

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Ada } ss.

Notice of Proof of Completion of Works and Application of Water to Beneficial Use.

Notice is hereby given that at 2 p. m., on the 1st day of February, 1909, at Boise, County of Ada, State of Idaho, before State Engineer, proof will be submitted of the completion of works for the diversion of 6 cubic feet per second of the waters of a slough, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 3868 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the persons holding said permit are Settlers Irrigation District, Boise, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is six cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is six cubic feet per second.

4. The place where said water is used is on lands under Settlers Irrigation District, Ada County, Idaho, as now organized in Ada County, Idaho.

5. The date of priority which said user is prepared to establish is May 9, 1908.

JAS. STEPHENSON, JR.,
State Engineer.

J-28

I, C. W. Holmes,
being first duly sworn, depose and say that I am over twenty-
one years of age, and the Chester Clark of the
Idaho **Capital News**, a newspaper of general circulation,
published at BOISE, County of Ada, and State of Idaho, and
the annexed Notice was published in said paper once each
and every week for four consecutive weeks, the first
publication being on the 31st day of
Dec 1908, and the last publication being
on the 28th day of July 1909

Subscribed and sworn to before me this 7th
day of April, 1909.

William E. Munnick
Notary Public.

3868

Apr. 7, 1908

Report of Engineer

1. State name of applicant and number of permit: 3868
 2. State source of water supply: A Slough.
 3. Location of point of diversion: 288 feet East of NE cor. sec. 30 T.4.N.R.I.E.
 4. State whether or not the works of diversion are *fully* completed and in accordance with terms of permit: Fully
 5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 3 feet on average
 - (b) Width at water line: Variable 4 to 6 feet
 - (c) Depth of water: Variable 1 to 2 feet
 - (d) Grade per mile: Variable from 5 to 6½ feet per mile
 6. State whether or not water has been turned into works of diversion and if so, to what extent: Fully
 7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: In sec. 30 T.4.N.R.I.E. NE¼ of NE¼ 4½ acres. NW¼ of NE¼ 7½ acres NE¼ of NW¼ 22 acres. NW¼ of NW¼ 19½ acres. In sec. 25 T.4.N.R.I.W. NE¼ of NE¼ 40 acres. NW¼ of NE¼ 40 acres. NE¼ of NW¼ 40 acres. NW¼ of NW¼ 40 acres. SW¼ of NW¼ 6½ acres. In sec. 24 T.4.N.R.I.W. SE¼ of SE¼ 40 acres. SW¼ of SE¼ 40 acres.
 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: This ditch is taken from a slough and there is no Head gate. A culvert over the ditch in the county road measures 4 feet wide and 2 feet deep which may be the controlling gate. Total amount of acres under this ditch 300 acres, Capacity of ditch 6 second feet.

J. H. Almond

County Surveyor, Ada County.

STATE OF IDAHO,

County of Ada } ss.

J. W. Almond, 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 First day of Feb. 1909.

My Commission Expires Nov. 16, 1911.

J. F. Calvin
Notary Public.

In Sec. 30 T. 4 N. R. 1 E. NE. 1/4 of NE. 1/4, 4 1/2 acres.

NW. 1/4 of NE. 1/4 7 1/2 acres NE. 1/4 of NW. 1/4 22 acres.

NW. 1/4 of NW. 1/4 19 1/2 acres.

In Sec. 33 T. 4 N. R. 1 W. NE. 1/4 of NE. 1/4 40 acres.

NW. 1/4 of NE. 1/4 40 Acres. NE. 1/4 of NW. 1/4 40 acres.

NW. 1/4 of NW. 1/4 40 acres. SW. 1/4 of NW. 1/4 6 1/2 acres.

In Sec. 34. T. 4 N. R. 1 W. SE. 1/4 of SE. 1/4 40 acres.

SW 1/4 of SE. 1/4 40 Acres.

In Sec. 30 T.4 N. R. 1 E: NE. $1/4$ of NE. $1/4$, 4 $1/2$ acres.
NW. $1/4$ of NE. $1/4$ 7 $1/2$ acres NE. $1/4$ of NW. $1/4$ 22 acres.
NW. $1/4$ of NW. $1/4$ 19 $1/2$ acres.

In Sec. 35 T. 4 N. R. 1 W. NE. $1/4$ of NE. $1/4$ 40 acres.
NW. $1/4$ of NE. $1/4$ 40 Acres. NE. $1/4$ of NW. $1/4$ 40 acres.
NW. $1/4$ of NW. $1/4$ 40 acres. SW. $1/4$ of NW. $1/4$ 6 $1/2$ acres.
In Sec. 34. T. 4 N. R. 1 W. SE. $1/4$ of SE. $1/4$ 40 acres.
SW $1/4$ of SE. $1/4$ 40 Acres.

P3868

T 4 N R 1 W

T 4 N R 1 E

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Boise Meridian

Point of diversion

Line of ditch

Slough

Approved August 1, 1908.

