

17775

AFFIDAVIT OF PUBLICATION



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

E. R. Cornselli

~~Milton D. Fork~~, of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Editor of the IDAHO FREE PRESS, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation

in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper four times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

October 7, 14, 21 and 28, 1933.

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

Notice is hereby given that a 10 a. m. on the 20th day of November, 1933, at Caldwell, County of Canyon, State of Idaho, before J. A. Miller, notary public, proof will be submitted of the application to beneficial use of 2 cubic feet per second of the waters of South Valley Mound waste water, (unnamed stream) in accordance with the terms and conditions of Permit No. 17775 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 E. D. Emerson, Huston, Idaho.

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

The amount applied to beneficial use is 2 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Lots 5, 6, 7, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 2 N., R. 4 W. B. M.

The right to take water from such works is based upon Permit No. 17775.

The source of supply from which such water is diverted is South Valley Mound waste water (Unnamed stream).

The date of the priority which said user is prepared to establish is May 22, 1933.

R. W. FARIS,
Commissioner of Reclamation.
07-14-21-28

E. R. Cornselli

Subscribed and sworn to before me this 30th day

of October, 1933.

Madeline Harvey
Notary Public, Residing at Nampa, Idaho.

My Commission expires Sept 22, 1934

Said 11/20/33/1211

17775-

E. D. Emerson

T. 2N. - R. 4W.

Point of Div.

Permit Map No. 17775

As Approved
MAY 24 1933

R. W. FARIS
Commissioner of Reclamation

State of Idaho
License and Certificate of Water Right

Water License No. **17775**
Water District No. _____

Amount **1 Sec. Ft.**
Priority **May 22, 1933**

THIS IS TO CERTIFY that **E. D. EMERSON**
of **Huston, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **May 22**, 19 **33**; that Permit No. **17775**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2 second feet, was issued thereunder on **October 16**, 19 **33**, showing that said works
were completed on the **22nd** day of **September**, 19 **33**; and that on the **20th**
day of **November**, 19 **33**,

E. D. EMERSON

of **Huston**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of **South Valley Round**
Wasteway / (Unnamed stream), a tributary of **Snake River**, for the purpose of **irrigation**
under Use Permit No. **17775** 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 **7**
of Licenses, at page **3795**, on the **25th** day of **June**, 19 **35**;

The right hereby confirmed dates from **May 22**, 19 **33**;

The Point of Diversion is located
in the **SE 14** **SE 14**, Sec. **23**, Tp. **2 N.**, R. **4 W.**, **B. M. Canyon 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 **1**
foot
cubic ~~foot~~ per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	4 W.	26	Lot 5	20	10
			Lot 6	20	15
			Lot 7	25	10
			NE 1/4 NE 1/4	20	5
			SE 1/4 NE 1/4	25	10

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 **25th** day of **June**, 19 **35**.

R. W. FARIS
Commissioner of Reclamation

(SEAL)

57-2166
63-3635

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 24905
Permit No. 17775
District No.

1. Name of Applicant: E. D. Emerson

Postoffice address: Huston

County: Canyon

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: 2.0

cubic feet per second.

3. Source of water supply: (Unnamed stream) South Valley Mound Wasteway which is a tributary of Snake River

4. Location of point of diversion: About 990 feet distant from the NW NE

corner of Section 26, T. 2 N., R. 4 W., B. M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 23, T. 2 N., R. 4 W., B. M., County of Canyon

5. Water is to be used for: Irrigation 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: \$ 100.00

8. Kind of works: Dam and ditch

9. Height of dam 1 feet; length of dam at top 10 feet; length of dam at bottom 7
feet; material used in dam: Concrete

10. Size of headgate: Width 20" feet; height 16" feet.

11. Ditch: Width at bottom 2 feet; width at water line 2 $\frac{1}{2}$ feet; depth of water 7"

feet; dimensions of flume:

Diameter of pipe inches; length of conduit 400'

Average grade per mile feet.

12. The time required for the completion of such work is six months years

13. The time required for the complete application of the water to the proposed use is no 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.

E. D. Emerson Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 3:00 P.M. May 22, 1933

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 17775

Recorded in Book 64 Page 17775 Approved May 24, 1938

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 July 23, 1933

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 August 24, 1933

The whole of said work to be completed on or before November 24, 1933

Beneficial use of water appropriated in accordance herewith, to be made on or before November 24, 1933

Witness my hand this 24th day of May, 1933.

