

NAME OF APPLICANT *Bert S. Morton # 10949*

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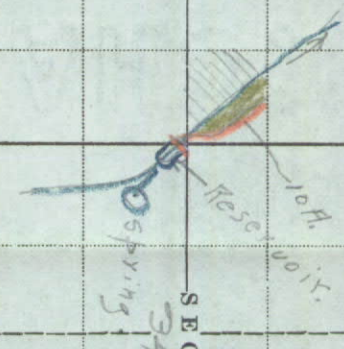
SEC.

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SEC.



THP:R641

10949

Affidavit of Publication.

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

39 ✓

NOTICE FOR PUBLICATION.

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 10:00 a. m. on the 26th day of July, 1919, at Weiser, County of Washington, State of Idaho, before Ed. R. Coulter, a Notary Public, proof will be submitted of the application to beneficial use of one-fifth of one cubic foot per second of the waters of Cow Camp Spring in accordance with the terms and conditions of Permit No. 01949 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 Bert S. Morton, Mineral, Idaho.

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

3. The amount applied to beneficial use is one-fifth of one second foot.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 14 N., R. 6 W., B. M.

5. The date of the priority which said user is prepared to establish is July 15, 1916.

W. G. SWENDSEN,
Commissioner of Reclamation.

j26-jy17

I, J. M. Barlin Gough

being first duly sworn, depose and say that I am over twenty-one years of age, and the Publisher of THE MIDVALE REPORTER, a newspaper of general circulation, published WEEKLY, at Midvale, Washington County, Idaho, and that the annexed NOTICE was published WEEKLY in the regular and entire issue of said newspaper, and not in any supplement thereof, for Four consecutive issues, commencing with the issue dated June 26th, 1919 and ending with the issue dated July 17th, 1919

J. M. Barlin Gough

Subscribed and sworn to before me this 25th day of July, 1919

Ann Hensley

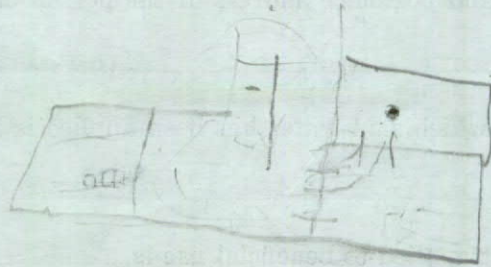
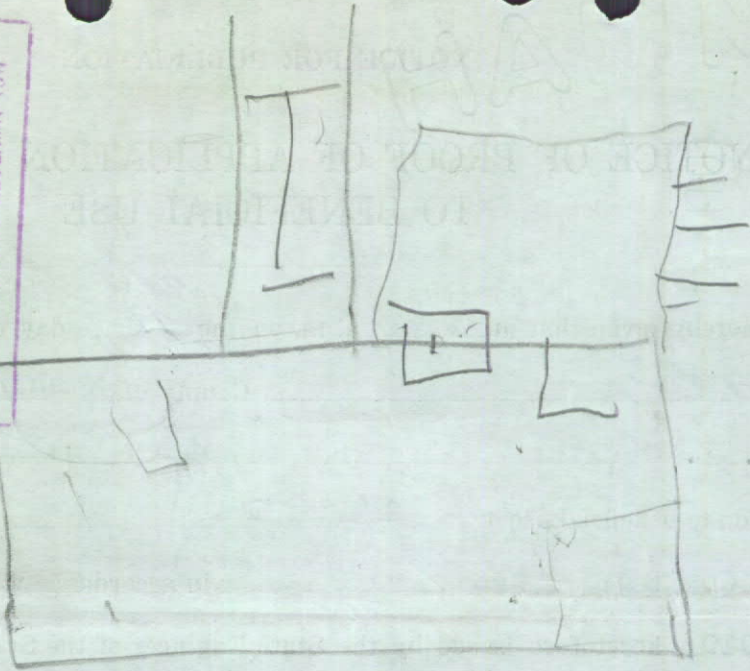
Notary Public,
Notary Public, residing at Midvale, Id.

