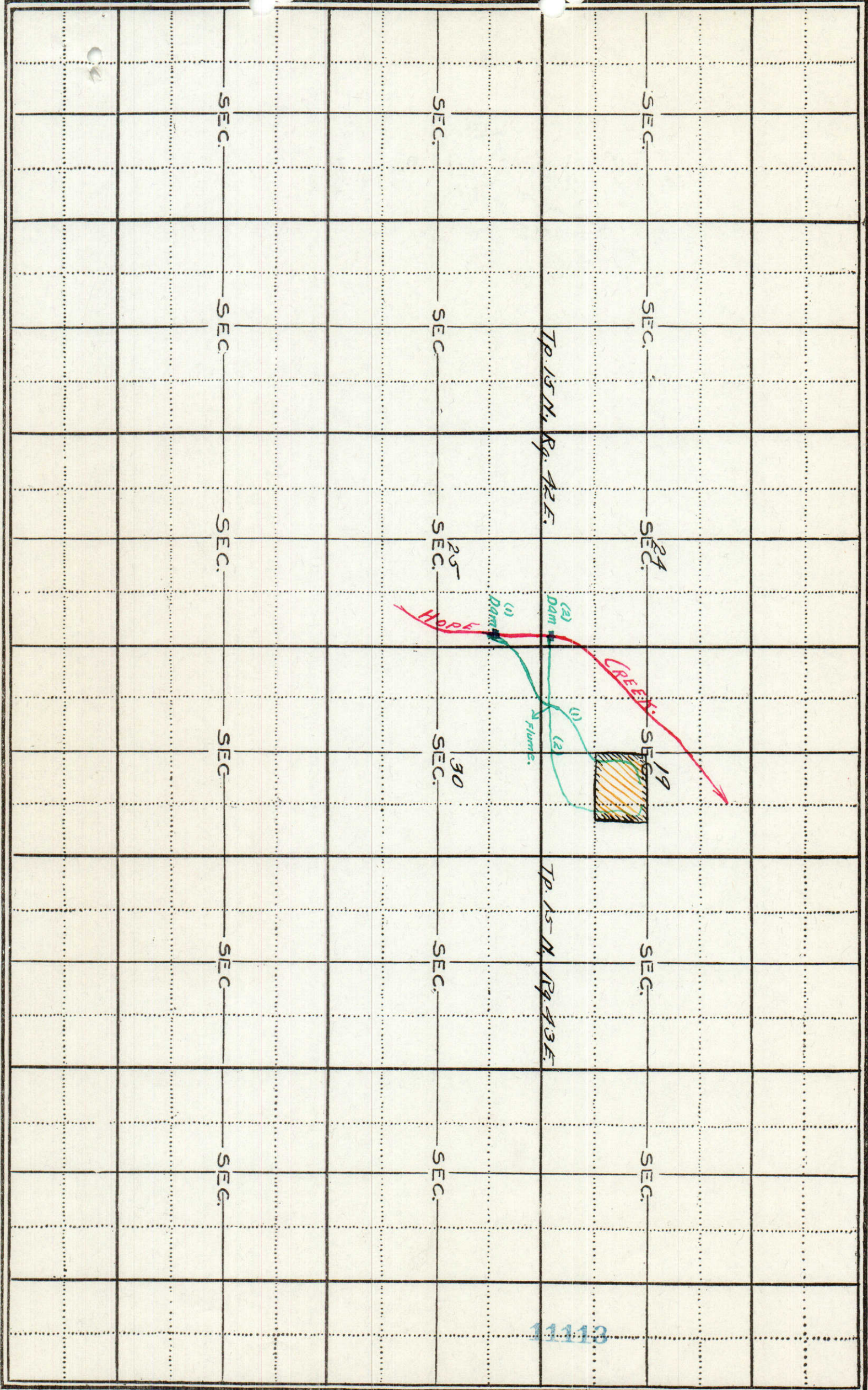


Name of Applicant John W. Maaterson, # 11113.



11113

AFFIDAVIT OF PUBLICATION.

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

RECEIVED
JUL 22 1915
OFFICE OF STATE ENGINEER

me.