Application No. 5172.
Permit No. 2868.
SOLUTIONS DISTRICT.
6 sec. 14. Slough.
Ada county.

State Engineer.

J. H. Thompson

 Ada County *
 Unnamed slough *
 6 second feet *
 Irrigation *
 Priority 5-9-1908 *

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

Water License No. 3868.

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WHEREAS, On the 9th day of May A.D.1908, SETTLERS IRRIGATION DISTRICT, of Boise, County of Ada, and State of Idaho, duly made application (No. 5172) to me for a permit to use six cubic feet per second of the waters of unnamed slough, County of Ada, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 1st day of August A.D.1908, Permit No. 3868 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 1st day of February A.D.1909, and for the application to beneficial use of said water on or before the 1st day of February A.D.1909, and

WHEREAS, On the 1st day of February A. D. 1909, the holder of said permit duly made proof of the completion of adequate works for the diversion of six cubic feet per second of said waters, as evidenced by my Certificate No. 3868 dated April 12,1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use six cubic feet per second of water, with date of priority of May 9,1908, and,

WHEREAS, On the 1st day of February A.D. 1909, proof was duly made of the application to beneficial use of six cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to SETTLERS IRRIGATION DISTRICT, of Boise, Idaho, the holder and owner of said Permit No. 3868, a perpetual right, dating from May 9,1908, to the use of six cubic feet per second of the waters of unnamed slough, in the County of Ada, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 288 feet east of northeast quarter of section 30, township 4 north, range 1 east of Boise meridian, and conducted to and upon (4.5 acres in NE4 NE4, 7.5 acres in NW4 NE4, 22 acres in NE4 NW4, 19.5 acres in NW4 NW4; section 30, Tp. 4 N.R. 1 E.B.M., 80 acres in N2 NE4, 80 acres in N2 NW4, 6.5 acres in SW4 NW4 Sec. 25, and 80 acres in S2 SE4 Sec. 24, Tp. 4 N.Range 1 W.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 of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 12th day of April, A.D.

Nineteen hundred and nine.

Jas. Stephenson, Jr.

State Engineer.

62 3080

No. 5172.

63-2080

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: SETTLERS IRRIGATION DISTRICT.

Postoffice address: BOISE.

County: ADA State IDAHO.

I. If applicant is a corporation, give:

(a) Date and place of incorporation: Organized in 1908 Ada County.

(b) The amount of capital stock: Bonded for \$120,000.00

(c) The amount paid in: None 20 years to pay.

(d) The names and addresses of directors: J. F. Maw, President, Mrs. M. S. Pride, Secretary, J. L. Waggoner Reasurer, and J. F. Maw, David McMullin, And Thomas Moran
Directors J. F. Maw Meridian R. D. No. 1.

II. The financial resources of the applicant are:

(a) Cash on hand: Some cash.

(b) Treasury stock: Organized Irrigation District.

(b) Bonds to be issued: \$120,000.00

(d) Other resources: Assessment on lands.

2. The quantity of water claimed is six (6) cubic feet per second.

3. Source of water supply: From a Slough Running in a westerly direction in Sec. 28, thence in a northwesterly direction through the North easterly part of Sec. 29, Tp. 4 N. R. 1 E.

County of County of Ada to the Sec. line between Sec. 19 & 29.

4. Location of point of diversion: About 15 Rods East of the NW Corner of Sec. 29 T. 4 N. R. 1 E. on Sec. line Bet'n 19 and 29.

5. To be used for:

I. Irrigation and Domestic use:

(a) Amount of land to be irrigated: Three hundred acres.

(b) In the following legal subdivisions: in the area of the lands included in the
Settlers Irrigation District as shown of records on file.

6. Estimated cost of works: All Ditches are completed.

7. Description of works for diversion:

I. Kind of works: Open Ditch in Earth.

II. Dimensions of works:

(a) Height of dam none.

(c) Size of headgate: Width Four feet, height Two feet.

(d) Conduit About three Ft., width at bottom Three feet, width at water line....

Length of conduit is $1\frac{1}{4}$ miles, and it crosses the following quarter sections:
NE $\frac{1}{4}$ of Sec. 30 T. 4 N. R. E And NE Cor. Sec. 25 T. 4 N. R. 1 E to land described in 5 I (b) above which is the point of intended use.

- 3868
8. Time required for the completion of the construction of such work is None years.
9. Time required for the complete application of the water to the proposed use is None 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.

SETTLER IRRIGATION DISTRICT,

Applicant.

By.....J. F. Maw.....Agent.
President.

Remarks: The above mentioned water-is filed on for the use and benefit of all the land owners of the Settlers Irrigation District as now organized in Ada County.

APPROVAL OF STATE ENGINEER.

The number of this permit is 3868.

Date of first receipt of application 11:45 a.m. May 9, 1908.

Returned to applicant for correction June 8, 1908.

Corrected application received July 29, 1908.

Recorded in Book 11, Page 3868 Approved August 1, 1908.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before September 30, 1908, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before November 1, 1908.

The whole of said work to be completed on or before February 1, 1909.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to February 1, 1909.