10949

RECEIVED

JUN 17 1918

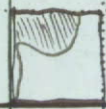
DEPARTMENT OF RECLAMATION



Permit No.
But & Moston

SEC. 33, T4N, R6W, S1M

SEC. 33. SEC. 34. SEC.



Spring
Removal

SEC. SEC. SEC.

10949

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT
(Late Proof)

License of Water Right No. 10949/69-2023 Priority July 15, 1916 Amount 0.2 c.f.s.

THIS IS TO CERTIFY, that Bert S. Morton
of Mineral, Idaho, has complied with the terms and conditions of Permit
No. 10949/69-2023 issued pursuant to Application for Permit dated January 7, 1915,
and has submitted proof to the Department of Water Administration on July 26, 1919,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.2 c.f.s., and that the water has in fact been applied to a
beneficial use; a right to the use of water from Cow Camp Spring
tributary of , is hereby confirmed in the following amounts:

Amount 0.2 for irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount for from to (both dates inclusive)

Amount for from to (both dates inclusive)

Subject, however, to the condition that no more than 0.2 c.f.s. of water be diverted at
any one time, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 14N, R. 6W,

B.M.

in the county of Washington; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 40 acre feet per year or
4.0 acre feet per acre.

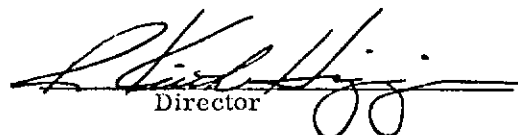
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14N	6W	33				10													10

Total number of acres irrigated 10

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31st day of
August, 19 71.


Director

69 2023

No. 16012.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Bert S. Morton.

Postoffice address: Mineral

County: Washington 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 1/5th of one cubic feet per second.

3. Source of water supply: Cow Camp Spring, in gulch off Wolf Creek slope 280 feet South and 50 feet east of the NW corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, T. 14 N. R. 6 W. B. M.4. Location of point of diversion: 280 feet South and 50 feet East of the NW corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34 T. 14 N. R. 6 W. B. M.

County of Washington

5. To be used for: Irrigation

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 10 acres.

(b) In the following legal subdivisions: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33 T. 14 N. R. 6 W. 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: \$300.00

7. Description of works for diversion:

I. Kind of works: Reservoir and ditch.

II. Dimensions of works:

(a) Height of dam 8 feet, length of dam at top 215 feet,

length of dam at bottom 100 feet. Material used in construction: earth.

(b) Capacity of reservoir 30 acre feet. (c) Size of headgate, width will be 6 inch pipe with valve, feet,

Height feet. (d) Conduit ditch width at bottom 1 feet,

width at water line 1 $\frac{1}{2}$ feet, depth of water 1 feet; diameter of pipeinches; average grade per mile is 50 feet. Length of conduit is $\frac{1}{4}$ miles,
and it crosses the following quarter sections: NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33 T. 14 N.
R. 6 W. B. M.

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

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

Bert S. Morton, Applicant.

By Agent.

Date of first receipt at office of State Engineer 9.00 a.m. January 7, 1915.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 10949

Recorded in Book 37 Page 10949 Approved January 18, 1915.

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 March 19, 1915 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 18, 1916

The whole of said work to be completed on or before January 18, 1918.

Beneficial use of water appropriated in accordance herewith, to be made on or before January 18, 1918.

Witness my hand this 18th day of January, 1915.

Herbert Wing,
Acting State Engineer.

Remarks:

The NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34 of the described land is Government land and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33 is my own private land.

~~Proof of completion of works made November 26, 1917.~~
Certificate of completion of works issued January 25, 1918.

Permit No. 10949.