I, **WOOD D. PARKER**, do solemnly swear that I am the printer and publisher of the **TETON PEAK-CHRONICLE**, a weekly newspaper of general circulation, published once a week at St. Anthony, Fremont County, Idaho; that said newspaper has been continuously and uninterruptedly published in said County

and City during a period of fifty-two consecutive weeks prior to the first publication of the attached notice in the above entitled action; that the notice attached hereto, and which is a part of this affidavit and a part of the proof of publication, was published in said newspaper four consecutive weeks; first publication having been made on the 3 day of June 1915; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement.

W. D. Parker
PRINTER AND PUBLISHER.

Subscribed and sworn to before me this 20 day of July A. D. 1915

S. L. Louie
NOTARY PUBLIC.

My commission expires 190

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given at 10 a. m. on the 14th day of July, 1915 at Lake, County of Fremont, State of Idaho, before J. S. Sherwood, notary public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of Hope Creek, in accordance with the terms and conditions of Permit No. 11113 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 John W. Masterson, Lakeview, Montana.

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

3. The amount applied to beneficial use is one cubic foot per second.

4. The place where said water is used is all of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 19 Twp 15 N. R. 43 E. B. M. and 15 acres of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 19 Twp. 15 N. R. 43 E. B. M.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Lawrence Creek & Masterson Ditch.

6. The right to take the water from such works is based upon permit No. 11113.

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

8. The date of the priority which said user is prepared to establish is March 27, 1915.

J. H. SMITH, State Engineer

11113

Name of Applicant John W. Mereson

TOWNSHIP 15 NORTH
TOWNSHIP 15 NORTH

RANGE 42 E.
RANGE 43 E.

SEC.
24

SEC.
25

SEC.

SEC.
30

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Sherman

Earth & Rock Dam
Earth & Rock Dam
Headgate
12' x 12"

Canal

HOPE CREEK

Pitch 2 in 100
50 ft. x 30 ft.
Irrigated
Not Irrigated

11113

County: Fremont
Stream: Hope Creek
Amount: 1 sec. foot.
Use: Irri. & Dom.
Priority: March 27, 1915.

STATE OF IDAHO

Water License No. 11113

WHEREAS, On the 27th day of March, A. D. 1915,
John W. Masterson

of Lakeview, County of _____ State of Montana, duly made application
(No. 16239) to me for a permit to use One (1) cubic foot per second of the waters of
Hope Creek

County of Fremont, State of Idaho, for Irrigation & Domestic purposes, and,

WHEREAS, On the 2nd day of April, A. D. 1915, Permit No. 11113 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 2nd day of April, A. D. 1916, and for the application to ben-
eficial use of said water on or before the 2nd day of April, A. D. 1917, and,

WHEREAS, On the 27th day of May, A. D. 1915,
John W. Masterson

the holder of said permit, duly made proof of the completion of adequate works for the diversion of
one (1) cubic foot per second of said waters, as evidenced by my Certificate No. 11113
dated July 7, 1915, confirming the completion of works of sufficient capacity for diverting and
conveying to the place of intended use One (1) cubic foot per second of said water
with date of priority of March 27, 1915, and

WHEREAS, On the 14th day of July, A. D. 1915,
John W. Masterson

the holder of said permit, duly made proof of the application to beneficial use of One (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 W. Masterson

of Lakeview, County of _____, State of Montana, the holder and owner
of said Permit No. 11113, a perpetual right, dating from March 27, 1915
to the use of One (1) cubic foot per second of the waters of Hope Creek,

in the County of Fremont and State of Idaho, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 25, and
SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 24, T. 15 N., R. 42 E.B.M.

and conducted to and upon 50 acres, as follows: 40 acres in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and 10 acres
in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 19, T. 15 N., R. 43 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 or 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 16th day of September,
A. D. nineteen hundred and Fifteen.

J.H.Smith.

(Seal)

State Engineer:

21-2062

No. 16239

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: **John W. Masterson**Postoffice address: **Lakeview**County: **Beaverhead** State: **Montana.**

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 **One (1)** cubic feet per second.3. Source of water supply: **Hope Creek**4. Location of point of diversion: **In NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25 T. 15 N. R. 42 E. Two points, as per map.**County of **Fremont**5. To be used for: **Irrigation and Domestic Use.**I. Irrigation and domestic use: (a) Amount of land to be irrigated: **Fifty (50)** acres.(b) In the following legal subdivisions: **N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 19, T. 15 N. R. 43 E.**

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

(a) At what point:

(b) Amount of power to be generated:

H. P. under

ft. head

(c) Is water to be returned to any stream?
return:

(d) If so, name stream and locate point of

6. Estimated cost of works: **\$100.00**

7. Description of works for diversion:

I. Kind of works: **Rock dams at point of diversion, earth ditches, flashboards, one headgate.**

II. Dimensions of works:

(a) Height of dams **two (2)** feet, length of dam at top **16 $\frac{1}{2}$** feet,length of dam at bottom **16 $\frac{1}{2}$** feet. Material used in construction: **Earth and rock**(b) Capacity of reservoir **acre feet.** (c) Size of headgate, width **one (1)** feet,Height **one (1)** feet. (d) Conduit **ditches** width at bottom **two (2)** feet,width at water line **three (3)** feet, depth of water **9"** ~~FEET~~; diameter of pipe**53** inches; average grade per mile is **53** feet. Length of conduit is **1 $\frac{1}{2}$** miles,and it crosses the following quarter sections: **NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25, T. 15 N. R. 42 E. NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30, T. 15 N. R. 42 E. SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 19, T. 15 N. R. 43 E.**8. The time required for the completion of the construction of such work is **One (1)** years.9. Time required for the complete application of the water to the proposed use is **One (1)** 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 W. Masterson,
Applicant.

By _____ Agent.

Date of first receipt at office of State Engineer 9.00 a.m. March 27, 1915.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 11113
 Recorded in Book 37 Page 11113 Approved April 2, 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 June 1, 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 October 2, 1915.
 The whole of said work to be completed on or before April 2, 1916.
 Beneficial use of water appropriated in accordance herewith, to be made on or before April 2, 1917.

Witness my hand this 2nd day of April, 1915.

J. H. Smith,
 State Engineer.

Remarks:

Works are all completed by virtue of a supposed deed of water rights. It is desired to make proof of completion of works and application to beneficial use as soon as possible.

There are two separate points of diversion as shown on the map. The water diverted from the south point on Hope Creek is turned into the Lawrence Canal and thence diverted by means of the headgate described above into the Masterson ditch at a point about 50 rods East of the SW corner of Section 19.

Proof of Completion of Works made May 27th, 1915.
 Certificate of Completion issued July 7, 1915.

Permit No. 11113.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that John W. Masterson of Lakeview, County of Beaverhead, and State of Montana, the holder of Permit No. 11113, issued upon Application No. 16239, bearing date of priority of March 27, 1915, authorizing the diversion of one (1) second-foot of the waters of Hope Creek; County of Fremont, 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 one (1) second-foot of the waters of Hope Creek; that the point of diversion of said waters is in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 25, T. 15 N., R. 42 E.B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: N $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec. 19, T. 15 N., R. 43 E.B.M., containing 50 acres.

Witness my hand this 7th day of July, A.D. 1915.

J. H. Smith,

State Engineer of the State of Idaho.

License issued for 1 second foot

Page 1877

September 18, 1915.

Permit 11113.

John W. Masterson,
Lekeview, Montana.

Sir:--

Am enclosing herewith water license issued
under above permit.

Very truly yours,

J. H. SMITH,

State Engineer.

L

By _____

SCANNED
MAR 10 2004

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REPORT OF ENGINEER

1. State name of applicant and number of permit: Jno. W. Masterson, # 11113.
2. State source of water supply: Hofar Creek
3. Location of point of diversion: NE⁴NE⁴, Sec 25, Tp. 15N, Rq. 42E, B.M. (1)
SE⁴SE⁴, Sec 24, Tp 15N, Rq. 42E, B.M. (2).
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: 2 ft.
 - (b) Width at water line: 3 ft.
 - (c) Depth of water: 9 inches.
 - (d) Grade per mile: 5.3 ft.
 - (e) Capacity of ditch: 1 second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent:
Yes, and beneficial use made of same.
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: NW⁴SE⁴, 40 acres; W 10 acres in NE⁴SE⁴, 10 acres, all in Sec. 19, Tp. 15 N, Rq. 43 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: 35 acres in cultivation - balance of the 50 acres in wild hay, which is irrigated and cut every year. See map for diversion points, and how used.

STATE OF IDAHO,

County of _____

} ss.

July 13, 1915.