R. W. FARIS
Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	XXXX	XXX	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	XXXX	NW¼	SW¼	SE¼	
2 N	4 W	26	Lot 5 Lot 6 20 20 20 25												Lot 7 25				110
Total number of acres to be irrigated.....																		110	

PERMIT NO. 17775

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that E. D. EMERSON of Huston, County of Canyon, and State of Idaho, the holder of Permit No. 17775, issued upon Application No. 24905 bearing date of priority of May 22, 1933, authorizing the diversion of 2 second feet of the waters of South Valley Mound Wasteway (unnamed stream), tributary of the Snake River, County of Canyon, State of Idaho, for irrigation 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 2 second feet of the waters of South Valley Mound Wasteway (unnamed stream), that the point of diversion of said waters is about 990 feet distant NW from the NE corner of Section 26, T. 2 N., R. 4 W., B. M., and is the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T. 2 N., R. 4 W., B. M., County of Canyon, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 110 Acres; Lots 5, 6 & 7 and 20 Acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 25 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26 T. 2 N., R. 4 W., B. M.

Witness my hand this 16th day of October, A. D. 1933.

R. W. FARIS
Commissioner of Reclamation

Proof of Completion of Works Made September 22, 1933.
Certificate of Completion of Works Issued October 16, 1933.

LICENSE ISSUED FOR 1 SEC. 11
Vol. 7 Page 3795

June 26, 1935

Re: Permit No. 17775

MR. E. D. EMERSON
Huston,
Idaho

Dear Sir:

We are enclosing herewith Water License No. 17775, in the amount of 1 second foot, bearing date of priority as of May 22, 1933, issued under the above numbered permit. We are also enclosing our office receipt for \$10.00, which was the fee due in connection with final proof.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Assistant Chief Clerk

G
Encl.

17775

April 8, 1935

Re: Permit No. 17775

MR. E. D. EMERSON
Huston,
Idaho

Dear Sir:

On the 13th day of April, 1934, the field engineer of this department made an examination of the lands described under the above numbered permit, and he found that you could irrigate a portion of five different subdivisions making a total of 50 acres. This acreage is contained in Lots 5, 6, 7, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, T. 2 N., R. 4 W. You are, therefore, entitled to a license for one cubic foot of water per second and upon the payment of a fee in the amount of \$10.00 it will be issued to you. This fee is fixed by law at the rate of \$2.00 for each legal subdivision or portion thereof that is being irrigated.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG

17775-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17775

This proof is for Beneficial Use

In Water District No.

1. Name of applicant E. D. Emerson

2. Source of water supply: Unnamed Stream

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23

T. 2 N. R. 4 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: Concrete heading

20' long x 3' high. Flashboard control 5' wide x 2' high in draw.
Headgate outlet is 20" x 14", w/ a ditch 2' wide x 1' deep.
1000 ft of 12" concrete pipe siphon leads to ridge near
river

5. Water is used for: Irrigation

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): Lots 5, 6, 7, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, T. 2 N., R. 4 W., 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? Snake River

Remarks: This diversion uses drainage from other lands
and is also used for the rotation of other water which
is appurtenant to the ranch

This examination was made on the 13th day of April, 1934

(Signed) Ed H. Tolman Examiner.