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Bert S. Morton, of Mineral, County of Washington, and State of Idaho, the holder of Permit No. 10949, issued upon Application No. 16012, bearing date of priority of January 7, 1915, authorizing the diversion of 1/5 of 1 second foot of the waters of Cow Camp Spring in Gulch off of Wolf Creek Slope, County of Washington, 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 of 1 second foot of the waters of Cow Camp Creek; that the point of diversion of said waters is 280 feet S. and 50 feet E. of the Northwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 14 N., R. 6 W., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 14 N., R. 6 W., B. M.

Witness my hand this 25th day of January, A. D. 1918.

J. H. SMITH,

State Engineer of the State of Idaho.

LICENSE ISSUED FOR 0.2 SEC. FT.
LICENSE PAGE NO. _____

September 1, 1971

Re: Water License No. 69-2023 - Bert S. Morton

Harold Wood & Son
Route #6
Caldwell, Idaho 83605

Gentlemen:

Please find enclosed the above referenced license.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosure

69 2023

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

May 10, 1971

Re: Permit No. 10949/69-2023 - Bert S. Morton

Harold Wood & Son
Route 6
Caldwell, Idaho 83605

Gentlemen:

We have been advised by the Washington County Assessor's Office that you own land covered under the above referenced permit as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 14N, R. 6W, B.M.

Enclosed you will find a copy of the pre-cancellation notice that is on this date being forwarded to the permit holder of record. If you are interested in acquiring the water right for this property, please contact this office within the limits of the pre-cancellation notice enclosed.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DM:DR
Enclosure

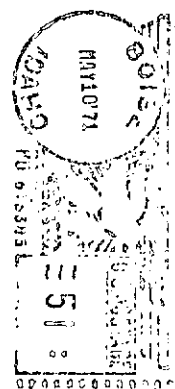
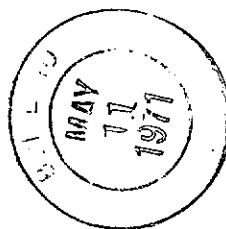
Enclosed find \$2.00 for the water right.

62 2022

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse - Annex 2
Boise, Idaho 83707

NO 31227
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Bert S. Morton
Mineral,
Idaho
No Such Post Office
In State Named



69 2023

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below.

REGISTERED NO. _____ SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO. 31227 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO. _____

DATE DELIVERED _____ SHOW WHERE DELIVERED (only if requested)

1 2 3

GPO 47-108 11-1-61 1545-11-1-61-58

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

May 10, 1971 CERTIFIED MAIL

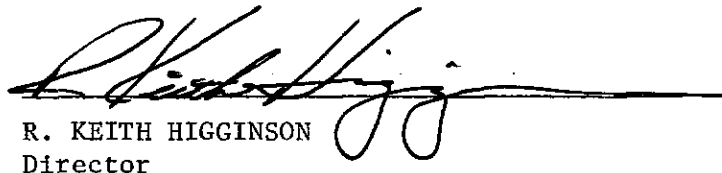
Re: Permit No. 10949 (New No. 69-2023)

Bert S. Morton
Mineral,
Idaho

Dear Mr. Morton:

It appearing to the Department of Water Administration that the terms and conditions of Permit 10949/69-2023 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit licensing fee of \$2.00, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before June 19, 1971, why said permit should not be cancelled.

Permit 10949/69-2023 claims the use of 0.2 cubic feet per second of water from Cow Camp Spring, the point of diversion was to be located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34, T. 14N, R. 6W, B.M., and the permit was approved January 18, 1915.


R. KEITH HIGGINSON
Director

cc: Harold Wood & Son
Rt. 6, Caldwell, Idaho

69 2023

May 10, 1971

Re: Permit No. 10949/69-2023 - Bert S. Morton

Harold Wood & Son
Route 6
Caldwell, Idaho 83605

Gentlemen:

We have been advised by the Washington County Assessor's Office that you own land covered under the above referenced permit as follows:

SE 1/4, Sec. 33, T. 14N, R. 6W, B.M.