Witness my hand this first day of August, 1908.

Jas. Stephenson, Jr.,

State Engineer.

Blank notice for proof of completion and beneficial use mailed applicant November 1, 1908.

Notice received, fixing February 1, 1909, as date and Boise as place of proof..

Notice for publication mailed Capital News, December 28, 1908.

Deposition blanks mailed applicant December 28, 1908.

F.W. Almond authorized January 7, 1909, to make examination of works.

Depositions, fees and report received February 1, 1909.

Affidavit of publication received April 7, 1909

Certificate and Water License issued April 12, 1909 .

Permit No. 3868.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that SETTLERS IRRIGATION DISTRICT, of Boise, County of Ada, and State of Idaho, the holder of Permit No. 3868, issued upon Application No. 5172, bearing date of priority of May 9, 1908, authorizing the diversion of six second feet of the waters of an unnamed slough, County of Ada, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use six second feet of the waters of unnamed slough, that the point of Diversion of said waters is 288 feet east of northeast corner of section 30, township 4 north, range 1 east of Boise meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: North half of the north half (N2N2) section 30, township 4 north, range 1 east of Boise meridian, North half of the North half (N2 N2) and southwest quarter of northwest quarter (SW4 NW4) section 25, and south half of southeast quarter (S2 SE4) section 24, township 4 north , range 1 west of Boise meridian.

Witness my hand this 12th day of April, A.D. 1909.

Jas. Stephenson, Jr.

State Engineer.

License issued for 6 second feet

Page 457

WATER RIGHT NUMBER 63-2080

OWNER LAST NAME - SETTLERS IRRIGATION DISTRICT

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BOISE

STATE - ID ZIP CODE -

SOURCE - UNNAMED STREAM

TRIBUTARY OF - BOISE RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 05-09-1908 COUNTY - ADA

TOTAL DIV. RATE - 6.0000 -CFS

TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND -

WATER DIST. - 63 DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSW 20 04N 01E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - TO -

USE - IRRIGATION

USE DIV. RATE - 6.0000 CFS

USE DIV. VOLUME -

.00 AFA

FROM - TO -

USE - DOMESTIC

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 04N R1G 01E SEC 30

TRACT NENE LOT

AC 04 TRACT NENE LOT

AC 08

USE - IRRIGATION

PLACE OF USE - TWN 04N R1G 01W SEC 25

TRACT NENE LOT

AC 22 TRACT NENE LOT

AC 20

USE - IRRIGATION

PLACE OF USE - TWN 04N R1G 01W SEC 24

TRACT SESE LOT

AC 40 TRACT SESE LOT

AC 40

DECREE NAME -

REMARKS - P/D INCOMPLETE. SEE FILE.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 3868

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED J B

4/18/85

3/79

IDENT. NO. 63-2080

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

Department of Reclamation

Herb Menzel
3503 State St.
Boise Idaho 83703

Department Of Reclamation
State House- Annex 2
Boise Idaho 83707

Sirs:

The following property- Tax 5 sec 20/17
4a 1E

has been sold to Anthony E & Linda Ann
Smart,
Rt 2
Boise Idaho 83702

Please send all future communication
concerning irigation water to them.

Sincerely

Herb Menzel

63-3053

63-2553

63-2080

63-2080
3868

April 22, 1909.

Permit 3868.

Mrs. Allen Pride,
Sec. Settlers Irrigation District,
R.D.#2, Boise, Idaho.

Madam:—

Inclosing you herewith certificate of completion of works and
license issued under above permit.

Very truly yours,

State Engineer.

C&L

By...

3868

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Ada } ss.

Notice of Proof of Completion of Works and Application of Water to Beneficial Use.

Notice is hereby given that at 2 p. m., on the 1st day of February, 1909, at Boise, County of Ada, State of Idaho, before State Engineer, proof will be submitted of the completion of works for the diversion of 6 cubic feet per second of the waters of a slough, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 3868 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the persons holding said permit are Settlers Irrigation District, Boise, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is six cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is six cubic feet per second.

4. The place where said water is used is on lands under Settlers Irrigation District, Ada County, Idaho, as now organized in Ada County, Idaho.

5. The date of priority which said user is prepared to establish is May 3, 1908.

JAS. STEPHENSON, JR.,
J-28 State Engineer.

I, John F. Johnson,
being first duly sworn, depose and say that I am over twenty-
one years of age, and the Editor of the

Boise Capital News, a newspaper of general circulation,
published at BOISE, County of Ada, and State of Idaho, and
the annexed Notice was published in said paper once each
and every week for three consecutive weeks, the first
publication being on the 1st day of

Feb 1908, and the last publication being
on the 27th day of Dec 1908

Subscribed and sworn to before me this
day of Dec 1908

John F. Johnson
Notary Public.

3868

Apr. 7 1909

March 4, 1909.

Re permit 3868.

Mrs. Allen Pride,
R.D.#2, Boise, Idaho.