12
E. D. BURSON
Huston, Idaho

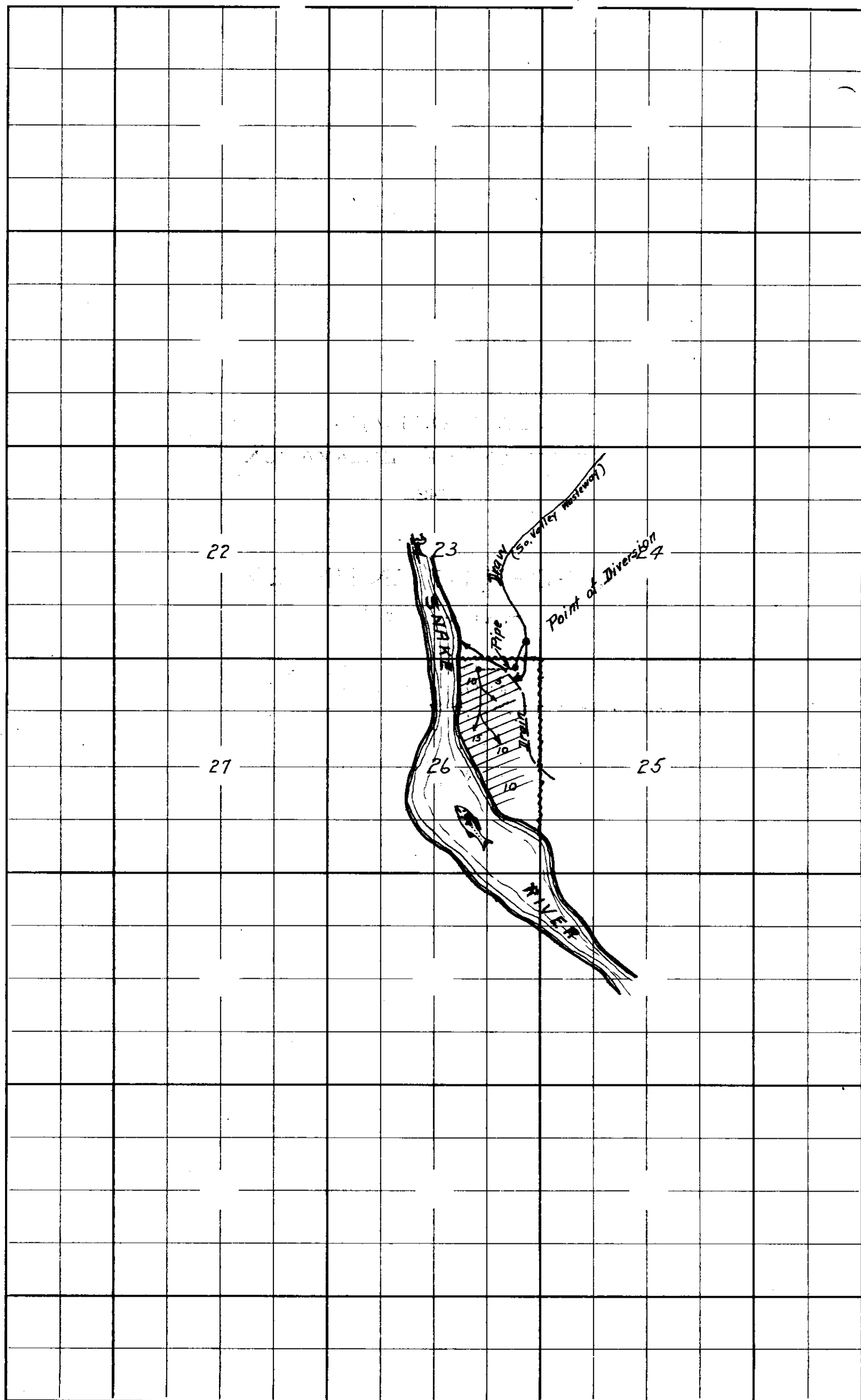
Permit No. 17775

Examination for Beneficial Use

County Canyon

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.
-



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

17775-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 17775

REPORT ON PROOF OF BENEFICIAL USE

December 7, 1933

Re: Permit No. 17775

MR. E. D. EMERSON
Huston,
Idaho

Dear Sir:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses and the affidavit of proof of publication from the newspaper, all in connection with beneficial use proof under the above permit.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made since the department has but one field engineer who makes examinations all over the state. However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his report is on file in this office you will be further notified as to fees due before the issuance of your license.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PIE:RG

17775

FARMS

ACREAGE

CITY HOMES

REAL ESTATE IS THE SOUND, SAFE
INVESTMENT

*Walker
Agency*

INSURANCE

THE GENERAL GROUP OF
A+ RATED CARRIERS.

FIRE AND AUTO
PROTECTION AT ALL TIMES
WITH SAFETY.

BUDGET PREMIUM
SERVICE

THE EASY WAY TO PAY.

RECEIVED
BONDS
FOR EVERY NEED
NOV 28 1933

(SINCE 1907)

110 S. KIMBALL
CALDWELL, IDAHO,

DEPARTMENT OF RECLAMATION

Nov. 27, 1933

Dept. of Reclamation,
State of Idaho

Boise, Idaho.

Dear Sirs:

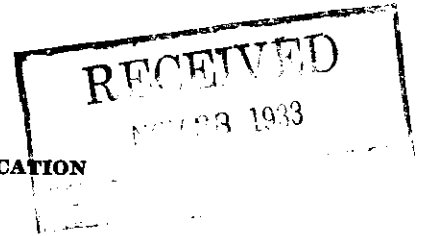
Affidavit of Publication and Proofs by
Mr Emerson and witnesses in connection with permit No.
17775 are herewith enclosed.
Trusting same will be found in order,

Respectfully,

J. A. Miller

Notary Public

17775



AFFIDAVIT OF PUBLICATION

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

E. A. Cornselli

~~Robert P. York~~, of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Editor of the IDAHO FREE PRESS, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper four times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

October 7, 14, 21 and 28, 1933.