Enclosed you will find a copy of the pre-cancellation notice that is on this date being forwarded to the permit holder of record. If you are interested in acquiring the water right for this property, please contact this office within the limits of the pre-cancellation notice enclosed.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DM:DR
Enclosure

62 5000

Permit No. 69-2023

SE¹NE¹₄, Sec. 33, T. 14N, R. 6W, B.M.
Haskell Wood & Son
Lyette Co
Madison, Idaho 83605

69 2023

Date:

May 10, 1971

CERTIFIED MAIL #31227

Re: Permit No. 10949 (New No. 69-2023)

Bert S. Morton
Mineral,
Idaho

Dear Mr. Morton:

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Permit 10949/69-2023 claims the use of 0.2 cubic feet per second of water from Cow Camp Spring, the point of diversion was to be located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34, T. 14N, R. 6W, B.M., and the permit was approved January 18, 1915.


R. KEITH HIGGINSON
Director

cc: Harold Wood & Son
Rt. 6, Caldwell, Idaho

69 2023

August 10, 1920.

Re: Permit 10949.

Bert S. Morton,
Mineral, Idaho.

Dear Sir:--

Upon receipt of fees in the sum of \$2.00, license will
be issued under the above permit.

Very truly yours,

W. G. SWENSON,

Commissioner of Reclamation.

By _____

10949

REPORT OF ENGINEER

This proof is for beneficial use

In Water District No. 76

1. State name of applicant and number of permit: Bert S. Morton, Permit: 10949
2. State source of water supply: Cow Camp Spring
3. Location of point of diversion: NW¹SW¹, Sec. 34, T. 14 N., R. 6 W. B. M.
4. Describe works as they exist, giving dimensions and capacities of same:

Water runs in gulch from spring to reservoir,

Reservoir dam, 10' H. 150' Long:

Outlet, 8" iron pipe, 24' long.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

SE¹NE¹, Sec. 33, T. 14 N., R. 6 W. B. M.

10 A. in cultivation.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? One.
9. Give names and amount of each right:
10. What large stream would the water here appropriated finally reach? Snake River,
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

From land to Wolf Creek, to Snake River.

Remarks:

This examination was made on the 10 th day of June 19 20.

(Signed)

L. R. Bennett

Examiner.

10949

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

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 _____ 19____

My commission expires _____

Notary Public.