Madam:—

Am just in receipt of your letter of the 3rd inst., inclosing
warrant for \$27.00, fees under above permit. Inclosed find receipts.

There still remains the affidavit of publication to be filed.
As soon as this is received certificate and license will be issued.

Very truly yours,

State Engineer.

R1718-19

By...

9102

3858

DIRECTORS:

J. F. MAW, PRESIDENT, DIST. No. 2

THOS. MORAN, DIST. No. 1

O. C. MOSBY, DIST. No. 3

MARCELLA S. PRIDE, SECRETARY

J. L. WAGGONER, TREASURER

DAVE McMULLEN, GEN'L. MGR.

Settler's Irrigation District

OFFICE AT RESIDENCE OF SECRETARY

R. D. No. 2, BOISE, IDAHO

Boise, Idaho. March 3rd, 1909.

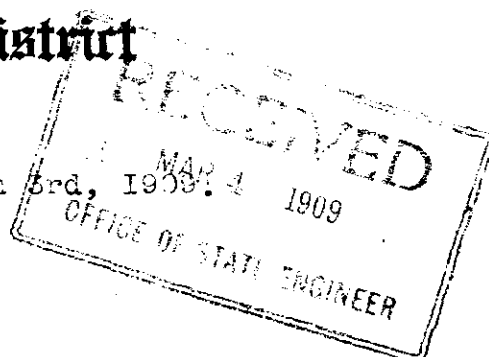
Jas. Stephenson Jr. Boise, Idaho.

Dear Sir;-

Find enclosed a Warrant from the Settlers Irrigation District for \$27.00, the amount of your account for Water Filing, Please send receipt to me and Oblige,

Marcella S. Pride, Secy.

Boise, R. D. No.2.



3888

February 1, 1909.

Permit 3868.

Mrs. Allen Pride,
R.D.#2, Boise, Idaho.

Madam:

Proofs of completion of works and beneficial use of water have today been filed in this office. As per instructions, I write you in regard to fees for same. The fee for completion of works is \$5.00 and for beneficial use \$22.00, making a total of \$27.00. As soon as this is received, the matter of issuing certificate and license will be taken up.

Very truly yours,

State Engineer.

By....

3868

Report of Engineer

1. State name of applicant and number of permit: **1998**
2. State source of water supply: **A Stream.**
3. Location of point of diversion: **200 Feet East of R.R. sec. 36 T.4.N.R.1.E.**
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: **Yes**
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: **3 feet 6 inches**
 - (b) Width at water line: **approximately 4 to 5 feet**
 - (c) Depth of water: **approximately 1 to 2 feet**
 - (d) Grade per mile: **approximately 2 to 4 feet per mile**
6. State whether or not water has been turned into works of diversion and if so, to what extent:

SECRET

[illegible]

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: ~~There is no need for a~~

A contract was made with the owner of the property and the property was sold to the owner of the property.

Total amount of cases under this report 500 cases. Quantity of cases
 & volume lost.