E. A. Cornselli

Subscribed and sworn to before me this 30th day

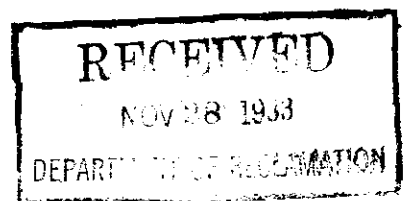
of October, 1933.

Madeline Hovey
Notary Public, Residing at Nampa, Idaho.

Said
11/20/33/MS

17775-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



17775
Permit No. _____

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. E.D. Emerson, Farmer, Huston, Canyon County, 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. _____

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

Ans. 17775, May 24, 1933
3:00 P.M., May 22, 1933 May 22, 1933

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

Ans. South Valley Mound Wasteway (unnamed stream), tributary of Snake River. About 990 feet NW from the NE corner of Sect. 26, Twp. 2 N R 4 W BM SE 4 SE 4, Sec. 23, T. 2 N, R. 4 W, 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. Dam, 1 foot high by 10 feet long at top and 7 feet long on bottom constructed of concrete; Ditch or conduit 400 feet in length having 20" headgate and being 16" in height, width on bottom 2 feet, width at water line 2 1/2 feet with capacity of carrying 2 second feet 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 of 110 acres, being lots 5, 6, 7, and 20 acres in NE 1/4 NE 1/4 and 25 acres in SE 1/4 NE 1/4, Section 26, Twp. 2 N. R 4 W. B.M.
45 acres now in alfalfa, 20 acres cultivated, 45 acres pasture

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

Ans. _____

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

Ans. 2 Second 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. _____

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

Ans. By irrigation of Alfalfa 8 times and cultivated and pasture land 3 times during 1933 Irrigation season.

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. When making each application of water as above the allotted amount from Wilder Irrigation District to this land was supplemented to complete the irrigation.

(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 Caldwell, County of Canyon, State of Idaho, on this 20th day of November, A. D. 1933.

J. A. Miller
Notary Public in and for the State
of Idaho

My commission expires Apr. 11, 1935

Residing at Caldwell, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17775

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. M.D. Roberts , Age 44, Farmer , Huston, Ida. RFD

Ques. 2. Are you acquainted with E.D. Emerson, the holder of Permit No. 17775? How long have you known him and where does he reside?

Ans. yes. 15 years at Huston, Ida. RFD

Ques. 3. Have you read or heard read said Permit No. 17775, 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. South Valley Mound Wasteway, A Dredged Ditch . About 990 ft NW from NE corner of Sect. 26, Twp. 2 N R 4 W.BM.

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. 2 Second Feet. A Dam 1 foot high by 10 feet long and a Ditch 400 feet long having headgate 20 " X 16", width on bottom 2 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 improvement which have been made as a direct result of said use.

Ans. Irrigation of 110 acres . being Lots 5,6,7 and 20 acres of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ and 25 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 26 , Twp. 2 N R 4 W.BM.
45 acres Alfalfa Meadow, 20 acres cultivated and 45 acres native pasture.

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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. gravel soil requiring about double the average amount of
water for irrigation.

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. Witnessed E.D. Emerson applying water under this permit to
the land herein described during the month of June, July and August,
1933.

(Signed) M.D. Roberts

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 Caldwell, Idaho, County of Canyon, State of Idaho, on this day of Nov. 20, A. D. 1933.

My commission expires Apr. 11, 1935 Residing at Caldwell, Idaho

J. A. Miller
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17775

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. Paul Kelly , Age 28, Laborer , residing at 320 Cleveland
Boulevard , Caldwell, Idaho

Ques. 2. Are you acquainted with E.D. Emerson, the holder of Permit No. 17775 ? How long have you known him and where does he reside?

Ans. 20 years , in Riverside Valley, Huston, RFD , Idaho

Ques. 3. Have you read or heard read said Permit No. 17775, 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. Dredged Ditch known as South Valley Mound Wasteway ; 990 feet
NW from NE corner of Sec. 26, Twp. 2 N R 4 W.B.M.
Works consisting of Dam in Wasteditch 1 ft. high , 10 feet along on top
and 7 feet on bottom constructed of concrete And 400 ft of ditch having
20" headgate 16" height, ditch 2 ft. on bottom with capacity of 2 Second
feet.