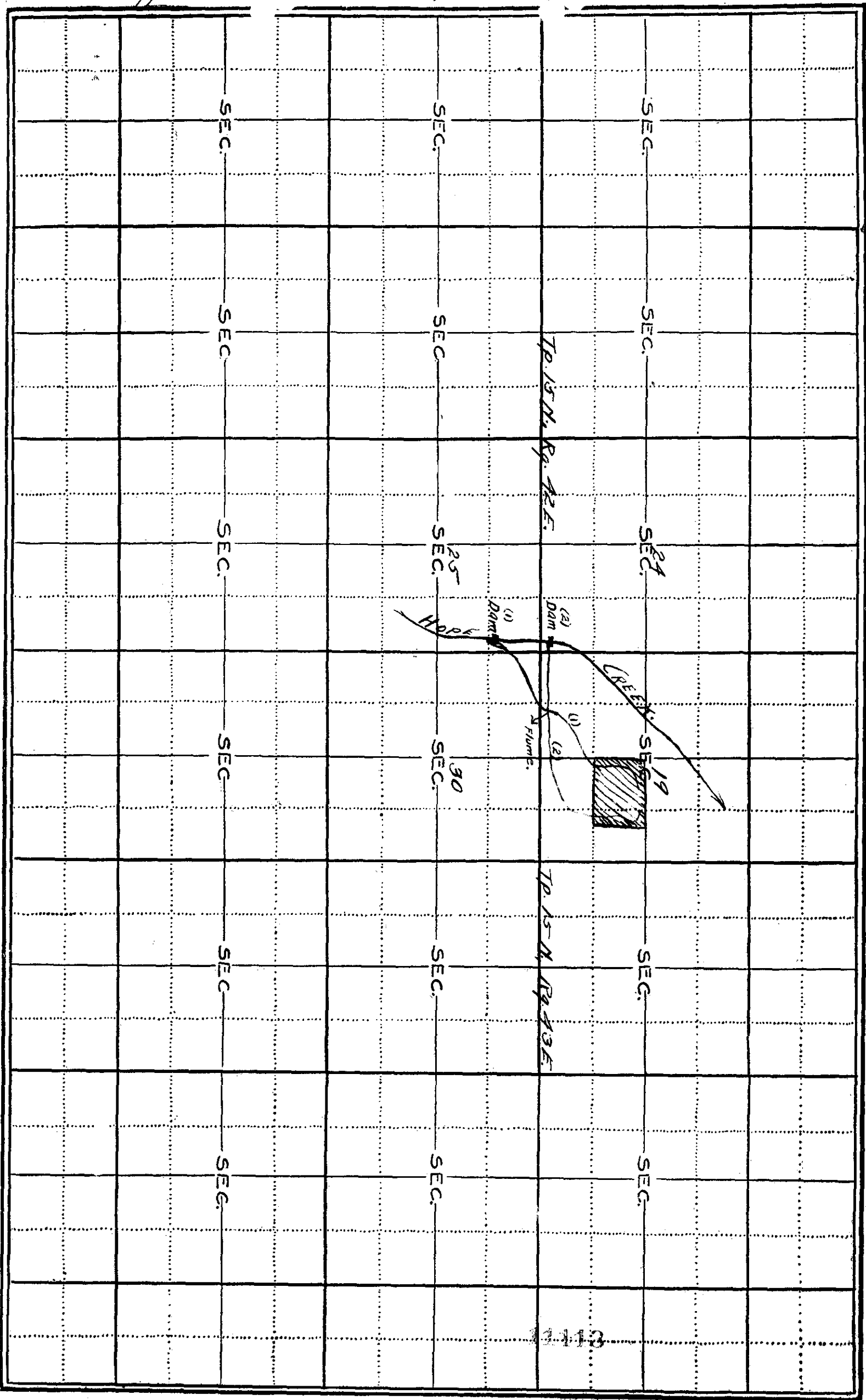
_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 191_____

My Commission Expires _____

Notary Public.

Name of Applicant, John W. Maaterson, # 14113.



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

AFFIDAVIT OF PUBLICATION.

STATE OF IDAHO,
County of Fremont. } ss.

JUL 22 1915

OFFICE OF STATE ENGINEER

me.

I, WOOD D. PARKER, do solemnly swear that I am the printer and publisher of the TETON PEAK-CHRONICLE, a weekly newspaper of general circulation, published once a week at St. Anthony, Fremont County, Idaho; that said newspaper has been continuously and uninterruptedly published in said County

and City during a period of fifty-two consecutive weeks prior to the first publication of the attached notice in the above entitled action; that the notice attached hereto, and which is a part of this affidavit and a part of the proof of publication, was published in said newspaper four consecutive weeks; first publication having been made on the 3 day of June 1915; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement.