Yr. Howard

██████████ ██████████ ██████████ ██████████

STATE OF IDAHO,

County of _____

County of Ada. } ss.
J. W. Almon

J. W. Almon....., 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 Fifth day of Feb. 1909

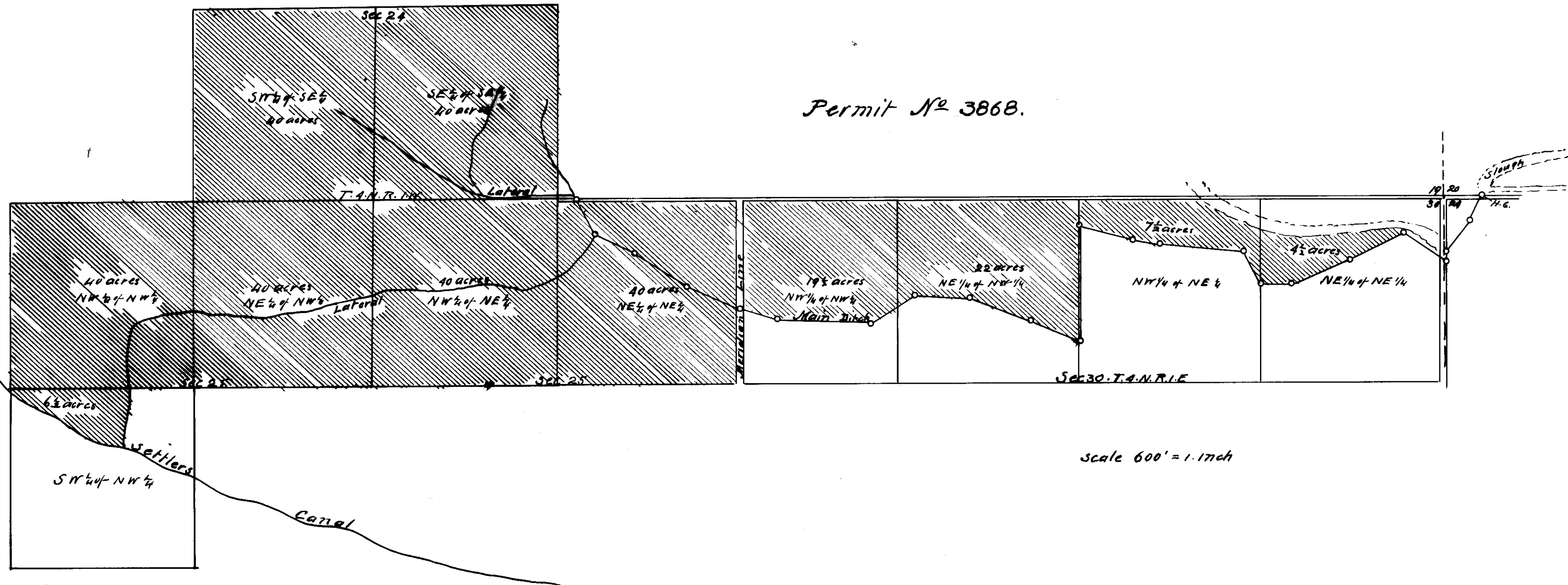
My Commission Expires

My Commission Expires Nov. 16, 1911.

J. F. Colvin
Notary Public

Notary Public.

Permit No 3868.



Scale 600' = 1 inch

PERMIT No. 3868

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. C C Mosley - Meridian Idaho - Former
Director Better Irrigation District

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Acting as Director Better Irrigation District
by authority board of directors

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. ~~3868~~ 3868 - dated August 1, 1908. for 6 cusecs

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation - see note hereto attached

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. yes - six second feet

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. yes

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. no variance

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. ditch - 3 feet wide on bottom - 4 to 6 feet at
water line - 1 to 2 feet in depth.

(Sign here.)

C C Mosley

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 Boise, County

of Ada, State of Idaho, on this 1st day of February A. D. 1909.

3868

Jas. Stephenson Jr.

In Sec. 30 T. 4 N. R. 1 E. S. 1 W. 1/4 of NE. 1/4 40 acres.

NW. 1/4 of NE. 1/4 40 acres. SE. 1/4 of NE. 1/4 40 acres.

NW. 1/4 of NW. 1/4 40 acres.

In Sec. 31 T. 4 N. R. 1 E. S. 1 W. 1/4 of NE. 1/4 40 acres.

NW. 1/4 of NE. 1/4 40 acres. NW. 1/4 of NW. 1/4 40 acres.

NW. 1/4 of NE. 1/4 40 acres. SW. 1/4 of NW. 1/4 40 acres.

In Sec. 32 T. 4 N. R. 1 E. S. 1 W. 1/4 of SE. 1/4 40 acres.

SE. 1/4 of SE. 1/4 40 acres.

In Sec. 30 T. 4 N. R. 1 E. NE. 1/4 of NE. 1/4, 4 1/2 Acres.

NW. 1/4 of NE. 1/4 7 1/2 Acres NW. 1/4 of NW. 1/4 28 Acres.

NE. 1/4 of NW. 1/4 19 1/2 Acres.

In Sec. 30 T. 4 N. R. 1 W. NW. 1/4 of NE. 1/4 40 Acres.

NW. 1/4 of NE. 1/4 40 Acres. NW. 1/4 of NW. 1/4 40 Acres.

NW. 1/4 of N. 1/4 40 Acres. SW. 1/4 of NW. 1/4 6 1/2 Acres.

In Sec. 34 T. 4 N. R. 1 W. SE. 1/4 of SE. 1/4 10 Acres.

SE 1/4 of SE. 1/4 40 Acres.

3598

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT NO. 3868

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. J. L. Waggoner - 38 years - Mendon Idaho
Salmon

Ques. 2. Are you acquainted with Pettus Ingraham, the holder of Permit No. 3868, authorizing the diversion of 6 second-feet of the waters of Blount, at pt. 255 E. of NW Co. Sec 20 for irrigation purposes? How long have you known him, and where does he reside?

Ans. About 2 years since its organization

Ques. 3. Have you read or heard read said Permit No. 3868, and are you familiar with its terms and conditions?

Ans. yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. yes see list

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Ditch 3 miles long - 3 ft wide on bottom 4 to 6 feet wide & 1 to 2 feet deep

(Sign here.)

J. L. Waggoner

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 Boise, County of Ada, State of Idaho, on this 1st day of February A. D. 1909.

Geo. Thompson Jr

In Sec. 30 T.4 N.r. 1 E: NE. 1/4 of NE. 1/4, 4 1/2 acres.
NW. 1/4 of NE. 1/4 7 1/2 acres NE. 1/4 of NW. 1/4 22 acres.
NW. 1/4 of NW. 1/4 19 1/2 acres.

In Sec. 25 T. 4 N. R. 1 W. NE. 1/4 of NE. 1/4 40 acres.
NW. 1/4 ed NE. 1/4 40 Acres. NE. 1/4 of NW. 1/4 40 acres.
NW. 1/4 of NW. 1/4 40 acres. SW. 1/4 of NW. 1/4 6 1/2 acres.
In Sec. 24. T. 4 N. R. 1 W. SE. 1/4 of SE. 1/4 40 acres.
SW 1/4 ed SE. 1/4 40 Acres.