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. 2 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 improvement which have been made as a direct result of said use.

Ans. Irrigation of 110 acres, being Lots 5, 6, 7 and 20 acres in
NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 25 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, Twp. 2 N. R 4 W.B.M.
45 acres Alfalfa meadow, 20 acres cultivated balance of 45 acres
native pasture.

17775

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. _____

Gravelly soil requiring more than average amount of water for irrigation

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. **During months of June and July 1933 I witnessed said E.D. Emerson applying water under this permit to the land herein described thru the Dam, Headgate and ditch in the amount of 2 Second feet**

(Signed) *Paul Kelly* _____

I hereby certify that the foregoing testimony was read to the above subbscriber 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 **Caldwell**, County of **Canyon**, State of Idaho, on this day of **20th of November**, A. D. 19**33**.

My commission expires

Apr. 11, 1935

J. A. Miller _____
Notary Public.
Residing at Caldwell, Idaho

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, November 15, 1933

Re: Permit No. 17775
E. D. Emerson

MR. J. A. MILLER,
Notary Public,
Caldwell, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 17775

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 rights:

1. On November 20, 1933, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Caldwell, Idaho before J. A. Miller, Notary Public

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 the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

R. F. FARIS
Commissioner of Reclamation.

17775-

October 7, 1933

Re: Permit No. 17775

MR. E. D. EMERSON
Buston,
Idaho

Dear Sir:

Under date of October 6, 1933, your affidavit for proof of completion of works and also certain papers in connection with beneficial use proof were received in this department. The affidavit is in satisfactory form but a \$5.00 statutory fee should have accompanied it. Immediately upon receipt of this fee, your certificate of completion of works can be issued.

You set the date for offering beneficial use proof as November 20th at 10:00 o'clock A. M. The above fee must be paid before that date, otherwise the latter proof cannot be accepted. About ten days prior to the date set for proof we will mail the necessary depositions to Mr. J. A. Miller of Caldwell before whom proof will be offered. The proof will consist of one deposition for the holder and one each for two witnesses.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

FH:RC

17775-

October 17, 1933

Re: Permit No. 17775

MR. E. D. EMERSON
Huston,
Idaho

Dear Sir:

We are enclosing herewith Certificate of Completion of works issued under the above numbered Permit, authorizing the diversion of 2 second feet of the waters of South Valley Mound Wasteway and bearing date of priority as of May 22, 1933.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Assistant Chief Clerk

G
Encl. Office receipt in the amount of \$5.00.

17775

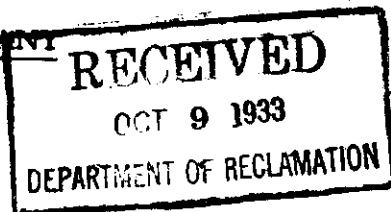
The Idaho Free Press

Published by

THE CO-OPERATIVE PUBLISHING COMPANY

E. R. CORNWELL, GENERAL MANAGER

Nampa, Idaho



Re: Permit 17775

October 7, 1933.

R. W. Faris
Commissioner of Reclamation
State House, Boise, Idaho.

Dear Sir:

Copy for the Emmerson legal was received today. A copy of the first publication is here with enclosed. Mr. E. D. Emmerson, Huston, Idaho will be billed according to your orders.

Yours very truly,
Idaho Free Press.

By *Blanche Hanes*
Clerk.

17775

Permit No. 17775

RECEIVED

OCT 6 1933

DEPARTMENT OF RECLAMATION

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Canyon } SSE. D. Emerson, 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. 17775, and that his postoffice address is Huston State of IdahoSecond: That the name of the stream from which said water is to be diverted is South Valley Mountain (unnamed) Site 99MThird: That the point of diversion of said water is about 990 ft. N.W. from the N.E. cor. Sec 26, T. 4 N., R. 4 W. in S.E. 1/4, S.E. 1/4, Sec 23, T. 4 N., R. 4 W.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Nov. 24, 1933.Fifth: That the use for which said water is intended is IrrigationSixth: 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 Ditch
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam one feet, length of dam at top 70 feet, length of dam at bottom 7 feet. Material used in construction concrete

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.(c) Size of headgate: Width 20 in feet, height 16" feet.(d) Conduit ditch width at bottom 2 feet, width at water line 2 1/2

(State whether ditch, flume or pipe.)

feet, depth of water 7" feet; diameter of pipe inches, average grade per mile is 4 feet. Length of conduit is 400' miles.Seventh: That said works are capable of conducting to the place of intended use 2.0 Sec. Ft. ~~100'~~ second feet of water.Eighth: That water appropriated under said permit is available for 110 acres of land described as follows: lots 5-6-27 and 209 in NE 1/4 NE 1/4 & 259 in the S.E. 1/4 NE 1/4 Sec. 26, T. 2 N., R. 4 W., B.M.Ninth: Remarks: That E. D. Emerson

(Sign here)

Subscribed and sworn to before me this 22 day of Sept., 1933My commission expires 4-11-1935J. M. Miller
Caldwell, Idaho Notary Public.