10949

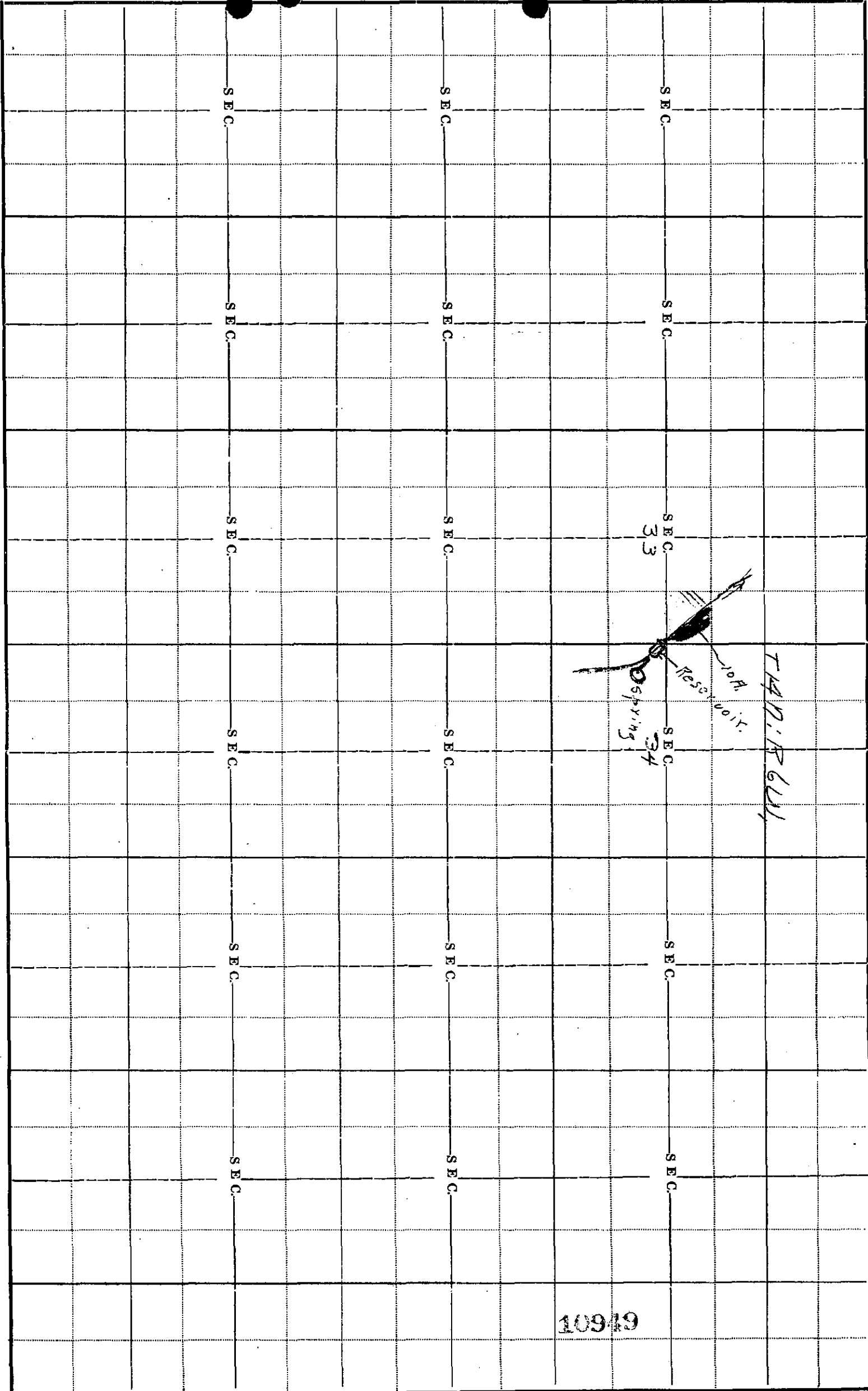
Dist: 76
Bert S. Norton
Lineral
Permit: 10949

34-476W

Instructions To Examiners

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

NAME OF APPLICANT *Ext. S. Morton # 2949*



10949

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

Affidavit of Publication.

STATE OF IDAHO, }
County of Washington, } ss.

NOTICE FOR PUBLICATION.

Notice of Proof of Application of Water to Beneficial Use.

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1. The name and postoffice address of the person or corporation holding said permit are Bert S. Morton, Mineral, Idaho.

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3. The amount applied to beneficial use is one-fifth of one second foot.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SEC. 33, T. 14 N., R. 6 W., BR. 1M.

5. The date of the priority which said user is prepared to establish is July 15, 1916.

W. G. SWENDSEN,
Commissioner of Reclamation.

926-jy17

I, J. M. Barlin Gough

being first duly sworn, depose and say that I am over twenty-one years of age, and the Publ's Rep of THE MIDVALE REPORTER, a newspaper of general circulation, published WEEKLY, at Midvale, Washington County, Idaho, and that the annexed NOTICE was published WEEKLY in the regular and entire issue of said newspaper, and not in any supplement thereof, for Four consecutive issues, commencing with the issue dated June 26th, 1919 and ending with the issue dated July 17th, 1919

J. M. Barlin Gough

Subscribed and sworn to before me this 25th day of July, 1919

Am. Hensley
Notary Public,
Notary Public, residing at Midvale, I. A.