The Depositions of two Witnesses, in this form, taken separately, required in each case.

PERMIT No. _____

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Leone M. Muller, 47 years - Meridian
Idaho - Former Manager Seattle Iron Dist.

Ques. 2. Are you acquainted with Seattle Iron Dist., the holder of Permit No. 3868, authorizing the diversion of Six second-feet of the waters of Grouse Shoshone for irrigation purposes? How long have you known him, and where does he reside?

Ans. since its organization 2 years ago

Ques. 3. Have you read or heard read said Permit No. 3868, and are you familiar with its terms and conditions?

Ans. yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. yes Arid land - requires 1 inch to acre
estimated flow as described attached

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. ditch about 8 miles long - 8 ft wide in bottom, 1 1/2 ft
deep and 4 to 6 feet wide with distributing laterals

(Sign here.)

Leone M. Muller

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 _____ Boise _____, County

of Ada, State of Idaho, on this 1st day of

February

A. D. 1909.

3868

James H. Johnson

In Sec. 30 T.4 N.R. 1 E: NE. 1/4 of NE. 1/4, 4 1/2 acres.

NW. 1/4 of NE. 1/4 7 1/2 acres NE. 1/4 of NW. 1/4 12 acres.

NW. 1/4 of NW. 1/4 19 1/2 acres.

In Sec. 35 T. 4 N. R. 1 W. NE. 1/4 of NE. 1/4 40 acres.

NW. 1/4 of NE. 1/4 40 Acres. NE. 1/4 of NW. 1/4 40 acres.

NW. 1/4 of NW. 1/4 40 acres. SW. 1/4 of NW. 1/4 6 1/2 acres.

In Sec. 34. T. 4 N. R. 1 W. SE. 1/4 of SE. 1/4 40 acres.

SW 1/4 of SE. 1/4 40 Acres.

PERMIT NO.

Proof of Application of Water to Beneficial Use.**DEPOSITION OF WITNESS:**

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

Answer.

*J. L. Waygover - 387 W. Madison St. Chicago*Question 2. Are you acquainted with *Arthur Ingerton Hunt*, the holder of Permit No. *3868*? How long have you known him, and where does he reside?Answer. *Known since organization about 2 years ago*Question 3. Have you read or heard read said Permit No. *3868*, and are you familiar with its provisions and conditions?Answer. *yes*

Question 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Answer. *slough diverted about 2 1/2 ft. East NW Cor. Sec. 30 T4N. R. 1 E - ditch running westerly about 3 miles 3 ft wide in bottom - 4 to 6 feet wide and 1 to 2 feet deep*

Question 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.

Answer. *six second feet*

Question 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.)

Answer. *Irrigation see list Hunt attached*

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

Answer. *none*

Question 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.

Answer. *Arid - at least 1 inch to acre Outwaters flow*

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

Ans. None. St. Cephos uses under

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

Ans. I and Ben ditch have seen water diverted and distributed through it during irrigation season of last 2 years.

(Sign) L. Wagoner

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 Boise, County of Ada, State of Idaho, on this 1st day of February, A. D. 1909.

Jas. Stephenson Jr.
State Engineer.

Permit No.

Proof of Application of Water
to Beneficial Use.

DEPOSITION OF WITNESS.

Received and filed

In Sec. 30 T.4 N.r. 1 E; NE. 1/4 of NE. 1/4, 4 1/2 acres.

NW. 1/4 of NE. 1/4 7 1/2 acres NE. 1/4 of NW. 1/4 22 acres.

NW. 1/4 of NW. 1/4 19 1/2 acres.

In Sec. 25 T. 4 N. R. 1 W. NE. 1/4 of NE. 1/4 40 acres.

NW. 1/4 od NE. 1/4 40 Acres. NE. 1/4 of NW. 1/4 40 acres.

NW. 1/4 of NW. 1/4 40 acres. SW. 1/4 of NW. 1/4 6 1/2 acres.

In Sec. 24. T. 4 N. R. 1 W. SE. 1/4 of SE. 1/4 40 acres.

SW 1/4 od SE. 1/4 40 Acres.

PERMIT NO. _____

Proof of Application of Water to Beneficial Use.**DEPOSITION OF WITNESS:**

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

Answer. David M. Muller - age 47 - Mendota Idaho
Former - Mgr. Sutter Irrigation DistrictQues. 2. Are you acquainted with Sutter Irrigation District
the holder of Permit No. 3868? How long have you known him, and where does he reside?Ans. since organization about 2 years agoQues. 3. Have you read or heard read said Permit No. 3868, 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. slough - point diversion about 2 ft feet E. N. Q. Co. Sec 20
J. H. R. 1 Co. ditch 3 miles long running westerly, 8 ft wide on bottom
1 to 2 feet deep 4 to 6 feet wide

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. 25

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.)

