924.

W. G. Swendsen
Commissioner of Reclamation.

14419

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Mr. Lewis C. Merrell
Boise, Idaho.

February 5, 1924.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No.**14419**....., 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.
Commissioner of Reclamation.

14419

March 22, 1922.

Re: Permit No. 14419.
L. C. Marrell.

Mr. A. B. Eaton,
Boise, Idaho.

Dear Sir:

We enclose herewith Application for Amendment to Permit No. 14419 and Certificate of Completion of Works, issued under the above numbered Permit, together with receipt for fees.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

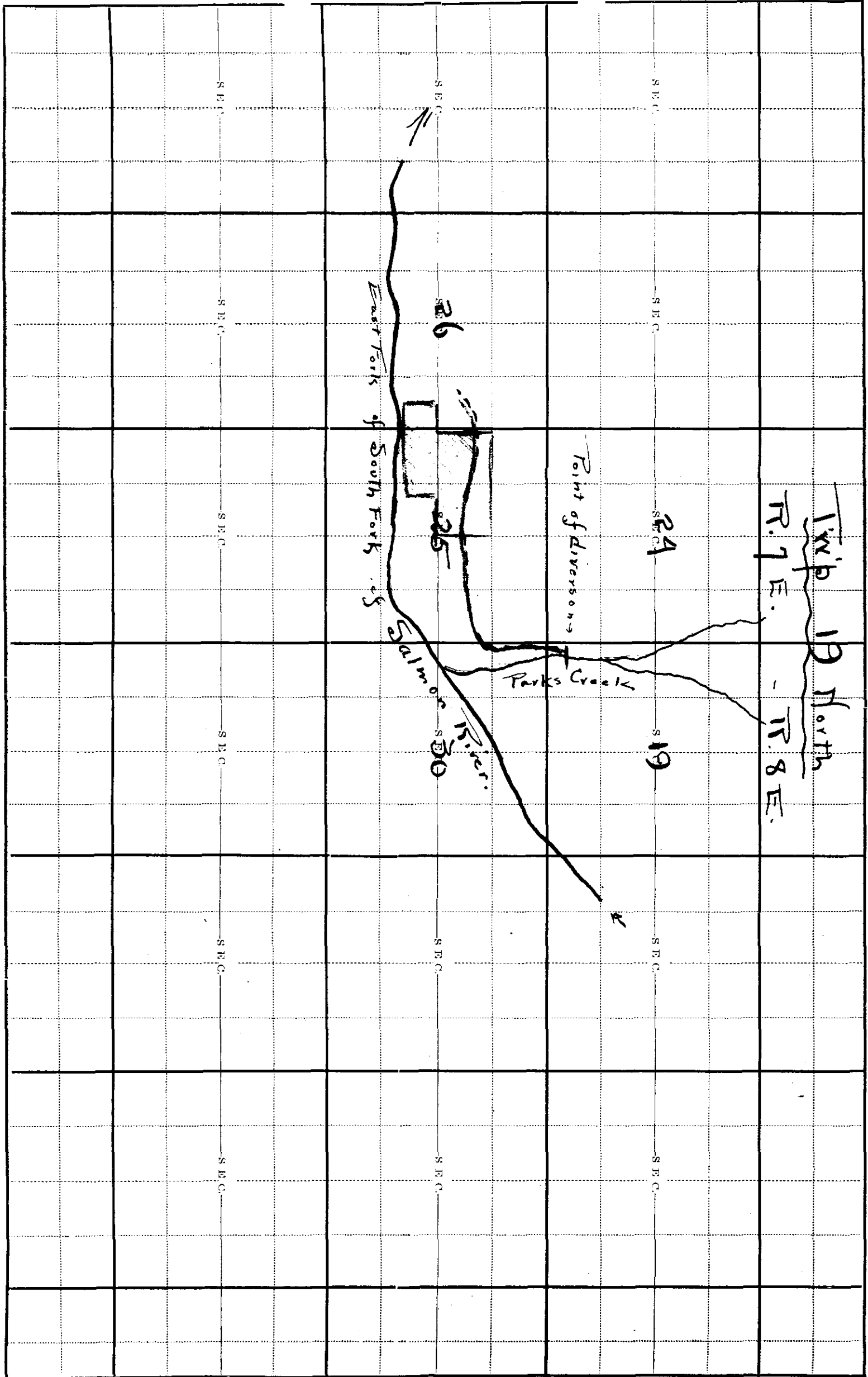
Encls.

By

Chief Clerk.

14419

NAME OF APPLICANT Lewis C. Marrell.



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

14419

Permit No. 14419STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Ada } ss.Lewis C. Merrell, 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. 14419, and that his postoffice address is Boise State of Idaho.Second: That the name of the stream from which said water is to be diverted is Parks Creek tributary of E. Fork of S. Fork of Salmon River.Third: That the point of division of said water is SW $\frac{1}{4}$ Section 19 Township 19 North Range 8 E.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 26th, 19 22.Fifth: That the use for which said water is intended is Irrigation and domestic purposes.Sixth: That on the date above mentioned, the works constructed under said permit were ~~assured~~ fully completed and consisted of the following:I. Kind of works: Ditch and headgate

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

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 3 feet, height 4 feet.(d) Conduit ditch width at bottom 3 feet, width at water line 3 $\frac{1}{2}$ feet, depth of water 1 feet; diameter of pipe _____ inches, average grade per mile is 7 feet. Length of conduit is 1 $\frac{1}{2}$ miles.