Wood D. Parker
PRINTER AND PUBLISHER.

Subscribed and sworn to before me this 20 day of July A. D. 1915
S. L. Louche
NOTARY PUBLIC.

My commission expires 190

11113

NOTICE FOR PUBLICATION

Notice of Right of Application of Water to Beneficial Use.

Notice is hereby given at 10 a. m. on the 14th day of July, 1915 at Lake, County of Fremont, State of Idaho, before J. S. Sherwood, notary public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of Hope Creek, in accordance with the terms and conditions of Permit No. 11113 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 John W. Masterson, Lakeview, Montana.
2. The use to which said water has been applied is irrigation.
3. The amount applied to beneficial use is one cubic foot per second.
4. The place where said water is used is all of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 19 Twp 15 N. R. 43 E. B. M. and 15 acres of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 19 Twp. 15 N. R. 43 E. B. M.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Lawrence Creek & Masterson Ditch.
6. The right to take the water from such works is based upon permit No. 11113.
7. The source of supply from which such water is diverted is Hope Creek.
8. The date of the priority which said user is prepared to establish is March 27, 1915.

J. H. SMITH, State Engineer

Permit 11113.

July 20, 1915.

Mr. John W. Masterson,
Lakeview, Montana.

Sir:--

We are in receipt of your depositions and check for fees for final proof under above permit. As soon as the report of our examining engineer is filed the license will issue. The examination has been made. Am enclosing receipt for fee.

Very truly yours,

J. H. SMITH,

State Engineer.

R7504

By _____

11113

Notice of Publication
will follow

JUL 17 1915

HOUSE OF STATE

11113

PERMIT No. 11113

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. John W. Masterson, 72 Lake Idaho rancher,
Lakeview Mont.

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. no

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

Ans. 16239 Mar 31" 1915 Land.

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

Ans. Hope creek, N. E. 1/4 of N. E. 1/4, sec 25, T. P. 15,
Range 72.

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. dams, ditches, one 90, + one 400, inches

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. domestic + Irrigation, N. 1/2, S. E. 1/4 sec 19 T. P.
15, R. 73, 22 acres on N. 1/2, 15 acres on S. E. 1/4,
Cultivated

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

Ans. —

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

Ans. —

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. —

11113

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

Ans. for the last three years through Leches fall amount 1 cu ft per sec.

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)

John Masterson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Lake

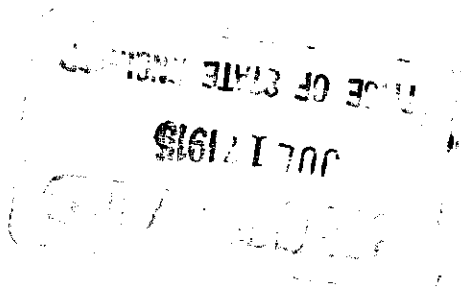
Fremont, State of Idaho, on this 14th day of July

A. D. 1913

Wherwood

Notary Public

11553



Permit No. 11113**Proof of Application of Water to Beneficial Use****DEPOSITION OF WITNESS**

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

Ans. Thomas J. Masherson 30 Lake rancher
Lakeside Mont.Ques. 2. Are you acquainted with John W. Masherson, the holder of Permit No. 11113? How long have you known him and where does he reside?Ans. yes 30 years Lake IdahoQues. 3. Have you read or heard read said Permit No. 11113, 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. Hopu creek N.E. 1/4 of N.E. 1/4 sec 25-T.P. 13
Range 43 S. 1/2 S.E. 1/4 sec 19 T.P. 15 R 43.

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. 3 cu ft per sec. about 2 cu ft.

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. Domestic & Irrigation. N.E. 1/4 of S.E. 1/4 sec 19
T.P. 15 range 43. cultivated 22 acres & 15 acres.
ditches & head gates

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. about 1 in per 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. *No*

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. *for last 3 years, through ditches to the amount of about 1 in per acre.*

(Sign)

Thos. J. Masterson

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 *Lape* County of *Territorial*

State of Idaho, on this *14th* day of *July* A. D. 19*15*

J. Sherrwood

Notary Public.

My Commission Expires *Apr 23, 1917*

11113

JUL 17 1915

CLERK OF STATE DEPT.