Ans. see list hereto attached

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

Ans. no power

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. arid requires about 1 inch to one continuous flow

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

Ans. *None except as a user of water under this*
diversion.

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

Ans. *seventy years since have been built*

(Sign) *Isaac McMillen*

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 Boise, County of Ada, State of Idaho, on this 1st day of February, A. D. 1909.

John Stephenson Jr.
State Engineer.

Permit No.

Proof of Application of Water
to Beneficial Use.

DEPOSITION OF WITNESS.

Received and filed

Permit No. 3868

Proof of Application of Water to Beneficial Use.

DEPOSITION OF HOLDER.

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

Ans. *C C Morby, Director Settlers Irrigation District*

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. *as Director by Authority of Board of Directors*

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

Ans. *No. 3868, date - May 9, 1908.*

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

Ans. *Slough on S² Sec 4 Sw 20 T. 4 N. Rng 1. E 2 M diverted at point about 285 ft E. N 8 cor Sec 30 T 4 N. R 1 E 2 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. *ditch 3 ft wide on bottom - 4 to 6 ft wide at water line 1 to 2 feet deep. Called "Company Canal No 2."*

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.)

Ans. *Irrigation on lands list of which is hereto attached. for use of Settlers Irrigation District*

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. *six 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. diverted for use of settlers canal about April 1st 1898. entire 6 second feet used on said lands,

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 all rights claimed thereunder.

Ans. none -

(Sign.)

D. C. Morgan

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 Boise, County of Ada, State of Idaho, on this 1st day of February A. D. 1909.

Geo. Stephenson Jr.
State Engineer.

Permit No.

Proof of Application of Water to
Beneficial Use.

DEPOSITION OF HOLDER.

Amount of water second feet.

Source

County

Purpose

Place of use

Date of priority

Received and filed

Boise, Idaho, January 7, 1909.

F. W. Almond, County Surveyor,

Boise, Idaho.

DEAR SIR:

The holder of Permit No. 3868, Settlers Irrigation District, residing at Boise, Idaho, which permit authorizes the diversion of 6 second-feet of the waters of Slough at _____, desire to make proof of the completion of works of diversion, and beneficial use of water, on February 1, 1909.

Will you therefore please arrange with the holder of said permit for an examination of the works of diversion, ascertain whether or not they comply fully with the terms of said permit, and render me a report on the condition of such works before the date fixed for said proof of completion, in accordance with the provisions of Sections 4 and 5 of House Bill No. 146, passed by the Seventh Session of the Legislature, approved March 11, 1903.

Your report should be of sufficient detail to enable me to figure out the amount of water the works are capable of diverting and conveying to the place of use; giving also the description of the location of the point of diversion, and, in case of irrigation, the legal description of the land to be irrigated. Give exact number of acres under cultivation in each forty acre tract.

Will you also make a map on the enclosed plat, giving all the essential features of the works, such as point of diversion, route of ditch, place of use, etc.

You should also arrange with the holder of said permit for the payment of your fee for this service and such proper expenses as you will incur in making this examination and report.

Please advise me promptly of your receipt of this communication, and whether or not you will be able to make the examination and report requested.

Yours truly,

JAS. STEPHENSON, JR.,

State Engineer.

3868

(Place)

Boise

(Date)

7/29/08

State Engineer, Boise, Idaho.

Dear Sir:

I have your letter of *7/29/08* enclosing Notice of
Completion of Works and Notice of Application of Water to Beneficial
Use under Permit No. *3868* which will be published as you request,
beginning with our *early* issue of *Dec 31-08*

CAPITAL NEWS PUBL. CO. LTD.

3868

By *Clarence*

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Notice of Proof of Completion of Works
and
Application of Water to Beneficial Use.

Notice is hereby given that at ~~Boise, Id.~~
on the 1st day of February, 1909, at Boise,
County of Ada, State of Idaho, before State Engineer,
proof will be submitted of the completion of works for the diversion of
6 cubic feet per second of the waters of a slough,
and of the application to beneficial use of said water in accordance
with the terms and conditions of Permit No. 3868 heretofore issued
by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person holding said
permit ~~is~~ are Settlers Irrigation District, Boise, Idaho.

2. Said works of diversion will be fully completed on the date
set for such completion, and the amount of water which said works are
capable of conducting to the place of intended use, in accordance with
the plans accompanying the application for such permit, is six
cubic feet per second.

3. The use to which said water has been applied is irrigation
and domestic purposes, and the amount applied to beneficial use is six
~~per second~~ cubic feet per second.

4. The place where said water is used is on lands under Settlers
ditch in Settlers Irrigation District, Ada County, Idaho, as now organized in Ada
County, Idaho.

5. The date of priority which said user is prepared to estab-
lish is May 9, 1908.

JAS. STEPHENSON, Jr.,

State Engineer.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

INSTRUCTIONS.

Proof of Completion of Works
and
Proof of Beneficial Use of Water.

Boise, Idaho, December 28, 1908.