10949

PERMIT No. 10949**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. Bern S Morton, age 34, Farmer, Mund
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. None

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

Ans. 10949 January 7-1915

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

Ans. Cow Camp Spring in Gulch off Wag Creek
Idaho

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. Reservoir with earth dam, cement at least pipe
leading therefrom, and ditch therefrom leading to lands
Capable carrying 1500 ft. head of water

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. Irrigation and domestic use
SE 1/4 Sec 33 T14 R 6W 10N

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

Ans. None

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

Ans. Not specified

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. S. E. from US Government

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

Ans. Used to feed extent appropriation in
1918 & 1919 on said lands to irrigate
which said water was appropriated

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) Bert S. Morton

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 Wain, County of

Washington State of Idaho, on this 26 day of July

A.D. 1919

E. R. Boulton
Notary Public

10949

JUL 28 1919

RECORDED

Permit No. 10949

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Harry Hayes, Minna Idaho Farmer Minna
Idaho age 26Ques. 2. Are you acquainted with Bert J. Morton, the holder of Permit No. 10949? How long have you known him and where does he reside?Ans. Yes. On his place near Minna in Washington C
Idaho. Known Morton about 4 yearsQues. 3. Have you read or heard read said Permit No. 10949, 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. Cow Camp Spring in Gulch off of Wolf Creek. Slope
PN division is 280 ft S & 50 ft E NW cor. of NW 1/4 Sec 33
34 T 14 N R 6 W DM. A Reservoir with Earthen Embankment
pipe leading therefrom into ditch which leads on to lands to be irrigated

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. 16 of 1 second foot. Have seen same amount 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. Irrigation on SE 1/4 NE 1/4 Sec 33 T 14 N R 6 W DM About 7 ac
Cultivated mostly alfalfa. Place also raised Good Crops
alfalfa raised by means of this water

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

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Landy lowland. Ditch for each

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

and to what extent?

Ans.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application

to beneficial use of water diverted under said permit.

Ans. In 1918 & 1919 each of less than amount of water

applied for & conveyed to all upon said lands

during week beginning Aug. 1919. Reason & more in margin

(Sign)

Wm. H. Hager

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

Idaho

County of

Washington

State of Idaho.

on this

26

day of

July

A. D. 1919

Wm. H. Hager

Notary Public.

My commission expires

Aug 19-1920

67609

JUL 26 1919

RECEIVED

Permit No.

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. Carl Widner 26 Mineral Idah. Farmer

Ques. 2. Are you acquainted with Bert J. Morton, the

holder of Permit No. 10949? How long have you known him and where does he reside?

Ans. Yes. About 4 yrs. On his place near
Mineral

Ques. 3. Have you read or heard read said Permit No. 10949, 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. Cam Camp Spring. Gully off of Wolf Creek Reap
PT Division is 280 ft. S. + 50 ft. E. of N.E. 1/4 of NW 1/4 Sec
33 T. 14 N. R. 6 W. B. M. - Reservoir with ditch leading thence
to lands irrigated

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. 1/5 of 1 second foot

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. Irrigation 7 acres in SE 1/4 Sec 33 T. 14 N. R. 6 W. B. M.
This land is in alfalfa. Trees. Good Crops raised
by means of this water

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

Ans. —————

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Sandy loam. 1 inch to acre

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

and to what extent?

Ans.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application

to beneficial use of water diverted under said permit.

Ans. in 1911 & 1919 each I saw full amount of water

applied for & used upon said lands

during each irrigation season & used in

diverting said lands (Sign) Carl Alderson

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

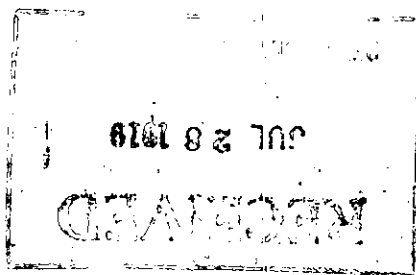
sworn to before me in Neenah County of Washington, State of Idaho,

on this 26 day of July A. D. 1919

Carl Alderson

Notary Public.