Permit No. ~~1113~~**Proof of Application of Water to Beneficial Use****DEPOSITION OF WITNESS**

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

Ans. Earl Gillman, 25, Lake Idaho Rancher
Lake IdahoQues. 2. Are you acquainted with John W. Masterson, the holder of Permit No. 11113? How long have you known him and where does he reside?Ans. 3 years Lake IdahoQues. 3. Have you read or heard read said Permit No. 11113, 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. Hofu creek, N.E. 1/4 of N.E. 1/4 sec 25 T.P. 13
R. 42 E. to N. 1/2 S.E. 1/4 sec 19 T.P. 13, 43, E

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. 3 cu ft. per sec about 2 cu ft. per sec.

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. Domestic & Irrigation N. 1/2 of S.E. 1/4 sec 19
T.P. 13 range 43 cultivated 22 acres 15 acres
ditches & headgates.

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, about 1 cu in per acre

11113

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

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. for last 3 years through ditches to the
amount of about 1 cu in per acre

(Sign) E. A. Gilliam

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 Lake, County of Tremont.

State of Idaho, on this 14th day of July A. D. 1915

J. S. Herwood

Notary Public.

My Commission Expires Apr 23rd 1917

11113

JUL 17 1915

OFFICE OF STATE ENGINEER

July 8-15

State Engineer
Boise, Ida

Dear Sir: I have not received
my certificate of completion of
works and am to make final proof
of use of water, before Jas. Sherwood
W.P. at Idaho, Idaho, on July 14-15
Please send me the necessary blanks
No. of my permit is 11113

Yours truly

Jno. H. Martenson

Idaho

JUL 18 1915

Moore

11113

July 14, 1915.

Permit 11113.

John W. Masterson,
Lakeview, Montana.

Sir:--

Am enclosing herewith certificate of completion
of works with receipt for fees.

Very truly yours,

J. H. SMITH,

State Engineer.

CCW - R7772

By_____

11113

STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

John W. Masterson,
c/o J. Sherwood,
Lake, Idaho.

BOISE, IDAHO,

June 23, 1915.

DEAR SIR:

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

11113.
DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

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

1. On July 14th, 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

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

F. P. KING,
J. H. SMITH, ~~XXXXXX~~
State Engineer.

11113

(P. O.) Anthony, Idaho

(Date) June 3rd, 1915

State Engineer, Boise.

Dear Sir:

I have your letter of June 2, enclosing Notice of Proof of Beneficial Use of Water under Permit No. 11113 which will be published as you request, beginning with our issue of June 3, 1915

Teton Peak Chronicle

11113

June 5, 1915.

Permit 11113. Masterson.

Teton Peak Chronicle,
St. Anthony, Idaho.

Gentlemen:

A few days ago we mailed you notice for publication under above permit, setting July 24th as date for making proof. We are just in receipt of a letter from Mr. Masterson asking that this date be changed to the 14th. Kindly make this change before publishing the notice.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

11113

Lake view Mont

June 2 1915

J. H. Smith State Engineer
Boise Idaho

Sir in regards to one making
final proof on water I
would like you come to
make the date July 14
in place of the 24 my
proof will have to be in
land office by august first.
Please do this if you can

Very Truly Yours

RECEIVED

JUN 10 1915

OFFICE OF STATE ENGINEER

John W. Masterson

11113

Permit No. 11113

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Fremont

ss.

John W. Masterson, 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. 11113 and that his postoffice address is Lakewood, W.
 State of Montana

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 2nd, 1916

Third: That the use for which said water is intended is Irrigation

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

I. Kind of works: Dam and earth ditches
 (Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 2 ft feet, length of dam at top 15 feet, length of dam at bottom 14 feet. Material used in construction Log & Earth
and Rocks
 (State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width 1 ft feet, height one ft feet.

(d) Conduit ditches width at bottom 2 ft feet, width at water line 3 feet, depth of water 9 inches feet; diameter of pipe _____ inches; average grade per mile is 53 feet. Length of conduit is 1 1/2 miles.

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

1 second feet of water.

Sixth: That water appropriated under said permit is available for 50 acres of land described as follows: N 1/2 SE 1/4 Sec 19 T15 R43 E.B.M.

Seventh. Remarks: That _____

John W. Masterson
 (Sign here)

Subscribed and sworn to before me this 27th day of May, 1916

My commission expires 4/12 23 1917 J. H. Woodward Notary Public.

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July 28

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 27 1915
(P. O.) Lake Idaho

To the State Engineer,
Boise, Idaho.