Seventh: That said works are capable of conducting to the place of intended use _____ second feet of water.

Eighth: That water appropriated under said permit is available for 80 acres of land described as follows:

Sec. 25	SE $\frac{1}{4}$ NW $\frac{1}{4}$	20 acres
" "	SW $\frac{1}{4}$ NW $\frac{1}{4}$	25 "
" "	NE $\frac{1}{4}$ NW $\frac{1}{4}$ <i>SW</i>	5 "
" "	NW $\frac{1}{4}$ SW $\frac{1}{4}$	20 "
Sec. 26	NE $\frac{1}{4}$ SE $\frac{1}{4}$	10 "

Ninth: Remarks: That _____

(Sign here)

Subscribed and sworn to before me this 17th day of March, 19 _____

Notary Public.

My commission expires Feb. 2, 192514419

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. Lewis C. Merrell

1035 Warm Springs Ave.
Boise, Idaho

Boise, Idaho,

Dear Sir:—

February 8, 1922

Under the terms of your permit No. 14419 you are required to complete your diversion works on or before May 26, 1922. 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. SWENSEN

Commissioner of Reclamation.

14419

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 14419
Lewis C. Merrell
1035 Warm Springs Ave.
Dear Sir: Boise, Idaho.

Boise, Idaho,
Dec. 4, 1919.

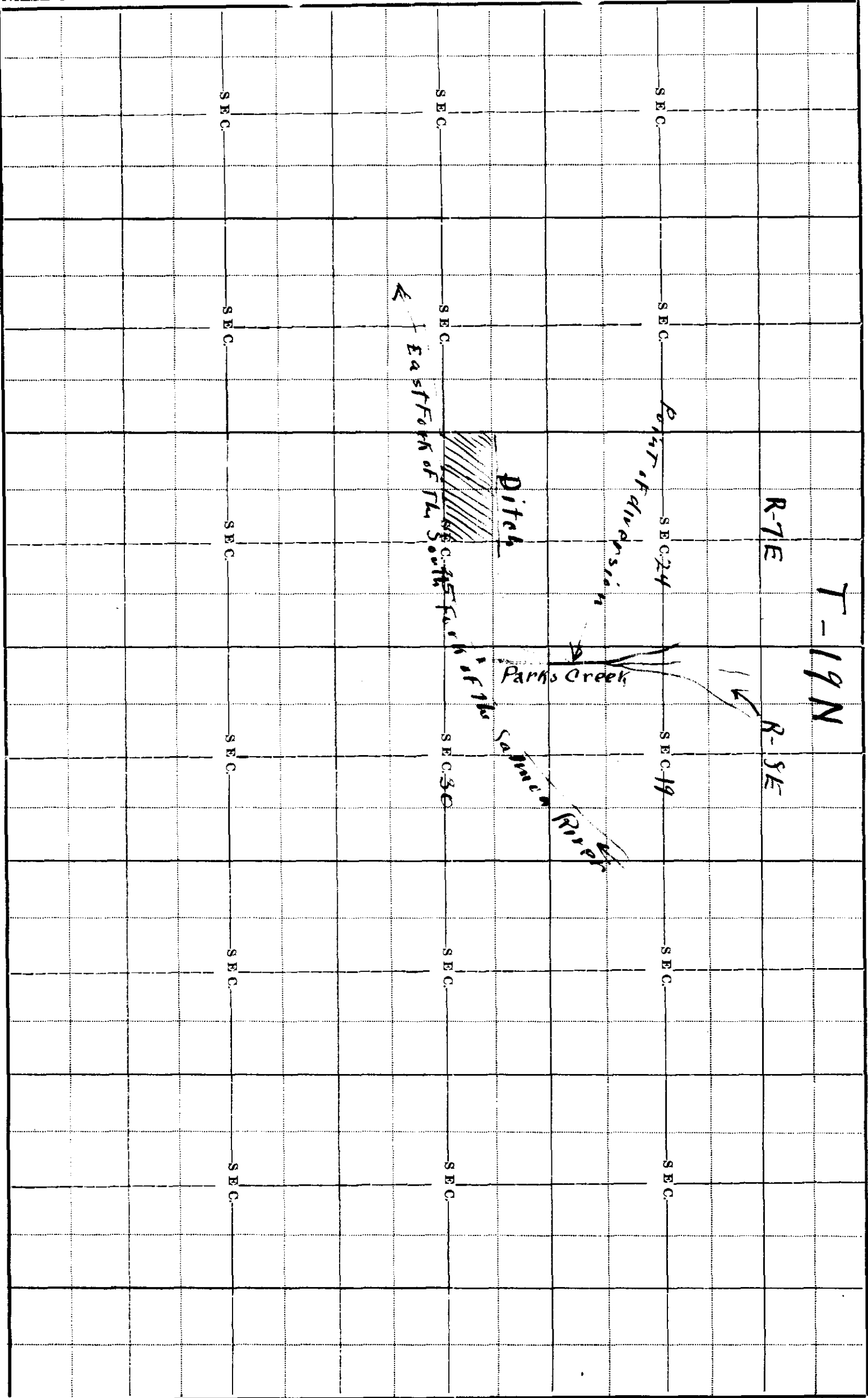
I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of State Engineer on the third page.

W. G. Swendsen.

Commissioner of Reclamation.

14419

NAME OF APPLICANT Lewis C. Harper



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

14419