My commission expires: Aug 19-1920



10949

(P. O.)

(Date)

Midvale, Idaho
June 20th, 1919

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of June 18th enclosing notice of proof under
Permit No. 10949 which will be published as you request, beginning with our issue of

June 26th, 1919.

Thanks!

J. M. Darlin Lough
10949 The Midvale Reporter

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 26 day of July, 1917,
at Weiser, County of Washington, State of Idaho,
before Ed. R. Coulter, a Notary Public, proof will be submitted
of the application to beneficial use of 1/5 of 1 cubic feet per second of the
waters of Cow Camp Creek Spring in accordance with the terms and conditions of
Permit No. 10949 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
Bert S. Morton Mineral Idaho
2. The use to which said water has been applied is
Irrigation and Domestic
3. The amount applied to beneficial use is one fifth of one second foot
4. The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) SE 1/4 NE 1/4, Sec. 33, T. 14 N., R. 6 W., 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 unnamed
6. The right to take water from such works is based upon Permit No. 10949
7. The source of supply from which such water is diverted is
Cow Camp Creek
8. The date of the priority which said user is prepared to establish is
January 25th 1918

July 15-1916
Mr. & Mrs. Ac 94-1471-6 W.

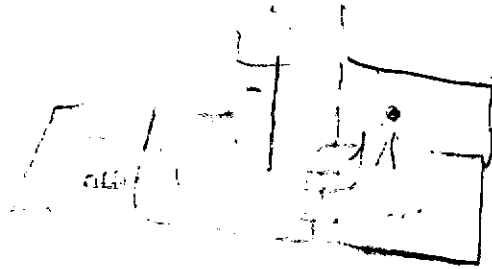
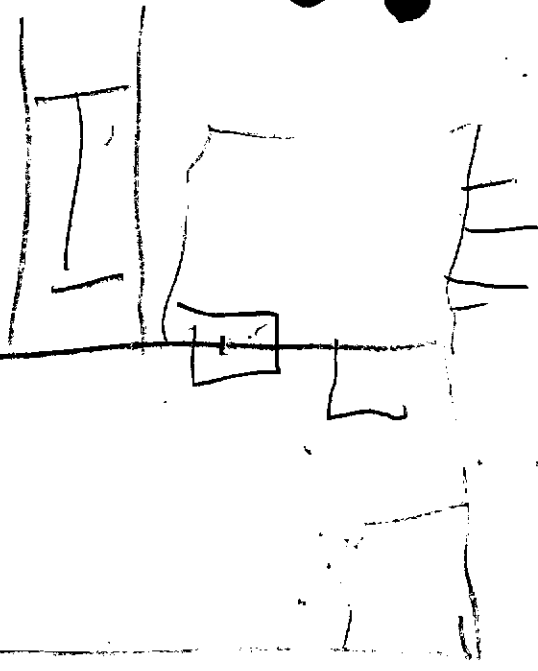
State Engineer.
10949

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Mark.

RECEIVED

DEPARTMENT OF RECLAMATION



State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

BOISE, IDAHO,

July 2, 1919

Bert S. Morton
Care: Ed. R. Coulter
Weiser, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under Permit No. ~~10949~~-----

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of the permit holder's rights:

1. On ~~July 26th, 1919~~-----, 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 ~~the office of Ed. R. Coulter, N. P.,~~-----
~~Weiser, Idaho~~-----

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

Yours truly,

W. G. Swendsen
-----Commissioner of Reclamation
~~State Engineer~~

10949

May 27th
1919

In re Permits 10949-13477

Ed. R. Coulter
Attorney at Law
Weiser, Idaho

Dear sir:

Per your request under date of May 26th, I am inclosing herewith blank notices to commence proof of beneficial use under the above permits, Bert S. Morton holder.

Kindly submit the notices to this office in duplicate, one set for each permit.