Settlers Irrigation District,
Boise, Idaho.
c/o O.C. Mosley.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works and proof of application of water to beneficial use under your permit No. 3868.

Depositions 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 February 1, 1909, the date set for the proof of completion of works, the enclosed deposition forms (two for permit holder and two each for two witnesses) should be filled out and sworn to, at Boise, Idaho, before State Engineer.

2. To complete the proof, it is also necessary that an examination be made of the works as constructed, which examination must be under the authority of the State Engineer. It is the desire to make this expense as light as possible to the permit holder. Will you therefore give me the name of a competent engineer, or surveyor, in your neighborhood who could do this work with as little expense as possible to you. Upon receipt of name of such engineer or surveyor I will authorize him to do the work. The examination should be made on or before the date set for the proof.

3. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$5.00 for completion of work 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, Certificate of Completion of Works and License will issue.

Yours truly,

JAS. STEPHENSON, Jr.,

State Engineer.

3868

Permit No. _____

Notice of Proof of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Engineer at least 60 days before the time set for application of water.)

(P. O.) Boise Idaho
(Date) Nov-16-1908

TO THE STATE ENGINEER OF THE STATE OF IDAHO, BOISE, IDAHO:

DEAR SIR: Notice is hereby given that at 2. Idaho St. on the 1st day of February 1909, at Boise County of Ada State of Idaho, before The State Engineer proof will be submitted of the application to beneficial use of 2.5 cubic feet per second of the waters of Slough in accordance with the terms and conditions of Permit No. 3868 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 _____

Settlers Irrigation District - -

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

Irrigation

3. The amount applied to beneficial use is _____

2.5 cubic feet per second of water

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

upon the lands under Settlers ditch in the Settlers Irrigation District as the same is now organized in Ada County Idaho

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

Settlers No 26. The right to take the water from such works is based upon Permit No. 3868

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

a Slough running in a West-south West direction in Sec 28, then in a North West direction through North - West 1/4 of Sec 29. T4 N. R 1 E - to section line between Sec 28 & 29 Ada County Idaho

8. The date of the priority which said user is prepared to establish is _____

May 4th 1908

I desire that the above notice be published, according to law, in the _____

Capital Newsof Boise, published in the county in which said water is to be used; the expense of which publication will be borne by Settlers Irrigation District

3868

(Sign) C. C. Mosby
J. J. Maud
Thos. Maud } representatives

Notice of Proof of Completion of Works.

(This blank must be filled out by holder of permit and forwarded by registered mail to the State Engineer at least 60 days before the time set for completion of works.)

(P. O.)

Boise Idaho

(Date)

TO THE STATE ENGINEER OF THE STATE OF IDAHO, BOISE, IDAHO:

Dear Sir: Notice is hereby given that at 2 o'clock P. M. on the 1st day of

February 1909, at Boise County of Ada

State of Idaho, before The State Engineer proof will be submitted of the

completion of works for the diversion of Six cubic feet per second of the waters of Blough, running in a westerly direction in Sec 28, Thence in a Northwesterly direction through Northwesterly part of Sec 29, Tps 4 N. R. 1 E., County of Ada, to the section line between Sections 19 & 24

in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is

Settlers Irrigation District

2. The postoffice address of such person or the place of business of such corporation is

Boise County of Ada State of Idaho.

3. The number of such permit is 3868, and the date set for the completion of such work is

February 1, 1909

4. Said water to be used for Irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is Six cubic feet per second.

6. The amount of lands for which said water is available is 300 acres

acres, particularly described as follows: of lands under Settlers ditch in Settlers Irrigation District, Ada County, Idaho - as now organized in Ada County, Idaho

(In case of all 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 above notice are true.

Engineer.

We desire that the above notice be published, according to law, in the Weekly

Capital News of Boise published in the county in which said

works are situated; the expense of which publication will be borne by Settlers Irrigation District

(Signature)

A C Moody
J F Maw
Thos. Moran } Directors

3868

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, November 1, 1908

Settlers Irrigation District,
Boise, Idaho

Dear Sir:

I enclose herewith blank Notice of Proof of Completion of Works under your permit No. 3868 and blank Notice of Proof of Beneficial Application of Water under same permit, which notice should be filled out and returned to me at least 60 days before the date upon which it is desired to submit proof, which proof should be on or before February 1, 1909.

Yours truly,

3868

JAS. STEPHENSON, Jr.,

State Engineer.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

JAS. STEPHENSON, JR.,
ENGINEER

Boise, Idaho, August 10, 1908.

Permit 3868.

Settlers Irrigation District,
Boise, Idaho.

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.

JAS. STEPHENSON, Jr.,

State Engineer.

3868

P3868

T 4 N R 1 W

T 4 N R 1 E

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Boise Meridian

Point of diversion

Line of ditch

Slough

State Engineer

James H. Johnson

Approved August 1, 1906.

Application No. 5172.
Permit No. 2668.
Settlers Irrigation District,
6 sec. 16. Slough.
Ada county.