Dear Sir:

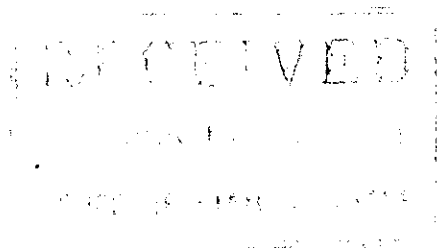
You are hereby authorized to have the attached notice published at my expense in the Idaho State Chronicle of St. Anthony, published in the county in which the works are situated.

John W. McAllister

(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.



13113

RECEIVED

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 24th day of July, 1915,
 at Lape, County of Teton, State of Idaho,
 before J. S. Sumner Notary Public, proof will be submitted
 of the application to beneficial use of One cubic feet per second of the waters of
Hope Creek, in accordance with the terms and conditions of Permit No. 11113
 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

John H. Masterson Lakeview Mont

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

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

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

all of the NW 1/4 of SE 1/4 T. 15 Sec. 19 R. 43 E. B. M.
1.8 acres of NE 1/4 " " " " " " " "

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

Lawrence Canal and Masterson ditch

6. The right to take the water from such works is based upon Permit No. 11113

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

Hope Creek

8. The date of the priority which said user is prepared to establish is March 27, 1915

March 27, 1915.

J. H. Smith,

State Engineer.

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May 24, 1915.

Re proof blanks.

Mr. John W. Masterson,
Lakeview, Montana.

Sir:

Am herewith enclosing you affidavit form required for proof of completion of works, where the amount of water claimed does not exceed 8.4 second feet, also, blank notices for final proof. The final proof blanks should be filled out and returned to this office in time for the notice to be published four weeks prior to the date of making proof.

Very truly yours,

J. H. SMITH,

State Engineer.

F5-6-3NU

By _____

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Lakeview Mont
May 20 10

State Engineer

Dear Sir: Some time ago I wrote
you for some of blanks that have to
be filled out before a man can prove
up on his water. It is important that
I prove up at once so please forward
at your earliest convenience
D. Lakeview Mont John H. Masterson

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5292-3

POSTAL CARD

THE SPACE BELOW IS FOR THE ADDRESS ONLY.



State Engineer
Boise
Idaho

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

Permit 11113.

John W. Masterson,
Lakeview, Montana.

BOISE, IDAHO,

April 14, 1915.

Dear Sir:

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

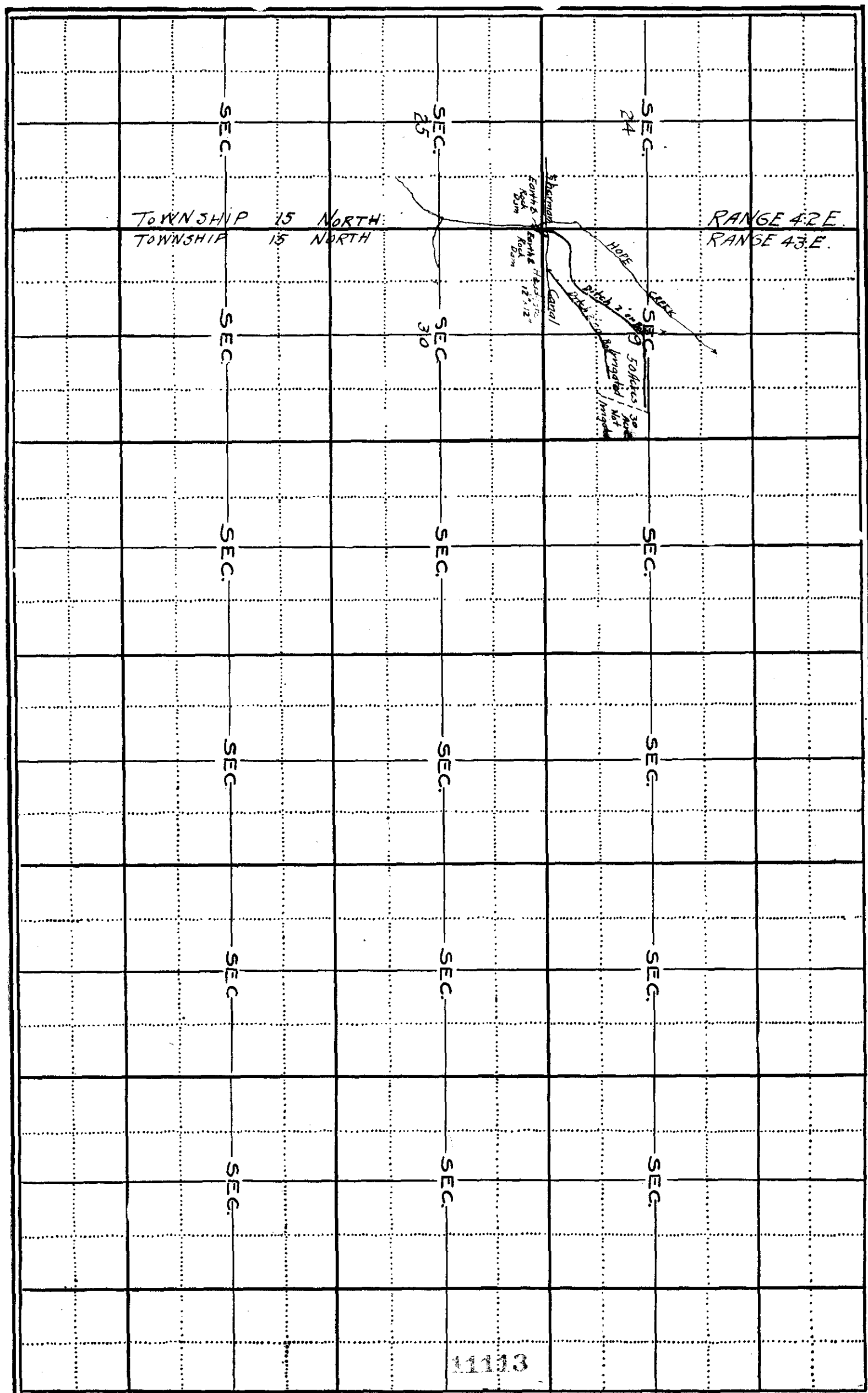
J. H. Smith

~~F. P. KING~~

State Engineer.

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Name of Applicant John W. Mcerson



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

Printed and for sale by the Statesman Shop, Boise, Idaho.

March 27, 1915.

Re Application 16239
John W. Masterson.

Mr. A. O. Harris,
St. Anthony, Idaho.

Sir:

Replying to your letter of the 25th would say that the above application is in due form and will pass to permit in regular order. It would probably be at least two months before the holder could obtain his final license under this application as the notice of final proof is required to be advertised for a period of four weeks prior to the date of making proof. We can, however, furnish you with a certified copy of the application as filed, if that would be sufficient evidence for the land office proof until license can be obtained.

Very truly yours,

J. H. Smith,

State Engineer.

By _____

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EASTERN IDAHO LAND COMPANY

"EVERYTHING IN LAND"

REAL ESTATE
RENTALS
FARM LOANS
HOMESTEADS

A. O. HARRIS, MANAGER

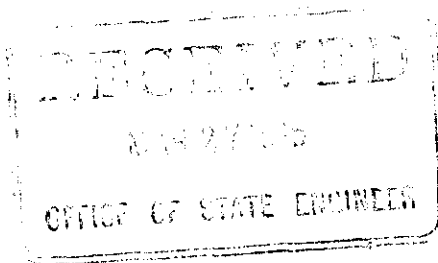
ST. ANTHONY, IDAHO

LAND LOCATIONS
CRUISES AND EXAMINATIONS
MAPS AND RECORDS
LAND SCRIP

March 25, 1915.

Mr. J.H. Smith,
State Engineer,
Boise, Idaho.

Dear Sir:



Please find herewith an application to appropriate one second foot of the waters of Hope Creek, filed by John W. Masterson, of Lakeview, Montana.

You will note that this water has already been appropriated and applied to beneficial use. Mr. Masterson proceeded on what he thought was a valid deed to this amount of water from Hope Creek, and made a desert entry on the 80 acres shown on the sketch accompanying the within application. When he attempted to make proof, the Commissioner of the General Land Office held the entry for rejection on account of insufficient water right, and the entryman has been advised by his attorney that it will be necessary for him to file directly on the water himself, and that if this can be done expeditiously, it may yet be possible to hold the entry intact.

Inasmuch as Mr. Masterson has actually used this water and has completed all his works, will you kindly advise what would be the earliest time at which he could make proof of beneficial use and obtain his water license ?

Yours very truly,

A. O. Harris

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