Yours very truly,

W. G. Swendsen,
Commissioner of
Reclamation.

By:

10949

37 47

ED. R. COULTER
LAWYER

ROOMS 8 AND 9, WEISER NATIONAL BANK BLDG.
WEISER, IDAHO

May 26, 1919.

State Engineer of the State of Idaho,
Boise, Idaho.

Dear Sir:-

Mr. Bert S. Morton desires to make final proof of application of water to and upon lands for growing of crops thereon, and under his permits 13477 and 10949, in which instance the witnesses are Harry Hayse, Walter Lee Cralle, William Sommercamp, Jr. and Carl Wagner.

Kindly mail to me the necessary blanks for filling out and presentation to your office in connection with these final proofs.

Yours truly,

ERC/11

10949

Ed R. Coulter
by L. L.

January 26, 1918.

Re: Permit No. 10949.

Mr. Bert S. Morton,
Mineral, Idaho.

Dear Sir:

Enclosing herewith Certificate of Completion
of Works, issued under above permit, with receipt
for fee.

Very truly yours,

J. H. SMITH,

State Engineer.

By

Enc: CCW
R-1581

MB

10949

Permit No. _____

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Washington

} SS.

Bert S. Morton

, 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. 10949 and that his postoffice address is Mineral, Idaho, State of Idaho,

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

Cow Camp Spring in Gulch off of Wolf Creek Slope

Third: That the point of diversion of said water is 280 ft S and 50 ft E of NW corner of NW 1/4 Sec. 34, Tp. 14 N.R. 6 W.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Jan. 18, 1918 191_____

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

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: This water is from a spring. I have built a dam to hold same. This dam is 24.5 feet high and 100 feet long at the bottom; 18 ft wide and 130 long at top and 8.33 ft high. This dam is made of earth

II. Dimensions of work: _____

(a) Height of dam 8 feet, length of dam at top 215 feet, length of dam at bottom 100 feet. Material used in construction Earth

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 30 acre feet.

(c) Size of headgate: Width will be 6 inch pipe with valve feet, height _____ feet. See below

(d) Conduit Ditch width at bottom 1 feet, width at water

(State whether ditch, flume or pipe)

line 1 1/2 feet, depth of water 1 feet; diameter of pipe _____ inches;

average grade per mile is 50 feet. Length of conduit is 1/4 miles.

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

1/5th second feet of water.

Eighth: That water appropriated under said permit is available for 30 acres of land described as follows: in SE 1/4 NE 1/4 Sec. 33 T 14 N R 6 W B.M.

Ninth: Remarks: That _____

The headgate in the dam is an iron pipe six inches in diameter, which passes thru the dam and has a screw valve on it by which the flow of the water is regulated.

Bert S. Morton
(Sign here)

Subscribed and sworn to before me this 26th day of November, 1917.

E. R. Rountree

Notary Public

My commission expires August 1920.

10949

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Bert S. Morton,

Mineral, Idaho.

Boise, Idaho,

Oct. 19, 1917.

Dear Sir:—

Under the terms of your Permit No. 10949, you are required to complete your diversion works on or before Jan. 18, 1917. 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,

J. H. SMITH,

State Engineer.

10949

State of Idaho
ENGINEERING DEPARTMENT

BOISE

Oct. 19, 1917.

Bert S. Morton,
Mineral, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 10949-----, 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 the date it is submitted.

Yours truly,

J. H. Smith,

State Engineer

10949

State of Idaho

ENGINEERING DEPARTMENT
BOISE

STATE ENGINEER

Permit 10949 - Morton.

Boise, Idaho, ⁴January 22, 1915.
7

Mr. A. L. Trenam,
Weiser, Idaho.

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.

HERBERT WING,

10949

Acting State Engineer.

Name of Applicant.

Permit Me Boston

64

SEC.

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— **SECRET**

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DE-SEC. 33, 7/14/71, R. 6 m, 6.7 m

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10949