17775-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date October 6, 1933

EDITOR, IDAHO FREE PRESS
Nampa, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 20, 1933, the date set for proof, the expense of the publication to be paid by the applicant,

E. D. EMERSON, Hanton, 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,

R. W. FARIS

Commissioner of Reclamation

17775-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

E. D. EMERSON
Euston, Idaho

September 12, 1933

Dear Sir:—

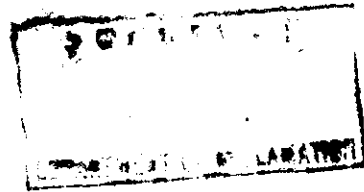
I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. **17775**....., which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is **Nov. 24, 1933**....., and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

R. W. FARIS

~~XXXXXXXXXXXX~~
Commissioner of Reclamation.

17775



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 5th 1932
(P. O.) Huston Idaho R.R. 1

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Idaho Free Press of Nampa Ida., published in the county in which the works are situated.

E. D. Emerson

(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.

17775-

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 20th day of November, 1933
 at Caldwell, County of Canyon, State of Idaho,
 before J. A. Miller, Notary Public, proof will be submitted
 of the application to beneficial use of 2 cubic feet per second of the
 waters of (Unnamed stream)
South Valley Mound waste water in accordance with the terms and conditions of
 Permit No. 17775 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
E. D. EMERSON, Huston, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 2 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) Lots 5, 6, 7, NE $\frac{1}{4}$, NE $\frac{1}{4}$ & SE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 26, T. 2 N., R. 4 W., 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. 17775

The source of supply from which such water is diverted is
South Valley Mound waste water (Unnamed stream)

The date of the priority which said user is prepared to establish is
May 22, 1933.

R. W. FARIS

Commissioner of Reclamation.

17775

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

17775

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho, September 12, 1933

E. D. EMERSON
Huston, Idaho
Dear Sir:—

Under the terms of your permit No. ~~17775~~.....you are required to complete your diversion works on or before ~~Nov. 24, 1933~~.... 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,

R. W. FARIE
Commissioner of Reclamation.

17775

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 17775

Boise, Idaho,

May 24, 1933

Dear Sir:

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

E. D. Emerson
Huston, Ida

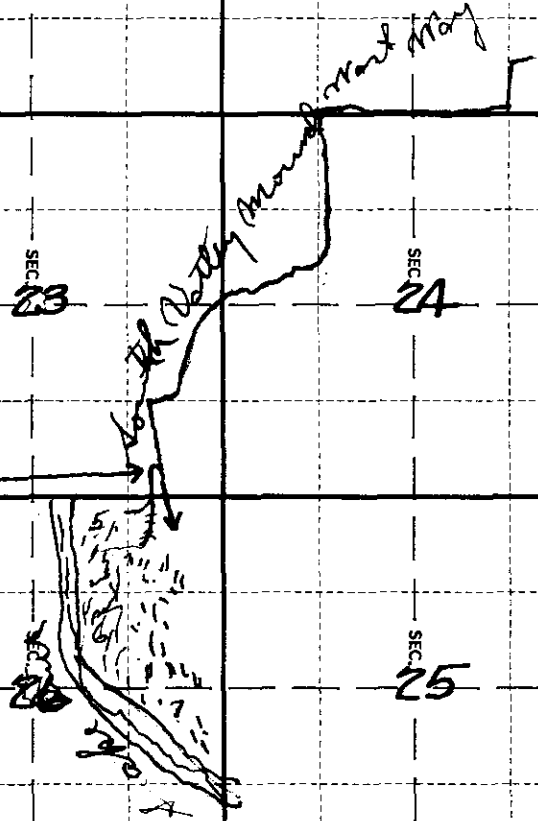
R. W. FARIS
Commissioner of Reclamation.

17775-

E. D. Emerson

T.2N.-R.4W.

Point of Div.



Permit Map No. 17775

As Approved
MAY 24 1933

R. W. FARIS
Commissioner of Reclamation